



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

October 24, 2024
4:00 pm Regular Meeting

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

MISSION STATEMENT

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

Commissioners Present:

Greg Adkins, Chair
Jessica Farr, Vice Chair
Lillian Blackshear
Stewart Clifton
Edward Henley
Kathy Leslie
Dennie Marshall
Councilmember Jennifer Gamble

Staff Present:

Lucy Kempf, Executive Director
Lisa Milligan, Assistant Director of Land Development
Tara Ladd, Legal Counsel
Amelia Gardner, Planner III

Commissioners Absent:

Asia Allen
Leah Dundon
Matt Smith

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission

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Notice to Public

Please remember to turn off your cell phones.

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

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

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

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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: planningcommissioners@nashville.gov

Speaking to the Commission

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

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

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

Legal Notice

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



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

MEETING AGENDA

A: CALL TO ORDER

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

B: ADOPTION OF AGENDA

Mr. Marshall moved, and Councilmember Gamble seconded the motion to adopt the agenda. (7-0)

C: APPROVAL OF SEPTEMBER 26, 2024 MINUTES

Mr. Marshall moved, and Mr. Henley seconded the motion to approve the September 26, 2024, meeting minutes. (7-0)

D: RECOGNITION OF COUNCILMEMBERS

Councilmember Allen spoke in favor of Items 15 and 16. She described adjustments and added language she hopes to make on the Council level.

Ms. Milligan explained the process the Planning Commission goes through with Council in terms of determining how text amendments are amended and when they come back to the Commission.

E: ITEMS FOR DEFERRAL / WITHDRAWAL: 1, 5, 6, 8, 10, 11, 12, 13, 17, 20, 21, 22, 23, 26, 28, 29, 30, 31, 33

Ms. Gardner stated Ms. Blackshear has recused herself from Items 12, 30 and 31.

Councilmember Gamble moved, and Mr. Marshall seconded the motion to approve the Deferred and Withdrawn Items. (7-0)

F: CONSENT AGENDA ITEMS: 49, 54

Ms. Gardner stated Ms. Blackshear has recused herself from Items 2 and 18.

Ms. Gardner stated Mr. Henley has recused himself from Item 44.

Ms. Leslie moved, and Mr. Henley seconded the motion to approve the Consent Agenda. (7-0)

Vice Chair Farr joined the meeting.

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

- 2023Z-003TX-001**
DOWNTOWN CODE AMENDMENT
Staff Reviewer: Jared Islas

A request to amend Section 17.37 of the Metropolitan Code of Laws to update the Downtown Code's Bonus Height Program (BHP) and Outdoor Space standards as well as several minor housekeeping amendments.

Staff Recommendation: Defer to the January 9, 2025, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024Z-003TX-001 to the January 9, 2025, Planning Commission meeting. (7-0)

2. 2024SP-015-001

TALBOT'S CORNER

Council District: 02 (Kyonzté Toombs)

Staff Reviewer: Dustin Shane

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

Staff Recommendation: 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), Industrial Warehousing/Distribution (IWD), Specific Plan (SP) and Single-Family Residential (RS5) to Specific Plan (SP) for various properties along Dickerson Pike and West Trinity Lane, at the southwest corner of West Trinity Lane and Dickerson Pike (61.41 acres), partially within the Dickerson Pike Sign Overlay District, 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.

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

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

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 14 units based on acreage alone (1.63 acres). Application of Metro's Subdivision Regulations may result in fewer units.*

Dickerson Pike Sign Urban Design Overlay (UDO)

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

PLAN DETAILS

The 61.41-acre assemblage of properties is located north and south of West Trinity Lane and west of Dickerson Pike. The property currently contains open storage, vacant commercial land, vacant residential land, two motels, a gas station, a distribution warehouse, a fast-food restaurant, a parking lot, a nightclub, and a small warehouse. These uses are variously zoned CS, IWD, and RS5, with an SP covering a salvage yard accessed via Lucas Lane. The site draws access from and has extensive frontage along Dickerson Pike and West Trinity Lane. Along the western side of the property there is a steep bluff that drops off into the floodway of the Pages Branch creek, which flows north and east through the site across West Trinity Lane.

Uses to the south include vacant residential land, Schwab Elementary School, and a mobile home park, zoned RM20-A and RS5. Across Dickerson Pike to the east are vacant commercial land, an auto body shop, an auto dealer, two motels, a fast-food restaurant, a convenience store, and a mobile home park, zoned SP and CS. To the north are a warehouse, a mobile home park, vacant commercial land, single-family homes, vacant residential land, and a gas station, zoned RS5, CS, SP, and MUL.

Regulatory Plan

The plan calls for a mixed-use development based on modified MUI-A-NS, MUG-A-NS, and MUL-A-NS standards. There are three height zones identified (1-3), with Zone 1 allowing 15 stories, Zone 2 allowing 12 stories, and Zone 3 allowing six stories (a note indicates heights shall be measured according to the standard SP measurement used by Planning). Zone 1 is the westernmost zone, and it hugs the floodplain and creek area which makes up the western boundary of the property with the interstate. Zone 2 covers the majority of the site, including the intersection of West Trinity Lane and Dickerson Pike. Zone 3 is limited to the southeastern corner of the site along Dickerson Pike and the extreme southern tip of the property along the interstate.

Zone 1 defaults to MUI-A-NS standards, Zone 2 to MUG-A-NS, and Zone 3 to MUL-A-NS standards, with some modifications. These modifications include the aforementioned maximum height limits (which are based on the supplemental policy for the site) but also include step-back requirements at certain points (Zones 1 and 2 propose 15-foot step-backs for 80% of their frontages while Zone 3 does not propose a step-back); build-to zones (Zone 3 propose 80% of the building to be within the 0-15-foot step-back area while Zones 1 and 2 propose 80% of the building to be within 20 feet of the property line along Dickerson Pike and West Trinity Lane for the purposes of building articulation and pedestrian plazas and passages); maximum FAR modifications based on the taller heights (Zones 1 and 2 proposes maximum FARs of 7.0 and 6.0, respectively, while Zone 3 proposes a maximum FAR of 4.0); and side and rear setbacks (no side or rear setbacks are proposed). ISR is set at 0.9 for each zone (which is lower than the MUI-A-NS base standards would permit for Zone 1).

Prohibitions on certain auto-oriented uses and short-term rental property (STRP), owner occupied and not owner occupied, are included, with the uses permitted defaulting otherwise to the base zoning standards mentioned for each zone. Architectural standards include notes requiring pedestrian orientation along streets for front facades, articulation to break up blank facades, glazing proportions, raised foundations, and porch depths, but also include screening standards for above-ground parking structures—ground floors and greenway-facing facades must feature active liners while upper floors are permitted architectural screening that matches the materials, rhythm, spacing, and proportions of the habitable portions of the buildings to ensure seamless transitions. Parking standards will follow the parking maximum limits of the UZO.

A major greenway route is proposed along Pages Branch, which enters the site from the west under the interstate and moves north and east across the site and under West Trinity Lane. The greenway is proposed to track with the bluff above the creek and then to break away and cross at the current signalized intersection of Lucas Lane and West Trinity Lane before continuing back over to the creek's path north of West Trinity Lane. Cross sections, which show the 14-foot multi-use path required for greenways, have been provided and approved by Parks.

A preliminary road network is shown that includes one collector street extending from Dickerson Pike west before curving north (tracking with Lucas Lane where it currently intersects with West Trinity Lane) and continuing towards a regulatory SP across West Trinity Lane to the north (Case No. 2023SP-072-001), approved in 2023. Local streets will extend east from the collector to Dickerson Pike, and west and south around the mobile home park adjacent to the site. Alleys will provide access through all blocks. Cross-sections approved by NDOT that incorporate pedestrian, bicycle, and vehicular traffic are provided with the plans.

A preliminary phasing plan showing which areas are anticipated to be developed in 0-5, 5-10, and 10-15 years is provided. It is a condition of approval that the proposed collector be completed with the full build-out of the first phase of development. Notes indicate that stormwater and landscaping regulations will be adhered to at final site plan.

EAST NASHVILLE COMMUNITY PLAN

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

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.

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

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.

Dickerson South Corridor Study

The Dickerson South Corridor Study provides supplemental guidance for future development in the Dickerson Pike area by addressing land use, transportation, and community design at the neighborhood scale while also supporting

high-capacity transit envisioned by NashvilleNext. The Dickerson South Corridor Study established a supplemental Building Heights Subdistricts policy for the area, which provides guidance on maximum building heights and appropriate zoning districts intended to create a pattern of development that is supported by the applicable subdistrict.

ANALYSIS

The proposed SP provides standards that will allow for a mixed-use development with appropriate land use, scale, and design that is urban and pedestrian-oriented in form, with street connectivity and sidewalks creating a pedestrian-friendly environment. The Dickerson South Corridor Study supports heights ranging from six stories to 15 stories in the subject site area, though much of the 15-story height area is within floodplain at the bottom of the western half of the site and is within the proposed open space zone. The proposed SP implements the height area locations specified by the supplemental policy, in addition to the base zoning standards appropriate to each zone and underlying base policy, with the small modifications detailed above. Transitions in height are provided per the supplemental policy guidance via stepbacks and the interposition of streets between height areas. Tower separation of 40 feet is required at seven stories and above to ensure light and air.

The SP proposes a new collector street connection from the south to the north partly paralleling Dickerson Pike before wrapping to the east. This connection is provided with appropriate cross-sections per the Dickerson South Study. Local street connectors internal to the site will further build out the transportation alternatives envisioned by the Study. Per the Major and Collector Street Plan (MCSP), required improvements are proposed for the West Trinity Lane and Dickerson Pike frontages, and extensive WeGo bus stop improvements will be provided.

The greenway multi-use path traversing the site is in response to the Dickerson South Study as well, which calls for this recreational connection. The SP includes a path and cross-sections approved by Metro Parks and standards that ensure the greenway design will be provided by the developer consistent with the standards of Metro Parks/Greenways. An additional minimum 10-foot setback is proposed for buildings adjacent to the greenway, thus providing more space between the 15-story towers and the more natural areas of the site. For any above ground parking structures, active liners are required along greenway frontages and all public-facing ground floors to ensure pedestrian activation and to screen parking structures. The CO policy applies to the floodway and floodplain associated with Pages Branch. Required Metro Stormwater buffers, as well as the greenway requirements, will limit the amount of disturbance within the CO policy area.

A plaza area is proposed for the intersection of Dickerson Pike and West Trinity Lane per the supplemental policy. This space will highlight the area's history. Sightlines to downtown will also be preserved by the arrangement of the height zones. A sightline exhibit was provided with the application.

Given that the SP includes design standards consistent with the policy, requires the street connections envisioned by the Dickerson Pike Study and the MCSP, provides greenway standards approved by Metro Parks/Greenways and limits disturbance of areas in CO policy, staff finds that the proposed SP is consistent with the T4 CC, T4 MU, T4 CM, and CO policies, the Dickerson South Corridor Study, and the MCSP. The proposal will further the redevelopment of this underutilized corridor within an established core neighborhood of Nashville.

FIRE MARSHAL RECOMMENDATION

Approve

METRO HISTORIC RECOMMENDATION

Approve

- Phase I archaeological survey recommended but not required.

WEGO PUBLIC TRANSIT RECOMMENDATION

Approve with conditions

- The development must provide a complete southbound Bus Rapid Transit (BRT) stop on Dickerson Pike, including level boarding and appurtenances. The stop must be immediately south of the Trinity Lane intersection. The minimum dimensions of the stop must be as per the MCSP supplemental page. The development must coordinate and reach agreement with WeGo Robert.Johnson@Nashville.gov on the detailed design of the stop, which may be center running or curb side. The development must provide pedestrian access to the stop from the development and the sidewalk network, including if center running BRT is used. The stop must be provided prior to or during Phase 1.
- The development must assume that dedicated BRT will be constructed along Dickerson Pike. All curb uses, turn lanes and traffic movements must therefore be planned and constructed with the coordination and agreement of TDOT, NDOT and WeGo. The development must coordinate and reach agreement with WeGo Robert.Johnson@Nashville.gov on the detailed design of the BRT, which may be center running or curb side. Transit Signal Priority may be required of the development. The BRT may be planned or constructed at any time.

- The development must provide a pair of local service bus stops including appurtenances on Dickerson Pike at Access 1. These stops must be as per local service shelter-type stops in the latest edition of the WeGo Design Guidelines, with passenger waiting areas a min of 45ft x 8ft x 6in thick concrete. The development must provide a crosswalk over Dickerson Pike that conveniently links these bus stops, the development and the sidewalk network. The development must coordinate and reach agreement with WeGo Robert.Johnson@Nashville.gov on the detailed design of these stops, which must be provided prior to or during Phase 1.
- The development must provide a pair of local service bus stops including appurtenances on W Trinity Lane at Lucas Lane. These stops must be as per local service bench-type stops in the latest edition of the WeGo Design Guidelines, with passenger waiting areas a min of 45ft x 8ft. The development must provide a crosswalk over Dickerson Pike that conveniently links these bus stops, the development and the sidewalk network. The development must coordinate and reach agreement with WeGo Robert.Johnson@Nashville.gov on the detailed design of these stops, which must be provided prior to or during improvements to the Lucas Lane intersection.

PARKS AND GREENWAYS RECOMMENDATION

Approve

- Approved per plan set received 10/07/24.

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final 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 SPs with proposed public roads will serve as the official road plan set. Therefore, include proposed public roadway construction drawings (profiles, grades, drainage, etc.). Roadway construction drawings shall comply with NDOT Subdivision Street Design Standards.
- With a final: Callout the following per NDOT ST- detail sections: roadways, 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. 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.
- There shall be no vertical obstructions (poles, meters, etc.) in new public sidewalks. Call out for removal and/or relocation of potential aforementioned obstructions. Comply w/ NDOT traffic comments.
- Continue to coordinate w/ NDOT traffic and roads on consolidation of drives for existing truck stop off Lucas. Provide additional truck turning exhibits for revisions to drives and curb radius.

NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- All mitigation measures identified in the MMTA are to be completed with the corresponding phases of development. As each phase comes through for review, supplemental analysis may be required if there are any changes to the trip generation, or if determined to be needed by NDOT.
- With the design of the greenway, curb cuts that will conflict should be significantly minimized, including any existing access points.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	.38	8.71 F	3 U	41	7	3

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
Warehousing (150)	30.54	0.8 F	1,064,258 SF	1,727	181	203

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)	29.07	0.6 F	759,774 SF	28,681	714	2,894

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.42	0.8 F	49,484 SF	124	8	10

Maximum Uses in Proposed Zoning District: **SPZ1**

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)	9.19	7.0 F	2,802 U	15,269	897	1,087

Maximum Uses in Proposed Zoning District: **SPZ1**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	4.59	7.0 F	1,399,582 SF	52,834	1,316	5,333

Maximum Uses in Proposed Zoning District: **SPZ1**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	4.59	7.0 F	1,399,582 SF	157,005	13,912	13,674

Maximum Uses in Proposed Zoning District: **SPZ2**

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)	18.13	6.0 F	4,738 U	25,820	1,501	1,799

Maximum Uses in Proposed Zoning District: **SPZ2**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	9.06	6.0 F	2,367,921 SF	89,389	2,226	9,021

Maximum Uses in Proposed Zoning District: **SPZ2**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	9.06	6.0 F	2,367,921 SF	265,633	23,537	23,134

Maximum Uses in Proposed Zoning District: **SPZ3**

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)	3.38	4.0 F	589 U	3,208	195	243

Maximum Uses in Proposed Zoning District: **SPZ3**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.69	4.0 F	294,465 SF	11,116	277	1,122

Maximum Uses in Proposed Zoning District: **SPZ3**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	1.69	4.0 F	294,465 SF	33,033	2,927	2,877

Traffic changes between maximum: **RS5/SP/CS/IWD and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+622,734	+45,878	+55,180

METRO SCHOOL BOARD REPORT

Projected student generation for existing CS/IWD/SP/RS5 districts: 1 Elementary 1 Middle 1 High

Given the mix of uses permitted by the SP-MU zoning district, the number of residential units ultimately built on site may vary and an assumption as to impact at this point is premature. Students generated by future development would attend Shwab and Tom Joy Elementary Schools, Jere Baxter Middle School, and Maplewood High School.

Shwab Elementary School is identified as being under capacity while all three other 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 all uses per the MUI-A-NS zoning district for Zone 1, all uses per the MUG-A-NS zoning district for Zone 2, and all uses per the MUL-A-NS zoning district for Zone 3, except for prohibited uses specified in the plan for Zones 1, 2, and 3.
2. The development shall be limited to a maximum FAR of 7.0 in Zone 1, a maximum FAR of 6.0 in Zone 2, and a maximum FAR of 4.0 in Zone 3, excluding underground parking.
3. Prior to submitting final site plan for the first phase, applicant shall coordinate with Planning and NDOT to discuss phasing plan for the development.
4. If development is phased, the entire length of the proposed collector shall be completed with the full build-out of the first phase. If not phased, this shall take place with first final site plan approval.
5. Final road alignments to be determined at final SP in coordination with Planning and NDOT.
6. No FAR bonuses or exceptions are permitted beyond that specified for underground parking.
7. On the corrected copy, add a note on Sheet 18, "Street Network," that indicates that the proposed collector will also stub out to the southern property line as well as routing east to Dickerson Pike.
8. Stories shall be defined per the "Story" definition in the Metro Zoning Code.
9. Covered rooftop amenities shall be included in maximum height calculation.
10. On the corrected copy, on Sheet 12, "District Regulations," update minimum setback requirements to 15' for all streets in Zones 1 and 2.
11. On the corrected copy, on Sheet 12, "District Regulations," continue the road names found in the first column of the step back standards row across the other two columns within the step back standards row.
12. On the corrected copy, on Sheet 9, "Community Character," circle in red under the "up to 12 stories" column and within the "T4-CM" row the "MUG-A" label.
13. On the corrected copy, add the 10-foot building setback required for buildings along the greenway to the District Regulations.
14. No master permit/HPR shall be recorded prior to final SP approval.
15. Final plat may be required prior to permitting.
16. 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.
17. On the corrected copy, change "street level" to "ground level" in Standard 5 on Sheet 15.
18. 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.
19. 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.
20. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
21. Comply with all conditions and requirements of Metro reviewing agencies.
22. 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 MUI-A-NS zoning district for Zone 1, the MUG-A-NS zoning district for Zone 2, and the MUL-A-NS zoning district for Zone 3 as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
23. 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.
24. 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. (6-0-1)

Resolution No. RS2024-230

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-015-001 is approved with conditions and disapproved without all conditions. (6-0-1)

CONDITIONS

1. Permitted uses shall be limited to all uses per the MUI-A-NS zoning district for Zone 1, all uses per the MUG-A-NS zoning district for Zone 2, and all uses per the MUL-A-NS zoning district for Zone 3, except for prohibited uses specified in the plan for Zones 1, 2, and 3.

2. The development shall be limited to a maximum FAR of 7.0 in Zone 1, a maximum FAR of 6.0 in Zone 2, and a maximum FAR of 4.0 in Zone 3, excluding underground parking.
3. Prior to submitting final site plan for the first phase, applicant shall coordinate with Planning and NDOT to discuss phasing plan for the development.
4. If development is phased, the entire length of the proposed collector shall be completed with the full build-out of the first phase. If not phased, this shall take place with first final site plan approval.
5. Final road alignments to be determined at final SP in coordination with Planning and NDOT.
6. No FAR bonuses or exceptions are permitted beyond that specified for underground parking.
7. On the corrected copy, add a note on Sheet 18, "Street Network," that indicates that the proposed collector will also stub out to the southern property line as well as routing east to Dickerson Pike.
8. Stories shall be defined per the "Story" definition in the Metro Zoning Code.
9. Covered rooftop amenities shall be included in maximum height calculation.
10. On the corrected copy, on Sheet 12, "District Regulations," update minimum setback requirements to 15' for all streets in Zones 1 and 2.
11. On the corrected copy, on Sheet 12, "District Regulations," continue the road names found in the first column of the step back standards row across the other two columns within the step back standards row.
12. On the corrected copy, on Sheet 9, "Community Character," circle in red under the "up to 12 stories" column and within the "T4-CM" row the "MUG-A" label.
13. On the corrected copy, add the 10-foot building setback required for buildings along the greenway to the District Regulations.
14. No master permit/HPR shall be recorded prior to final SP approval.
15. Final plat may be required prior to permitting.
16. 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.
17. On the corrected copy, change "street level" to "ground level" in Standard 5 on Sheet 15.
18. 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.
19. 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.
20. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
21. Comply with all conditions and requirements of Metro reviewing agencies.
22. 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 MUI-A-NS zoning district for Zone 1, the MUG-A-NS zoning district for Zone 2, and the MUL-A-NS zoning district for Zone 3 as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
23. 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.
24. 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.

3. **2024SP-016-001**

751 S. 5TH STREET

Council District: 06 (Clay Capp)

Staff Reviewer: Jason Swaggart

A request to rezone from CS to SP zoning for property located at 751 S. 5th Street, at the northeast corner of S. 5th Street and Dew Street (1.41 acres), to permit a mixed-use development, requested by Dream Capital Management LLC, applicant; Professional Services Industries, Inc., owner.

Staff Recommendation: 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 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.

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.

SITE CONTEXT AND REQUEST DETAILS

The approximately 1.41-acre site is located on the east side of S. 5th Street in East Nashville. The property is developed and contains one light industrial building, associated parking, and a telecommunications tower. Metro NDOT offices are located on the opposite side of S. 5th Street. MDHA properties, Cayce Place, abut the northern boundary. Surrounding zoning includes CS, SP and IR.

Site Plan

The plan proposes a mixed-use building with a maximum of 265 hotel rooms and up to 8,000 square feet of nonresidential uses. The only uses permitted include hotel/motel, retail, restaurant (full service and take out), general office, medical office, ATM, financial institution, grocery store, liquor sales, personal care service and telecommunication facility. The plan permits eight stories within 95 feet. The build-to-zone is 0-15 feet. The plan includes elevations for all building facades.

Commercial space is located at street level along S. 5th Street. The proposed mixed-use building has garage parking and access into the garage is from a single drive off of S. 5th Street. The number of parking spaces required is per Metro Zoning. The plan includes a 14' wide right-of-way dedication along the S. 5th Street frontage and a new sidewalk per the Major and Collector Street Plan (MCSP) requirements.

EAST NASHVILLE COMMUNITY PLAN

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

Analysis

Staff finds that the proposed SP is consistent with the T5 MU land use policy. The plan permits a mixture of uses supported by the policy. The design is urban in nature consistent with the urban nature of the policy. It engages the street by providing for commercial uses that front onto S. 5th Street and provides an area for outdoor dining or other outdoor amenities. The plan includes sidewalks consistent with the MCSP.

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final 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

- In general, with the final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards.
- 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.
- If applicable, Show 'Now Entering Private Drive' signage where applicable off public roads into site.
- Provide internal stop control at private or public drive intersections.
- Where there may be potential vehicular or pedestrian sight distance issues, provide stopping sight distance exhibits at any relevant intersections and/or site access points.
- Provide adequate sight distance spacing at all access ramps and public streets with proposed on-street parking.
- Dimension ROW pavement widths for clarity.
- Note: A private hauler will be required for waste/recycle disposal. Contact Metro Water services for waste disposal requirement (solidwastereview@nashville.gov).
- Additional 1-1/2' mill and overlay may be required to cover full extents of utility work in public ROW. (cont.) Extents to be coordinated in field with NDOT inspector.
- Per previous comments, along 5th South ROW frontage, maintain/match new curb and gutter alignment w/ adjacent (Northern) Cayce redevelopment.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Per review of the MMTA:
- At the intersection of S 5th & Shelby install green thermoplastic bike lane markings through the Intersection and along Shelby Avenue. Further coordination with NDOT will be required.
- Update all deficient pedestrian infrastructure at the intersections of S 5th St & Shelby St, S 5th St & Summer Place, S 5th St & Crutcher St, and S 5th Sr & Davidson St. (crosswalk striping, ADA ramps, warning mats, missing push buttons and ped signal heads at signalized intersections, etc.)
- Continue to coordinate with NDOT on the traffic control at the intersection of S 5th St and Crutcher St.
- This development is only permitted to have one access point onto S 5th Street.
- Comply with the MCSP requirements on S 5th Street.
- Parking is to be shown per metro code.
- The applicant shall continue to coordinate with NDOT on the proposed Valet operations for the proposed use.
- The applicant will be required to coordinate with NDOT's Traffic Demand Management coordinator (Meghan Matheson; meghan.matheson@nashville.gov) to develop a TDM plan for the future tenants and employees of 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.

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)	1.41	0.6 F	36,852 SF	1,391	34	140

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
Hotel (310)	-	-	265 Rooms	2,565	127	173

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)	-	-	4,000 SF	151	3	15

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)	-	-	4,000 SF	449	40	39

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,774	+136	+87

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 265 hotel rooms and up to 8,000 square feet of non-residential uses as specified in the SP. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. 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.
3. The final site plan/building permit site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within any required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of any required sidewalk. Vertical obstructions are only permitted within any required grass strip or frontage zone.
4. Final plat may be required prior to permitting.
5. This approval does not include any signs.
6. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
7. Comply with all conditions and requirements of Metro reviewing agencies.
8. A corrected copy of the preliminary SP plan, incorporating any conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
9. 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.
10. 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.
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 MUG-A-NS zoning district as of the date of the applicable request or application.

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

Resolution No. RS2024-231

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-016-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 265 hotel rooms and up to 8,000 square feet of non-residential uses as specified in the SP. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. 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.
3. The final site plan/building permit site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within any required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of any required sidewalk. Vertical obstructions are only permitted within any required grass strip or frontage zone.
4. Final plat may be required prior to permitting.
5. This approval does not include any signs.
6. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards

- and conceptual elevations outlined on the preliminary SP for review and approval.
7. Comply with all conditions and requirements of Metro reviewing agencies.
 8. A corrected copy of the preliminary SP plan, incorporating any conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
 9. 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.
 10. 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.
 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 MUG-A-NS zoning district as of the date of the applicable request or application.

4. **2024SP-030-001**

1202 MCGAVOCK PIKE & 1201 KELLER AVE

Council District: 07 (Emily Benedict)

Staff Reviewer: Celina Konigstein

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

Staff Recommendation: 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 One and Two-Family Residential (R6) and One and Two-Family Residential (R8) to Specific Plan (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.

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. *R6 zoning applies to the property at 1201 Keller Avenue, approximately 0.38 acres of the 0.86-acre site. Based on this acreage alone, R6 would permit a maximum of two duplex lots for a total of four units and does not account for Metro's Subdivision Regulations. Metro Codes makes the final determination on duplex eligibility.*

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 zoning applies to the property at 1202 McGavock Pike, approximately 0.48 acres of the 0.86-acre site. Based on this acreage alone, R8 would permit a maximum of two duplex lots for a total of four units and does not account for Metro's Subdivision Regulations. Metro Codes makes the final determination on duplex eligibility.*

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.*

EAST NASHVILLE COMMUNITY PLAN

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

SITE

The approximately 0.86-acre site is located on the southern side of McGavock Pike, 130 feet east of Bronte Avenue. The site is within a quarter mile of the nearest bus stop at McGavock Pike and Gallatin Pike.

Abutting the western property line is an active railroad. Surrounding zoning districts include single-family residential (RS7.5) and one and two-family residential (R6 and R8). The subject site has frontage on McGavock Pike, an arterial boulevard as classified by the Major and Collector Street Plan (MCSP). The site is near the terminus of Keller Avenue to the south, but does not have frontage on Keller, due to the CSX right-of-way abutting the southern boundary of the subject property.

PLAN DETAILS

The plan proposes eight multi-family units in four structures with two units in each. The proposed units share access through a private drive from McGavock Pike. All units are rear-loaded, and five additional parking spots are provided internal to the site. Units 1 and 2 are oriented towards McGavock Pike and have setbacks consistent with the existing structures to the east of the site along McGavock Pike. Units 3-6 are oriented toward an internal open space and units 7 and 8 are oriented toward the landscape buffer provided along the southern boundary.

All units are proposed with a maximum height of three stories in 35 feet measured from the average finished grade to the top of the roofline. There is also a note that parapets may extend up to three feet beyond the top of the roofline. A minimum of fifteen percent glazing is required on building facades fronting a street. Proposed elevations are included for the front façade of the units.

Sidewalk connections are provided internally and from all units to McGavock Pike. The plan also shows an eight-foot sidewalk and six-foot planting strip along McGavock Pike. Street trees are proposed in the planting strip area. A bioretention pond is proposed on the northern portion of the site. As shown on the landscape plan, a 15' type B-2 landscape buffer is proposed along the southern property line and a 10' B-3 landscape buffer is proposed along the eastern property line.

ANALYSIS

The subject site is located within an Urban Neighborhood Maintenance (T4 NM) policy area. T4 NM policy areas are characterized by moderate to higher density residential development with an emphasis on a diverse mix of housing types and high levels of connectivity within and around a site.

The plan meets the policy goals by providing a layout consistent with the design principles identified in the policy. The proposed height of all units is three stories in 35 feet, consistent with the policy guidance of one-to-three-story tall buildings. The landscaping buffers provided along the southern and eastern property boundaries are appropriate to minimize the proposed development's visual impact on the existing surrounding neighborhood. Landscaping is also used to screen mechanical units; however, this plan does not provide details regarding screening and staff has added that as a condition.

The subject site is larger than most parcels in the area, within a five-minute walk to the nearest WeGo bus stop, and is located along McGavock Pike, an arterial boulevard as identified by the Major and Collector Street Plan (MCSP). Gallatin Pike, an arterial boulevard, is also one block away. The location of the site between a high-capacity transit corridor and a primarily residential area provides the opportunity for an appropriate transition in density and building type. Each parcel currently, by right, could support up to four units for a total of eight units across the two parcels. The proposed plan does not exceed this combined number of units for the two parcels, but rather provides a more cohesive design on the larger site to serve as a transition from the existing neighborhood to the nearby corridor.

Staff finds the proposed SP zoning district to be consistent with the guidance provided in the T4 NM policy.

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.
- Required fire apparatus access and turnaround provisions are provided.

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary approval only. Final submittal to meet all requirements of the 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

- 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.
- Dimension ROW pavement widths for clarity. Access off ROW should meet metro code requirements.
- Note: A private hauler will be required for waste/recycle disposal. Contact Metro Water services for waste disposal requirement (solidwastereview@nashville.gov).
- Additional 1-1/2' mill and overlay may be required to cover full extents of utility work in public ROW. Extents to be coordinated in field with NDOT inspector.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Parking shall be met per Metro Code requirements. With final SP, include the bedroom counts to confirm code requirements are met.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.38	5.26 F	4 U	54	8	5

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.48	4.16 F	4 U	54	8	5

*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
Multi-Family Residential 3-10 (221)	-	-	8 U	42	3	4

Traffic changes between maximum: **R6/R8 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-66	-13	-6

METRO SCHOOL BOARD REPORT

Projected student generation existing R6 district: 0 Elementary 0 Middle 0 High

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

Projected student generation proposed SP-R district: 1 Elementary 0 Middle 0 High

The proposed SP-R zoning is expected to generate one additional student than the existing R6 and R8 zoning districts. Students would attend Inglewood Elementary School, Isaac Litton Middle School, and Stratford STEM

Magnet High School. Inglewood Elementary School is identified as being at capacity, while Isaac Litton Middle School and Stratford STEM Magnet High School are both identified as being exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of eight multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not owner occupied, shall be prohibited.
2. On the corrected copy, update the building elevations to show windows on the third story with transparent material.
3. On the corrected copy, glazing amounts shall be added to the elevations sheet.
4. On the corrected copy, add a scale to the elevations sheet.
5. With the final site plan, all mechanical units shall be located on the sides of units and be screened with additional landscaping, subject to Planning Staff review.
6. With the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
7. 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.
8. 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.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. Comply with all conditions and requirements of Metro reviewing agencies.
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 RM9-A, as of the date of the applicable request or application.
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. 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.
14. No master permit/HPR shall be recorded prior to final SP approval.
15. Final plat may be required prior to permitting.

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

Resolution No. RS2024-232

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-030-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of eight multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not owner occupied, shall be prohibited.
2. On the corrected copy, update the building elevations to show windows on the third story with transparent material.
3. On the corrected copy, glazing amounts shall be added to the elevations sheet.
4. On the corrected copy, add a scale to the elevations sheet.
5. With the final site plan, all mechanical units shall be located on the sides of units and be screened with additional landscaping, subject to Planning Staff review.
6. With the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
7. 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.
8. 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.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. Comply with all conditions and requirements of Metro reviewing agencies.
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 RM9-A, as of the date of the applicable request or application.

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. 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.
14. No master permit/HPR shall be recorded prior to final SP approval.
15. Final plat may be required prior to permitting.

5. 2024SP-036-001

832 WEST TRINITY

Council District: 02 (Kyonzté Toombs)

Staff Reviewer: Laszlo Marton

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

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

The Metropolitan Planning Commission deferred 2024SP-036-001 to the November 14, 2024, Planning Commission meeting. (7-0)

6. 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 November 14, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-039-001 to the November 14, 2024, Planning Commission meeting. (7-0)

7. 2024S-016-001

RESUBDIVISION OF GULL HEIGHTS

Council District: 14 (Jordan Huffman)

Staff Reviewer: Laszlo Marton

A request for final plat approval to create four lots on property located at 2918 Lebanon Pike, at the northwestern corner of Lebanon Pike and Guill Ct., zoned R10 (1.44 acres), requested by Crawford & Cummings, P.C., applicant; Shady Grove Road Trust, owner.

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

APPLICANT REQUEST

Request for final plat approval to create 4 lots.

Final Plat

A request for final plat approval to create four lots on property located at 2918 Lebanon Pike, at the northwestern corner of Lebanon Pike and Guill Court, zoned One and Two-Family Residential (R10) (1.44 acres).

SITE DATA AND CONTEXT

Location: The site consists of one property located at the north-western corner of Lebanon Pike and Guill Court.

Street Type: The site has frontage on Lebanon Pike and Guill Court. The Major Collector Street Plan (MCSP) classifies this portion of Lebanon Pike as an Arterial Boulevard and Guill Court as a local street.

Approximate Acreage: 1.44 acres or approximately 62,769 square feet.

Parcel/Site History: The site consists of one lot that was platted in 1958, marked Guill Estate on the Plan of Guill Heights (Book 2854, Page 10).

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

Existing Land Use: The property currently contains a single-family land use.

Surrounding Land Use and Zoning:

- North: One and Two-family Residential/R10
- South: Institutional/Multi-Family Residential/R10
- East: One and Two-family Residential/R10
- West: Religious Institution/R10

Zoning: One and Two-Family Residential (R10)

Min. lot size: 10,000 square feet

Max. building coverage: 0.40

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: 40' or Contextual per Zoning Code

PROPOSAL DETAILS

Number of lots: 4

Lot sizes: Proposed lot 1 is 31,210 square feet and proposed lots 2-4 are approximately 10,000 square feet.

Access: All lots are proposed to draw access from Guill Court through an access easement that runs along the rear boundary of Lots 2, 3, and 4.

Subdivision Variances or Exceptions Requested: An exception is required for the compatibility criteria for Lots 2, 3 and 4 as there are no surrounding parcels to analyze against the infill subdivision standards of the Subdivision Regulations.

APPLICABLE SUBDIVISION REGULATIONS

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

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

3-1 General Requirements

The proposal meets the requirements of 3-1.

3-2 Monument Requirements

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

3-3 Suitability of the Land

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

3-4 Lot Requirements

All lots comply with the minimum standards of the zoning code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R10 zoning at the time

of building permit. A shared access easement is proposed at the rear of Lots 1-3 that will provide access to all four lots, consistent with the preferred approach for residential lots located along an arterial or collector where vehicular access is provided from the non-arterial or collector street.

3-5 Infill Subdivisions

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

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

- a. *All minimum standards of the zoning code are met.*
Complies. All lots meet the minimum standards of the zoning code.
- b. *Each lot has street frontage or meets the requirements of Section 3-4.2.b for fronting onto an open space or meets the requirements of Sections 4-6.3 or 5-3.1 fronting onto an open space.*
Complies. All proposed lots have frontage along public streets.
- c. *The resulting density of lots does not exceed the prescribed densities of the policies for the area. To calculate density, the lot(s) proposed to be subdivided and the surrounding parcels shall be used. For a corner lot, both block faces shall be used.*
The T3 NM policy that applies to the site does not specifically identify an appropriate density; however, the policy supports the underlying R10 zoning district and its prescribed density.
- d. *The proposed lots are consistent with the community character of surrounding parcels as determined below:*
 1. *Lot frontage is either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used; and*
Lot 1 has frontage onto Guill Court while Lots 2 through 4 have frontage on Lebanon Pike. The proposed Lot 2 has 67.96 feet of frontage, the proposed Lot 3 has 65.18 feet of frontage, and the proposed Lot 4 has 57.68 feet of frontage. For Lots 2 through 4, there are no parcels with which to compare, as the block is formed by Munn Road and Guill Court with an Office and Religious Institution use to the west. Per Section 3-5.2, in cases where there are no surrounding parcels, the Planning Commission may grant an exception to the compatibility requirement by considering a larger area to evaluate general compatibility. More information is provided in the Variance/Exceptions Analysis section below.

For Lot 1 along Guill Court, the proposed frontage complies. The required frontage per compatibility standards for surrounding parcels along Guill Court is 79.93. Lot 1 has a proposed frontage of approximately 153 feet.

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

For the lots along Lebanon Pike, the proposed Lot 2 10,886 square feet (0.25 acres), the proposed Lot 3 is 10,096 square feet (0.23 acres), and the proposed Lot 4 is 10,049 square feet (0.23 acres). As previously noted, Lots 2-4 have no surrounding lots with which to compare and per Section 3-5.2, the Planning Commission may grant an exception to the compatibility requirement by considering a larger area to evaluate general compatibility. More information is provided in the Variance/Exceptions Analysis section below.

For Lot 1, located along Guill Court, the proposed lot size complies with surrounding parcels along Guill Court. The required lot size per compatibility standards for surrounding parcels is 23,441 square feet or 0.53 acres. Lot 1 has a proposed area of 31,210 square feet or 0.72 acres.

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

As previously noted, Lots 2-4 have no surrounding lots with which to compare and per Section 3-5.2, the Planning Commission may grant an exception to the compatibility requirement by considering a larger area to evaluate general compatibility. More information is provided in the Variance/Exceptions Analysis section below.

Proposed Lot 1 contains an existing home that is currently oriented to Lebanon Pike. The average street setback of the two parcels north of Lot 1 is 62 feet. The existing structure on Lot 1 is set back along Guill Court at 56 feet. Given the existing structure is shown to remain on Lot 1, staff will not require a minimum building setback line to be shown on the plat for Lot 1. If the lot were to redevelop in the future, Codes will determine the required setback at the time of building permit.

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

Proposed Lot 1 is oriented to Guill Court while lots 2 through 4 are oriented to Lebanon Pike. Lot 1, in the rear, will have a comparable orientation to existing lots along Guill Court while Lots 2-4 will maintain the orientation of lots with frontage along Lebanon Pike.

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

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

The subject property does not have surrounding parcels, as defined in the Subdivision Regulations. Where surrounding parcels do not exist, the Planning Commission may grant an exception to the compatibility criteria by considering a larger area to evaluate general compatibility. The following section discusses each of these exceptions.

Variations/Exceptions Analysis

In cases where surrounding parcels do not exist, Section 3-5.2 of the Subdivision Regulations allows the Planning Commission to grant exceptions to compatibility requirements by considering a larger area to evaluate general compatibility. This request requires exceptions from Section 3-5.2 pertaining to lot frontage, lot size, setbacks, and lot orientation.

While Lots 2, 3, and 4 have no surrounding parcels per the definition in the Subdivision Regulations, there are other parcels along Lebanon Pike that can be used in the consideration of a larger area to evaluate general compatibility.

Lot Frontage

When evaluating a larger area to analyze lot frontage, staff considered the parcels at the intersection of Lebanon Pike and Jenny Drive, approximately 1,000 feet to the east, for comparison of proposed Lots 2-4 as these parcels have similar orientation and base zoning districts. Staff did not include the parcels directly to the east along Lebanon Pike as these parcels are zero lot line duplexes and residential condos, which is a different lot pattern than would be created by R10 zoning today. Parcels at the intersection of Lebanon Pike and Jenny Drive have lot frontages ranging from 56 to 72 feet. The proposed frontages of Lots 2-4 are between 57 and 67 feet, which is comparable to the frontages at Lebanon Pike and Jenny Drive. The proposed lot frontages are similar to the parcels considered in the larger area.

Lot Size

In the lot size determination, staff used the same parcels as considered in the lot frontage. The lots used in the larger area along Lebanon Pike have lot sizes that range from 0.18 acres to 0.3 acres. Proposed Lots 2-4 have lot sizes between 0.23 and 0.25 acres which meet the minimum lot size for the R10 zoning district and is within the range of lot sizes for nearby parcels along Lebanon Pike.

Street Setbacks

The plat proposes a 60 foot minimum front setback on Lebanon Pike for Lots 2-4, which is similar to the setback for properties at the intersection of Lebanon Pike and Jenny Drive. When looking at the larger area, staff finds that the setback along Lebanon Pike varies between 30 and 140 feet. The proposed 60 feet is within the range of existing setbacks.

Staff finds that the proposed lot layout has appropriate lot frontage, lot size, and minimum required front setbacks to provide for harmonious development. Staff reviewed the compatibility criteria against the larger area and finds the lot layout to provide a similar pattern to existing parcels along Lebanon Pike. Given this information, staff finds the proposed lots 2-4 to be consistent with the larger area and that an exception to compatibility requirements would be appropriate.

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

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

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

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

3-6 Blocks
Not applicable. No new blocks are being created.

3-7 Improvements
Metro Water Services has recommended approval with a condition that construction of Metro Project No. 24-SL-135 be completed and formally accepted by Deed of Conveyance prior to any Final U&O Permit/Service Connection. Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

3-8 Requirements for Sidewalks and Related Pedestrian and Bicycle Facilities
For subdivisions, sidewalks are not required along existing streets. Per a recent court case, the section of the Zoning Code that requires sidewalks along existing streets has been voided, however the plan provides the necessary right-of-way dedication per the Major and Collector Street Plan for Lebanon Pike.

3-9 Requirements for Streets
Not applicable. The proposal is for an infill subdivision located on an existing street. No new streets are proposed.

3-10 Requirements for Dedication, Reservations, or Improvements
Lebanon Pike is classified by the MCSP as an arterial boulevard. The plat proposes to dedicate 2.4 feet of right-of-way for a total half right-of-way width of 51 feet. The existing right-of-way along Guill Court is 50 feet which is the minimum for a local street and no dedication is needed along this frontage.

3-11 Inspections During Construction
This section is applicable at the time of construction, which for this proposed subdivision, will occur only after issuance of a building permit approved by Metro Codes and all other reviewing agencies.

3-12 Street Name, Regulatory and Warning Signs for Public Streets
Not applicable. No new streets are proposed.

3-13 Street Names, Regulatory and Warning Signs for Private Streets
Not applicable. No private streets are proposed.

3-14 Drainage and Storm Sewers
Drainage and storm sewer requirements are reviewed by Metro Stormwater. Metro Stormwater has reviewed the proposed plat and found it to comply with all applicable standards of this section. Stormwater recommends approval.

3-15 Public Water Facilities
Metro Water Services has reviewed this proposed plat for water and has recommended approval with conditions.

3-16 Sewerage Facilities
Metro Water Services has reviewed this proposed plat for sewer and has recommended approval with conditions.

3-17 Underground Utilities

Utilities are required to be located underground whenever a new street is proposed. The plat is not proposing a new street and the requirement is not applicable.

PLANNING STAFF COMMENTS – SUBDIVISION REGULATIONS

With the exception for the compatibility criteria, the proposed subdivision meets the standards of the Metro Subdivision Regulations and Metro Zoning Code. Future development will be required to meet the standards of the Metro Zoning Code in regard to setback, building heights, etc. Staff recommends approval with conditions based on a finding that the proposal can provide for harmonious development.

POLICY CONSIDERATIONS

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

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

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

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Access to subdivided lots shall be from Guill Court along shown access easement.
- 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 October 9, 2024) on which we have noted our comments and recommend approval. Approval is contingent upon the construction and completion of Metro Project Nos 24-SL-135. No bonds are required due to the small scope of new public sanitary sewer. All Capacity must be confirmed reserved for the permitted use prior to building permits. Metro Project Nos 24-SL-135 must be completed and formally accepted by Deed of Conveyance prior to any Final U&O Permit/Service Connection.

STAFF RECOMMENDATION

Staff recommends approval with conditions, including an exception to Section 3-5.2 compatibility criteria for Lots 2 through 4 by considering a larger area as no surrounding parcels exist.

CONDITIONS

1. Vehicular access to all lots (1-4) is limited to the access easement identified on the plat. On the corrected copy, label easement as “shared access.”
2. On the corrected copy, add the note “Setbacks per Metro Zoning Code unless otherwise shown on this plat.”

3. On the corrected copy, update the Ownership Certificate to Certificate A.3 in the appendices of the Metro Subdivision Regulations.
4. On the corrected copy, add Airport Impact Overlay to note #3.
5. On the corrected copy, remove note #12.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. 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-016-001 with conditions including an exception to Section 3-5.2 based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all the staff recommended conditions.

Approve with conditions, including an exception to Section 3-5.2. (7-0)

Resolution No. RS2024-233

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-016-001 is approved with conditions, including an exception to Section 3-5.2. (7-0)

CONDITIONS

1. Vehicular access to all lots (1-4) is limited to the access easement identified on the plat. On the corrected copy, label easement as "shared access."
2. On the corrected copy, add the note "Setbacks per Metro Zoning Code unless otherwise shown on this plat."
3. On the corrected copy, update the Ownership Certificate to Certificate A.3 in the appendices of the Metro Subdivision Regulations.
4. On the corrected copy, add Airport Impact Overlay to note #3.
5. On the corrected copy, remove note #12.
6. Comply with all conditions and requirements of Metro reviewing agencies.
7. 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.

8. 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 November 14, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-084-001 to the November 14, 2024, Planning Commission meeting. (7-0)

9. 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: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to remove the reserve parcel status.

Final Plat

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 One and Two-Family Residential (R10), (0.48 acres).

SITE DATA AND CONTEXT

Location: The property is located at the eastern terminus of Rowena Drive.

Street type: The property has frontage on Rowena Drive and Lady Nashville Drive. Both are local streets.

Approximate Acreage: 0.48 acres or approximately 20,908 square feet.

Parcel/Site History: The property is Reserve Parcel 58, on the Hidden Hills Subdivision. The subdivision was recorded in 1975.

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

Existing land use and configuration: The parcel is vacant.

Surrounding land use and zoning:

- North: Single-Family Residential (RS10)/Planned Unit Development Overlay (PUD)
- South: One and Two-Family Residential (R10)
- East: One and Two-Family Residential (R10)
- West: One and Two-Family Residential (R10)

Zoning: One and Two-Family Residential (R10)

Min. lot size: 10,000 square feet

Max. building coverage: 0.40

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: Contextual per Zoning Code

PROPOSAL DETAILS

Number of lots: 1

Lot size: 20,908 square feet (0.48 acres)

Access: The proposed lot has frontage on Rowena Drive and Lady Nashville Drive. NDOT will determine appropriate access at time of building permit.

Subdivision Variances or Exceptions Requested: None.

APPLICABLE SUBDIVISION REGULATIONS

Reserve Parcel

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

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

1. That the parcel fits into the character of the area and is consistent with the general plan.
2. That all minimum standards of the zoning code are met.
3. That the parcel has street frontage or meets the requirements of Section 3-4.2.b or meets the requirements of Sections 3-4.2.b, 3-4.2.c, 4-6.3 or 5- 3.1.
4. That the current standards of all reviewing agencies are met.

The reserve parcel is approximately the same size as the surrounding parcels, and it exceeds the minimum lot size of the zoning code. It also has frontage along a public street. In 2021, a 253-lot subdivision with several new streets was approved on the abutting property to the east. The final site plan was approved in 2022 and calls for the extension of Lady Nashville Drive. A final plat for a phase of the development and the proposed road connection is currently under review. The subject proposed lot provides a right-of-way (ROW) dedication at the northeast corner which will align with the road extension to make the connection possible. All agencies have recommended approval. Staff finds that the subject reserve parcel meets the four requirements to become a buildable lot.

PLANNING STAFF COMMENTS

As proposed, the plat meets all zoning and subdivision requirements.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

N/A

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT ROADS RECOMMENDATION

Approve

NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Water & Sanitary Sewer Capacity Fees for new Lot must be paid before issuance of building permits.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission’s approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-102-001 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. RS2024-234

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-102-001 is approved with conditions. (7-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission’s approval.

10. 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 November 14, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-134-001 to the November 14, 2024, Planning Commission meeting. (7-0)

11. 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 Overlay District, to modify the permitted uses, requested by Dewey Engineering, applicant; Eyd Toss & Ebram Shalaby & Alaa Mankarious, owners.

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

The Metropolitan Planning Commission deferred 109-71P-001 to the November 14, 2024, Planning Commission meeting. (7-0)

12. 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 November 14, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024DTC-014-002 to the November 14, 2024, Planning Commission meeting. (6-0-1)

13. 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 December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024Z-069PR-001 to the December 12, 2024, Planning Commission meeting. (7-0)

14. 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: Approve.

APPLICANT REQUEST

Zone change from AR2a to RS10.

Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Single-Family Residential (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).

Existing Zoning

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

Proposed Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 56 single-family lots based on acreage alone. This does not account for compliance with the Metro Subdivision Regulations.*

SOUTHEAST COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle, and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers. Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed. The CO policy on this site likely includes the stream, stream buffers, and substantial slopes.

This case was deferred at the September 26, 2024, Planning Commission meeting as the report referenced the incorrect policy, T3 NM. The report has been updated to reflect the correct policy, T3 NE, however, staff recommendation has not changed.

SITE AND CONTEXT

The rezoning application is for a portion, approximately 13 acres, of an approximately 19-acre parcel located at the corner of Barnes Road and Old Hickory Boulevard. The area being rezoned has changed slightly from the originally requested 11 acres due to a recently recorded deed which consolidated three former parcels into one. The modified boundaries of the area proposed for rezoning were delineated to align the zoning boundary with the parcel line. The subject parcel is split zoned. The 13-acre portion of the property included in this request is located on the eastern half and has been zoned AR2a since 1974. The remainder of the property on the western half has been zoned RS10 since 1998. Part of the rear of the parcel is partially covered by floodplain. A single-family home is located on the property. The property is adjacent to RS10 to the south and west. The surrounding area is a mix of AR2a and RS10 zoning and vacant or single-family residential land uses.

ANALYSIS

Staff will note that this case was deferred at the September 26, 2024, Planning Commission meeting as the report referenced the incorrect policy, T3 NM. The report has been updated to reflect the correct policy, T3 NE, however, staff's recommendation has not changed.

The subject site is within the Suburban Neighborhood Evolving (T3 NE) policy area which is intended to create and enhance suburban residential neighborhoods with more housing choices and moderate density development patterns. While the subject parcel today is comprised of one large parcel, there are several surrounding subdivisions which reflect a traditional suburban development pattern, consistent with the policy.

The existing development to the west and south is currently zoned RS10. These areas have been developed with cluster lot subdivisions that were developed with RS10 as the base zoning. With the lot reductions permitted by the cluster lot provisions, the lot sizes range from approximately 3,300 square feet to 11,600 square feet. Although these developments have a reduced lot size, their lot pattern and land uses are consistent with the intent of the T3 NE policy area. A rezone to RS10 on the subject portion of this parcel would meet the goals of moderately dense development patterns supported by T3 NE policy areas.

The Conservation (CO) policy on the site is due to a stream, stream buffers, and steep slopes on the western portion of the site. Due to these natural features covering a substantial portion of the site, any future development would likely be required to adhere to the standards of a Conservation Subdivision where the natural features on the site could be preserved and lot sizes reduced proportionally. This request is for a rezoning and any future subdivision requests would require additional approvals and would need to comply with all requirements of the Metro Subdivision Regulations.

A rezoning to RS10 on this site could continue the surrounding development pattern and maintain the character of single-family land uses. The CO policy covering approximately two-thirds of the site could limit future development on the site and the number of lots that could be created. The requested RS10 zoning is consistent with the surrounding context and is appropriate given the need to limit future development of CO policy areas. For these reasons, staff recommends approval.

FIRE RECOMMENDATION

Approve

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)	13	0.50 D	7 U	90	9	8

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
11 Single-Family Residential (210)	13	3.70 F	56 U	610	44	59

Traffic changes between maximum: **AR2a and RS10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+49	+393	+35	+51

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 1 Elementary 0 Middle 1 High

Projected student generation proposed RS10 district: 7 Elementary 3 Middle 4 High

The proposed RS10 zoning district is expected to generate 12 more students than the existing AR2a zoning district. Students would attend May Werthan Shayne Elementary School, William Henry Oliver Middle School, and John Overton High School. May Werthan Shayne Elementary School and William Henry Oliver Middle School are identified as being at capacity while John Overton High School is identified as overcapacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-235

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-074PR-001 is approved. (7-0)

15. 2024Z-018TX-001

PLANT STANDARDS

Staff Reviewer: Seth Harrison

A request to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to amend Chapter 17.24 pertaining to Plant Standards.

Staff Recommendation: Approve.

APPLICANT REQUEST

A request to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to amend Chapter 17.24 pertaining to Plant Standards.

PROPOSED AMENDMENTS TO TITLE 17

The proposed amendment replaces the standards of Section 17.24.030, Standards for form and quality of plants. The objective of this amendment is to introduce resilient landscape design focused on diversity and native species. Additionally, the proposal would rename the former “Standards for form and quality of plants” to “Plant Standards” to emphasize more than just plant quality at the time of planting.

BACKGROUND

Prior to the filing of this item, section 17.24.030 had remained unchanged in the Zoning Code since it was last updated in 2001.

In April of this year, Mayor Freddie O’Connell issued Executive Order 41 which called for protecting and expanding the urban tree canopy. The proposed amendment would promote a more resilient landscape through the use of diversity and natives.

ANALYSIS

The current standards for form and quality of plants requires all landscaping to meet the latest edition of the American Standard for Nursery Stock. The proposed amendment maintains this language and further expands it, introducing requirements on types of trees and sizing at the time of planting.

To ensure new developments in Nashville adapt to a changing environment due to climate change, pests, and diseases, a new Plant Diversity section is proposed. This section requires diversity of trees by genus depending on the number of trees planted, to ensure the mitigation of a monoculture and prevent the spread of any tree-related health issues. Also within this section is the introduction to a native species preference. Staff proposes that a majority of trees planted be native to our EPA ecoregion to encourage adaptability as the climate changes.

To minimize conflicts in easements, requirements on plantings are included to prevent future removal of trees or shrubs. Language has been included to use during the landscape plan review process working with the easement holder(s) to help plan accordingly on future work in the area.

The amendment includes language regarding planting near light poles, transformers, and fire hydrants to prevent conflicts in the future.

Staff analyzed the zoning codes from a number of cities through Tennessee, and many have adopted diversity and native requirements to not only trees, but all plantings.

ENGAGEMENT

Staff held two stakeholder meetings regarding the proposed amendments in September and October of this year. Proposed amendments were posted online along with staff contact information to provide comments and ask questions.

PLANNING STAFF RECOMMENDATION

Staff recommends approval.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken to this bill.

FISCAL IMPACT RECOMMENDATION

The Metro Planning and Codes Departments currently review landscape plans associated with site plans and building

permits that would trigger plant standards.

STAFF RECOMMENDATION

Staff recommends approval.

ORDINANCE NO. _____

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to amend Chapters 17.24, pertaining to standards for form and quality of plants, all of which is described herein (Proposal No. 2024Z-018TX-001).

WHEREAS, plant standards ensure higher quality landscaping and lower plant mortality in new developments; and

WHEREAS, diversity in landscaping helps create sustainable, resilient, and healthy environments; and

WHEREAS, healthy and resilient environments lead to improved soil health and support for native wildlife; and

WHEREAS, NashvilleNext encourages the establishment of policies and regulations that lead to a more resilient Nashville; and

WHEREAS, updating the standards of the zoning code pertaining to standards for form and quality of plants will help promote a better environment for both Nashville’s citizens, tourists, and our non-human visitors.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 17.24.030 of the Metropolitan Code of Laws is deleted in its entirety and replaced with the following:

17.24.030 Plant Standards

- A. Minimum quality and size standards
 - 1. Newly planted landscape plant materials shall conform to the latest version of the American Standard for Nursery Stock, ANSI Z60.1-2014.
 - 2. Type 1, 2, and 3 Trees, shall meet the planting and size requirements as defined in ANSI Z60.1.
 - a. Canopy trees shall be a minimum of two inches in caliper at the time of planting, as determined in the American Standard for Nursery Stock, ANSI Z60.1-2004.
 - b. Understory trees shall have a caliper of two inches in caliper at time of planting, as determined in the American Standard for Nursery Stock, ANSI Z60.1. For multi-stem varieties caliper shall be determined by taking one-half (1/2) of the caliper of the three largest required trunks.
 - c. Evergreen trees shall be a minimum of six feet in height and a minimum of two inches in caliper at the time of planting.
 - d. Except where required to be taller, shrubs shall be a minimum of 18 inches in height above ground level at the time of planting and shall typically grow to a minimum height of thirty inches for perimeter shrubs and five to six feet for buffer shrubs within four years.
 - 3. Plant material used to meet the requirements of this Code shall be selected from the Urban Forestry Recommended and Prohibited Tree and Shrub List, unless otherwise approved by the Planning or Codes Departments, as applicable.
 - 4. Plants listed on the current edition of the Invasive Exotic Pest Plants of Tennessee, as published by the Tennessee Exotic Pest Plant Council, shall not be planted nor credited toward the minimum requirements of this Code.
- B. Plant diversity
 - 1. To maintain forest health, engender climate adaptation, and provide protection against disease and blight, tree plantings shall meet the following requirements:
 - a. Tree diversity:

Number of trees	Minimum number of different Genera in roughly equal proportions
Less than 20	2 Genera
20-39	3 Genera
40 or more	4 Genera

- i. Native species incorporation: Approximately 51% of the trees planted (excluding ground cover and shrubs) shall be native species of the Southeastern USA Plains Level II Ecoregion.
 - ii. Plantings required by adopted streetscape plans or sites located along an Arterial Boulevard as defined by the Major and Collector Street Plan may adjust diversity requirements as approved by Planning or Codes Staff, as applicable.
- C. Stabilization. Landscape planting areas shall be stabilized and maintained with seed, sod, ground covers, mulches, or other approved materials to prevent soil erosion and allow rainwater infiltration. When possible, native ground cover shall be utilized.
- D. Planting in easements.
 - 1. Groundcover may be planted or installed within any utility or drainage easement. Trees and shrubs may require approval by the easement holder.
 - 2. In areas that require canopy trees where overhead utilities prevent the use of canopy trees, understory trees may be substituted. Multi-stemmed understory trees may be used provided they meet the minimum size at time of planting.
- E. Planting near light poles and transformers. Trees shall be a minimum of fifteen feet from light poles and transformers. Trees may be clustered or moved to a more appropriate location if light poles or transformers conflict with tree locations, as long as all other tree location requirements are met.
- F. Planting near fire hydrants. Tree locations near fire hydrants shall comply with the Fire Code, as applicable. Shrubs shall be a minimum of five feet from a fire hydrant.

Sponsor(s) Burkley Allen

Approve. (7-0)

Resolution No. RS2024-236

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-018TX-001 is approved. (6-0-1)

16. 2024Z-019TX-001

TREES

Staff Reviewer: Seth Harrison

A request to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to amend Chapters 17.04, 17.28.065 pertaining to Trees.

Staff Recommendation: Approve.

APPLICANT REQUEST

A request to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to amend Chapters 17.04 and 17.28.065 pertaining to Trees.

PROPOSED AMENDMENTS TO TITLE 17

The proposal would amend the Zoning Code to replace the standards of Section 17.28.065.D, Protection of trees during development activities. The objective of this amendment is to streamline the calculation of the tree protection area by redefining it as a factor of trunk diameter, bringing it in line with industry standards. The proposal also includes amendments to Chapter 17.04 to modify definitions related to protection of trees during development activities.

BACKGROUND

This specific section of the Tree Code has had intermittent updates since the 1990s with minor tweaks but has remained focused on dripline as the limit of protection since the last major update in 1998. This subsection of the code is only applicable when there is a requirement to preserve trees, such as Conservation Development or a condition within an SP, or if a project is retaining trees for required plantings.

In April of this year, Mayor Freddie O’Connell issued Executive Order 41 which called for protecting and expanding the urban tree canopy. With the proposed language, Staff has provided changes to help promote a regulation focused on protecting trees being preserved at that industry standard.

ANALYSIS

The best method to protect trees from damage during construction activities is to focus on the roots rather than focusing on the canopy above ground. The most important roots for trees are generally located within that first foot of soil, and avoiding any major impacts in this area reduces potential tree mortality. The International Society of Arboriculture (ISA) recommends the utilization of Critical Root Zone (CRZ) with a minimum of a one-foot-per-one-inch scale of the tree’s diameter-at-breast-height (DBH). Staff analyzed the zoning codes from a number of cities within

Tennessee and many have adopted the use of the CRZ as some form of tree protection. Peer cities such as Denver, CO, Atlanta, GA, and Charlotte, NC also include CRZ in their tree protection regulations.

Based on recommendations from ISA, Tennessee local government adoption, and peer city analysis, Staff proposes the utilization of CRZ for tree protection zones. The CRZ proposed is based on the size of the tree's (DBH) at a one-foot-per-one-inch scale. A tree with a twenty-inch DBH has a CRZ of twenty feet. Within that CRZ is a Structural Root Zone (SRZ) which is half the size of the overall CRZ, i.e. that twenty-inch tree has a ten-foot SRZ. To encourage tree preservation on construction of infill sites, the proposed amendment includes language permitting the modification of the CRZ up to 20% based on site conditions prior to construction.

Included with modification to the tree protection zone, the amendment includes language to reduce possible impacts from utility work, prohibiting the use of trenching within the protection zone. The amendment focuses on boring rather than trenching to reduce damage to the tree's roots. The amendment also allows for the hand pruning and care of trees within the protection zone in the event tree maintenance is required during development.

Finally, to dissuade parties from violating tree protection zones the amendment establishes civil penalties in the case of violations. Replanting requirements based on the number of trees disturbed are also outlined should violations occur.

ENGAGEMENT

Staff held two stakeholder meetings regarding the proposed amendments in September and October of this year. Proposed amendments were posted online along with staff contact information to provide comments and ask questions.

PLANNING STAFF RECOMMENDATION

Staff recommends approval.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken to this bill.

FISCAL IMPACT RECOMMENDATION

The Metro Planning and Codes Department currently review landscape plans associated with site plans and building permits that would trigger tree protection requirements.

STAFF RECOMMENDATION

Staff recommends approval.

ORDINANCE NO. _____

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to amend Chapters 17.04 and 17.28.065, Pertaining to Trees, all of which is described herein (Proposal No. 2024Z-019TX-001).

WHEREAS, tree protection during construction prevents soil compaction, that causes loss of air and water availability to roots, and reduces tree mortality; and

WHEREAS, NashvilleNext encourages the retention and expansion of the existing urban tree canopy cover; and

WHEREAS, current industry standard related toward protection of trees during construction utilizes critical root zone rather than dripline; and

WHEREAS, other local governments within Tennessee including Chattanooga, Franklin, Knoxville, Murfreesboro, and Williamson County require a critical root zone to determine the area required for tree protection during construction; and

WHEREAS, peer cities such as Denver, CO, Atlanta, GA, and Charlotte, NC require critical root zone to determine the area required for tree protection during construction; and

WHEREAS, established trees provide benefits to native wildlife, reduction in stormwater runoff, reduce the urban heat island effect, and aid in air purification.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 17.04.060 of the Metropolitan Code of Laws is amended by adding the following definitions in alphabetical order:

“Critical root zone” (CRZ) means the area of soil around a tree where the minimum area of roots considered critical to the structural stability and health of the tree are located. The CRZ is to be determined by measuring one foot per each inch of tree diameter at breast height, with a minimum of ten feet.

“Structural root zone” (SRZ) means the area of soil around a tree where the minimum area of roots required to maintain the structural stability of the tree are located. The SRZ is to be determined by measuring one-half foot per each inch of tree diameter at breast height, with a minimum of six feet.

Section 2. That Section 17.28.065.D of the Metropolitan Code is deleted in its entirety and replaced with the following:

A. Protection of trees during development activities.

1. General. To assure the health and survival of retained trees, the following kinds of tree injuries shall be prohibited during all development activities:
 - a. Mechanical injuries to roots, trunk and branches;
 - b. Injuries by chemical poisoning or soil flooding;
 - c. Injuries by grade changes;
 - d. Injuries by excavations, trenching, or soil compaction; and
 - e. Injuries by paving or other soil covering or material storage.
2. Tree Protection Zone. A tree protection zone shall be established around each retained tree, tree preservation area, and natural area, as required, as shown in Figures 17.28.065.D. The tree protection zone shall be comprised of two distinct areas.
 - a. The Structural Root Zone (SRZ) is to be determined by measuring one-half foot per each inch of tree diameter at breast height. If the SRZ is less than six feet, then the SRZ shall be a minimum of six feet.
 1. No area within the SRZ shall be disturbed or modified.
 - b. The Critical Root Zone (CRZ) shall be directly adjacent to the SRZ and is to be determined by measuring one foot per each inch of tree diameter at breast height. If the CRZ is less than ten feet, the protection zone shall be a minimum of ten feet.
 1. The configuration of the CRZ may be adjusted up to 20% upon approval of Planning or Codes Staff, as applicable. This may include pre-existing site conditions such as structures, foundations, or utilities. It may also include tree characteristics such as species and tolerance to stress and construction activities.
3. Development Prohibited within the Tree Protection Zone. All development activities shall be prohibited within the tree protection zone provided for any protected trees, including any construction of buildings, structures, paving surfaces, and storm-water retention/detention ponds. All temporary construction activities shall also be prohibited within tree protection areas, including all digging, concrete washing, storage of construction material, and parking of construction vehicles.
4. Development Prohibited within the Natural Areas. All development activities shall be prohibited within any tree protection zone established for a natural area preserved in open space pursuant to Section 17.12.090 Conservation Development.
5. Fencing of Tree Protection Zone or Natural Area Open Space. Prior to the commencement of grading or construction, the developer shall enclose the entire tree protection zone or natural area open space within a fence as follows:
 - a. Chain link fencing at least four feet in height and secured using appropriate posts spaced not more than ten feet apart.
 - b. During construction, each tree protection zone shall be identified with temporary signs to clearly demarcate the extent of the zone. Signs shall be made of a recyclable material and installed on the tree protection fence, visible on all sides of the fenced-in area at a rate of at least one sign for every 100 linear feet. The size of each sign must be a minimum of two feet by two feet and shall contain the following language in English and Spanish: “TREE PROTECTION ZONE: KEEP OUT. ZONA DE LA PROTECCION DEL ARBOL. NO SE PERMITE ENTRAR”. The owner shall maintain the protective barrier during the entire construction process and shall make certain that it is observed by the contractor.
 - c. The location of tree fence shall be coordinated with any required silt fence. Tree fence shall be located toward the tree with the silt fence outside to prevent erosion inside a tree preservation area.
 - d. Tree fence shall be maintained until applicable Staff has completed a final inspection and released the project.
6. Tree Protection Zone Encroachment.
 - a. Utility Excavation. Excavating or trenching shall not be permitted within the tree protection zone. Utilities shall be located away from the tree protection zone. If trees are damaged or destroyed during excavation or trenching, the damaged or destroyed trees shall be replaced in accordance with section 17.28.065. Placing of utilities through the use of tunnelling may be permitted with approval from Planning or Codes Staff, as applicable. Applicable Staff may propose rules and regulations governing and/or limiting utilities in the tree protection zone.

- b. Sodding and Groundcover. Placement of sod or other groundcovers and the preparation of the ground surface for such covers shall be permitted within the tree protection zone, so long as tree roots in the area are not damaged by the method of preparation.
 - c. Tree Care. Pruning of branches or roots or removal of dead limbs on a tree/s located within the tree protection zone shall be permitted. An ISA certified arborist shall be required to supervise all operations related towards tree care. All tree care activities shall be done without the use of heavy machinery or vehicles within the tree protection zone. Prior to tree care activities, Planning or Codes Staff, as applicable, shall be informed in writing.
7. Inspections.
- a. All retained trees, pursuant to a tree survey, shall be inspected by applicable Staff one year following completion of the project to ensure that they are surviving in a healthy condition.
 - b. Retained trees which require replacement shall be determined by Planning or Codes Staff, as applicable.
 - c. Any retained tree which is damaged during construction, or with damage occurring as a result of construction, shall be replaced as provided in Section 17.28.065. Trees planted to replace damaged or removed protected trees shall not be counted toward the site TDU.
 - d. The owner shall be notified in writing of Staff's determinations.
8. Tree Protection Violations.
- a. Civil penalties shall be assessed in the event of injury, damage, or removal of trees within the tree protection zone. Penalties shall be assessed at \$50 per violation, per day. Each tree, in which a violation occurred, shall be considered an individual violation. No notice of violation shall be required prior to the assessment of civil penalty pursuant to this subsection.
 - b. In the event disturbance occurs, all trees within the Tree Protection Zone shall no longer be counted for TDU requirements unless an assessment has been provided by an ISA Certified Arborist and approved by Applicable Staff.
 - c. Any injury, damage, or removal of tree shall be determined as removal without a permit and shall be replanted in accordance with 17.28.065.
 - d. A site shall be considered in compliance with the submittal of a revised landscape plan and planting deadline approved by Planning or Codes Staff, as applicable. In the event that replacement trees are not planted by the agreed-upon deadline, civil penalties previously assessed shall resume until final inspection of replacement trees.

Sponsor(s) Burkley Allen

Approve. (7-0)

Resolution No. RS2024-237

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-019TX-001 is approved. (7-0)

- 17. 2009SP-017-004**
3607 HYDES FERRY ROAD (AMENDMENT)
 Council District: 01 (Joy Kimbrough)
 Staff Reviewer: Matt Schenk

A request to amend a Specific Plan on various properties located at the southwest corner of Hydes Ferry Road and E Stewarts Lane, zoned SP (5.43 acres), to permit 29 residential units, requested by Dale and Associates, applicant; various property owners.

Staff Recommendation: Defer indefinitely.

The Metropolitan Planning Commission deferred 2009SP-017-004 indefinitely. (7-0)

- 18. 2024SP-022-001**
1500 3RD AVE N
 Council District: 19 (Jacob Kupin)
 Staff Reviewer: Matt Schenk

A request to rezone from IR to SP zoning for property located at 1500 3rd Avenue North, at the northeast corner of 3rd Avenue North and Van Buren Street (1.01 acres), to permit a mixed-use development, requested by Barge Design Solutions, applicant; Peggie L. Hicks, owner.

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 Industrial Restrictive (IR) to Specific Plan (SP) zoning for property located at 1500 3rd Avenue North, at the northeast corner of 3rd Avenue North and Van Buren Street (1.01 acres) to permit a mixed-use development.

Existing Zoning

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

Proposed Zoning

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

NORTH NASHVILLE COMMUNITY PLAN

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

SITE CONTEXT AND PLAN DETAILS

The site consists of a single parcel, approximately 1.01 acres, located on the northern side of Van Buren Street between 2nd Avenue North and 3rd Avenue North. The site is currently used for warehouse and industrial uses. The surrounding parcels are zoned IR and SP. Neighboring uses include a variety of residential, commercial, utility, and industrial uses.

The site plan consists of a seven-story building with a maximum height of 85 feet and two levels of below grade parking. The plan proposes up to 260 hotel rooms, retail and restaurant uses. The building is oriented towards all three street frontages with active ground floor uses including a proposed lobby, retail, and restaurant space. The building incorporates setbacks along all street facing elevations at various floors and at different intervals, beginning at the 5th floor at the 2nd Avenue North elevation, the 5th or 6th floors at the Van Buren Street elevation and the 6th floor at the 3rd Avenue North elevation.

Access to the site is provided by a one-way driveway starting at 2nd Avenue North and connecting along the northern side of the building to 3rd Avenue North. This driveway provides access to two levels of below grade parking. The site proposes pedestrian improvements along all street frontages in the form of sidewalks consistent with the MCSP standards. Additionally, this plan proposes to construct an offsite WeGo bus stop south of Van Buren Street on 3rd Avenue North.

ANALYSIS

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

The proposed plan provides details that would support additional height at this location, including proximity to developments in the area allowing heights up to seven stories, incorporating wider sidewalks along all road frontages, improvements to transit, and the site's location at the intersection of two arterial-boulevards, 3rd Avenue North and Van Buren Street. Additionally, the building incorporates setbacks, including a 34-foot setback at the 6th story on the 3rd Avenue façade, providing a transition from taller buildings located to the east to shorter buildings located to the west. The below grade parking results in an activated street level that enhances the ground floor along the public street frontages. Based on the pedestrian improvements, elevations, high intensity development, and surrounding area, the proposed development would be consistent with the goals of T4 MU policy.

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary approval only. Final submittal shall meet all 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.
- A minimum of 30% of W&S Capacity must be paid before issuance of building permits. (Water & Sewer Capacity Fee Permit No's. T2024045521 & T2024045523).

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.
- 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. (cont.) Extents to be coordinated in field with NDOT inspector.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Ensure adequate lighting is provided at both site driveways for vehicles and pedestrian/bicyclists.
- All improvements identified in the MMTA are to be provided/constructed and shown in the building permit plans.
- See WeGo's comments.

WEGO RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.01	0.6 F	26,397 SF	87	4	5

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
Hotel (310)	-	-	260 R	2,508	125	169

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)	-	1.0 F	5,000 SF	189	5	19

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)	-	1.0 F	5,000 SF	561	49	49+

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+3,171	+175	+232

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to 260 hotel rooms and a maximum of 11,000 square feet of retail and restaurant uses. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval. Building stepbacks and height shall be consistent with the elevations included with the preliminary SP.
3. Add the following note to the corrected set: All mechanical units shall be screened from the right-of-way by landscaping or an enclosure, or a combination of both. Screening details are to be submitted with the final site plan.
4. Covered rooftop amenities shall be included in maximum height calculation.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. 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.
7. No master permit/HPR shall be recorded prior to final SP approval.
8. Final plat may be required prior to permitting.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
11. 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.
12. 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.
13. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approve with conditions and disapprove without all conditions. (6-0-1)

Resolution No. RS2024-238

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-022-001 is approved with conditions and disapproved without all conditions. (6-0-1)

CONDITIONS

1. Permitted uses shall be limited to 260 hotel rooms and a maximum of 11,000 square feet of retail and restaurant uses. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.

2. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval. Building stepbacks and height shall be consistent with the elevations included with the preliminary SP.
3. Add the following note to the corrected set: All mechanical units shall be screened from the right-of-way by landscaping or an enclosure, or a combination of both. Screening details are to be submitted with the final site plan.
4. Covered rooftop amenities shall be included in maximum height calculation.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. 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.
7. No master permit/HPR shall be recorded prior to final SP approval.
8. Final plat may be required prior to permitting.
9. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
11. 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.
12. 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.
13. 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.

19. 2024SP-032-001

A+ SELF STORAGE

Council District: 15 (Jeff Gregg)

Staff Reviewer: Savannah Garland

A request to rezone from CS and OR20 to SP zoning for property located at 2811 Patriot Way, approximately 225 feet south of Allen Road, (1.8 acres), to permit a self-service storage facility, requested by A+ Storage of Tennessee, applicant; Nashville Hanshin Community Church, owner.

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

APPLICANT REQUEST

Preliminary SP to permit a self-service storage facility.

Preliminary SP

A request to rezone from Commercial Service (CS) and Office/Residential (OR20) to Specific Plan (SP) zoning for property located at 2811 Patriot Way, approximately 225 feet south of Allen Road (1.8 acres), to permit a self-service storage facility.

Existing Zoning

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing, and small warehouse uses. *Approximately 1.24 acres of the site are zoned CS.*

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of 14 units on the 0.68 acres that is zoned OR20.*

Proposed Zoning

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

DONELSON-HERMITAGE-OLD HICKORY 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.

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *OR20 would permit a maximum of 14 units on the 0.68 acres that is zoned OR20.*

Proposed Zoning

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

DONELSON-HERMITAGE-OLD HICKORY 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.

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 AND REQUEST DETAILS

The approximately 1.8-acre site is located on the west side of Patriot Way in Donelson. The property is vacant and located interior to the block. The site is currently split zoned with 1.28 acres zoned CS on the west side of the parcel and 0.68 acres zoned OR20 on the east side of the parcel. The zoning districts of surrounding properties include CS, OR20, One and Two-Family Residential (R10) and Mixed Use Limited (MUL). Surrounding land uses include a mix of non-residential to the north, west, and south, and residential to the northeast.

Site Plan

The proposed self-service storage facility would be orientated towards Patriot Way, a local street. The proposed 107,310 square foot building will be five stories, measuring approximately 55 feet in the front and 65 feet the rear, due to topography. The proposed storage facility has one point of vehicular access from Patriot Way located on the eastern portion of the site. Four parking spaces are required per the Metro Zoning Code, and nine parking spaces are provided.

The landscape plan shows an A-2 buffer along a portion of the northern property line. The proposed landscape plan also includes street plantings along Patriot Way and additional foundation plantings on the southeast building façade where the topography slopes down. There is a proposed sidewalk connection from the parking area and building to the new five-foot-wide public sidewalk along Patriot Way.

Patriot Way is identified as a local street, and the plan is showing 55' of right-of-way. The plan shows a five-foot sidewalk and four-foot planting strip. The plan includes elevations for all sides of the proposed building.

ANALYSIS

The proposed SP is located in an area of Suburban Community Center (T3 CC) policy which is characterized by mixed-use, commercial, office, residential, and institutional uses. The intent of this policy is for mixed-use areas that are compatible with the general character of suburban neighborhoods. While the subject site is within the T3 CC policy it is also located away from the corridor, and in close proximity to an existing neighborhood to the east, which is in a Suburban Neighborhood Maintenance policy (T3 NM) policy area.

Staff finds that the proposed use is compatible with the development character of the T3 CC policy area at this location. The proposed height is a maximum of five stories at the street level. The policy states that generally buildings are one to three stories but can be taller in certain instances including the proximity to other policy areas, planned heights of surrounding buildings, and building design that considers site topography. The proposed front of

the building is shorter along Patriot Way and the height increases gets taller towards the southwest of the building where the topography drops off. Staff felt that since the taller portion of the building was at the rear of the structure and towards the other parcels within the T3 CC policy, that this may be appropriate. The proposed plan includes detailed site sections to show the relationship of the building from the nonresidential areas to the neighborhood areas located to the northeast, and how the height is reduced at the street to better transition to the existing residential area.

The requested SP would permit additional FAR beyond the FAR permitted by the existing CS and OR20 zoning, but the maximum height proposed by the plan is more restrictive than the height permitted by CS, where the maximum overall height is controlled by a height control plane, which would likely result in a structure greater than five stories. The SP also includes material and façade standards, and conceptual elevations have been included with the plan.

The Conservation (CO) policy on the property is located on the southwest portions of the parcel due to pockets of potential steep slopes and a stream. The proposed building footprint is located outside of the areas with steeper slopes which is consistent with the policy guidance. Public utility and drainage easements have been established in these areas to address the existing stream on the property.

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 submittal to meet all requirements of the 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

- Final construction plans shall comply with the design regulations established by NDOT.
- Final design and improvements may vary based on actual field conditions.
- Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called out per NDOT detail standards. Note: A private hauler will be required for waste/recycle disposal.
- Contact Metro Water services for waste disposal requirement (solidwastereview@nashville.gov).
- There are to be no vertical obstructions in new public sidewalks. Coordinate w/ utility companies, to have encroaching obstructions relocated to grass/furnishing zones.
- Submit any ROW dedications to NDOT, in tandem with building permit plans.
- Additional 1-1/2' mill and overlay may be required to cover full extents of utility work in public ROW. Extents to be coordinated in field with NDOT inspector.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- MMTA Waiver form has been accepted and approved by NDOT.
- See roads comments.

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)	1.15	0.6 F	30,056 SF	1,135	29	115

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	0.325	20 D	7 U	36	3	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	0.325	0.8	11,325 SF	128	37	14

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Mini-Warehouse (151)	1.8	-	107,310 SF	194	13	22

Traffic changes between maximum: **CS/OR20 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-1,105	-56	-110

METRO SCHOOL BOARD REPORT

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

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a 107,310 square foot self-service storage facility.
2. On the corrected copy, update the buildings elevations along all facades to reflect spandrel glass or other similar glazing material in the vertical insets.
3. On the corrected copy, update the fallback zoning to ORI.
4. On the corrected copy, update the proposed use: self-service storage.
5. This approval does not include any signs.
6. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
7. Final plat may be required prior to permitting.
8. 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.
9. 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.
10. 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.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the ORI zoning district as of the date of the applicable request or application.
13. A corrected copy of the preliminary SP plan, incorporating any conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add

uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

Resolution No. RS2024-239

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-032-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a 107,310 square foot self-service storage facility.
2. On the corrected copy, update the buildings elevations along all facades to reflect spandrel glass or other similar glazing material in the vertical insets.
3. On the corrected copy, update the fallback zoning to ORI.
4. On the corrected copy, update the proposed use: self-service storage.
5. This approval does not include any signs.
6. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
7. Final plat may be required prior to permitting.
8. 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.
9. 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.
10. 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.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the ORI zoning district as of the date of the applicable request or application.
13. A corrected copy of the preliminary SP plan, incorporating any conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

20. 2024SP-042-001

NORTHVIEW SENIOR LIVING

Council District: 02 (Kyonzté Toombs)

Staff Reviewer: Laszlo Marton

A request to rezone from R8 to SP zoning for a portion of property located at 858 West Trinity Lane, approximately 500 feet west of Horizon Drive, (6.52 acres), to permit 254 multi-family residential units, requested by Thomas & Hutton, applicant; Born Again Church & Christian Outreach Ministries, Inc., owner.

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

The Metropolitan Planning Commission deferred 2024SP-042-001 to the November 14, 2024, Planning Commission meeting. (7-0)

21. 2024SP-043-001

1265 MCGAVOCK SP

Council District: 07 (Emily Benedict)

Staff Reviewer: Celina Konigstein

A request to rezone from RS7.5 to SP zoning for property located at 1265 McGavock Pike, at the northwest corner of McGavock Pike and Oxford Street, (0.45 acres), to permit seven multi-family residential units, requested by Dale & Associates, applicant; AK Development, LLC, owner.

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

The Metropolitan Planning Commission deferred 2024SP-043-001 to the November 14, 2024, Planning

Commission meeting. (7-0)

22. 2024SP-044-001

215 ONE MILE

Council District: 10 (Jennifer Webb)

Staff Reviewer: Savannah Garland

A request to rezone from RS20 to SP zoning for property located at 215 One Mile Parkway, approximately 1,200 feet west of Gallatin Pike, (8.81 acres), to permit 131 multi-family residential units, requested by Dale & Associates, applicant; Galen Porter & Gary Andrews, owners.

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

The Metropolitan Planning Commission deferred 2024SP-044-001 to the November 14, 2024, Planning Commission meeting. (7-0)

23. 2024SP-045-001

4144 MAXWELL ROAD RESIDENTIAL

Council District: 08 (Deonté Harrell)

Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to SP zoning for properties located at 4316 Lavergne Couchville Pike and 4144 Maxwell Road, approximately 1,600 feet south of Old Hickory Blvd, (13.87 acres), to permit 46 single family lots, requested by Catalyst Design Group, applicant; M&S #1, LLC and Jose Manuel Teran-Camacho, owners.

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

The Metropolitan Planning Commission deferred 2024SP-045-001 to the November 14, 2024, Planning Commission meeting. (7-0)

24. 2024SP-046-001

7351 CHARLOTTE PIKE

Council District: 35 (Jason Spain)

Staff Reviewer: Savannah Garland

A request to rezone from R15 to SP zoning for property located at 7351 Charlotte Pike, approximately 200 feet east of Old Hickory Blvd, (1.43 acres), to permit non-residential uses, requested by Catalyst Design Group, applicant; Charles H. Geny & The 2015 Irrevocable Trust, owners.

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

APPLICANT REQUEST

Preliminary SP to permit non-residential uses.

Preliminary SP

A request to rezone from One and Two-Family Residential (R15) to Specific Plan (SP) zoning for properties located at 7351 Charlotte Pike, approximately 200 feet east of Old Hickory Blvd, (1.43 acres), to permit non-residential uses.

Existing Zoning

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *Based on acreage alone, R15 would permit a maximum of four lots with one duplex lot for a total of five units. This does not account for compliance with Metro Subdivision Regulations.*

Proposed Zoning

Specific Plan-Mixed Non-Residential (SP-MNR) is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes office, retail, and warehouse uses.

BELLEVUE COMMUNITY PLAN

T3 Suburban Mixed Use Corridor (T3 CM) is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor. T3 CM areas are located along pedestrian friendly, prominent arterial-boulevard and collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel for all users. T3 CM areas provide high access management and are served by highly connected street networks, sidewalks, 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.

SITE CONTEXT AND REQUEST DETAILS

The approximately 1.29-acre site is located on the south side of Charlotte Pike and 200 feet from the Old Hickory Boulevard intersection. The site has frontage along Charlotte Pike which the Major and Collector Street Plan (MCSP) classifies as a Scenic Arterial-Boulevard. The property currently has a single structure on it. The surrounding zoning districts include One and Two-Family Residential (R15), Commercial Service (CS), Specific Plan Multi-Family (SP-MR), Office Residential (OR20), and Commercial Limited (CL). The surrounding land uses include single-family residential, one- and two-family residential, commercial, office/medical, and community/institutional/utility.

Site Plan

The proposed SP is to permit a 15,000 square foot structure with general office, retail, and warehouse uses. The site has frontage along Charlotte Pike with a shared access easement with the parcel to the east. No vehicular access is proposed from Charlotte Pike and is only provided by the shared access easement with the parcel to the east. The structure is proposed to be two stories in 26'-3" measured from the finished floor to the top of the parapet. The maximum building height allowed is 30 feet. The proposed architecture includes metal coping, dark bronze split faced block, painted storefront windows, dark bronze downspouts, and painted metal doors. The front (north) of the building is proposing to have 15 percent glazing with a primary entrance fronting Charlotte Pike. The scenic landscape buffer is shown on the plan along Charlotte Pike, in accordance with the requirements for a scenic arterial-boulevard. A C-3 landscape buffer is shown on the south and west side of the subject site which is appropriate for a non-residential land use abutting R15 zoned properties. An eight-foot-wide sidewalk with a six-foot planting strip is proposed along Charlotte Pike per the MCSP requirements. There is a proposed sidewalk connection from the building to the sidewalk along Charlotte Pike.

ANALYSIS

The proposed SP is located in the Suburban Mixed Use Corridor (T3 CM) policy with a small area of Conservation (CO) policy at the southern end of the property. Conservation policy identifies sensitive environmental features there is a stream just south of the southern boundary of the subject site. The Conservation policy on the subject property is reflective of a required buffer from the stream. The proposed plan addresses the Conservation policy area by locating the building further north on the site and minimizing grading at the southern property line.

The primary policy on the property, T3 CM, supports mixed use developments along the corridor and creating buildings that are compatible with the general character of suburban neighborhoods. The proposed two-story height and the architecture of this structure will blend appropriately with the surrounding area, which is primarily comprised of buildings with lower heights along the corridor. The T3 CM policy supports a balanced mixture of residential and commercial uses along the corridor. The surrounding uses along the corridor include a mix of non-residential land uses including office/medical, institutional, and commercial. Between the intersections, the corridor has been developed with some multi-family residential uses. The policy generally calls for a mix of uses along the corridor, with non-residential uses being located at or near intersections. The subject site is near the intersection of Charlotte Pike and Old Hickory Boulevard, located along a corridor already established with a mix of uses intended to support the policy goals. The proposed uses are consistent with the existing character along this corridor. Generally, warehouse uses may not be appropriate in T3 CM policy areas but given the size constraints of the building and the proposed architecture, staff finds that it may be appropriate at this location. The T3 CM policy recommends moderate to high access and shared access points to limit curb cuts and to minimize vehicular conflict points. The proposed plan includes upgraded sidewalks along the Charlotte Pike frontage and limits vehicular access through the shared easement with the parcel to the east. Given the consistency with the policy goals, staff recommends approval.

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve

- Harpeth Valley Water and Sewer Utility District.

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.
- All ROW frontages shall adhere to the Major Collector Street Plan (MCSP).
- If necessary, Dedicate ROW along all frontages to accommodate MCSP requirements. Provide call outs on final site plan for MCSP requirements.
- In general, with a final: Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called outed per NDOT detail standards.
- 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 shared (cross) access easement instrument# on final site plans. Comply w/ traffic comments and conditions.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Coordinate with NDOT prior to the final SP submittal on the feasibility of connecting this development's sidewalk provided to the existing sidewalk about 75 feet away to fill what will be a sidewalk gap on Charlotte Pike. If feasible, include this design as an off-site improvement in future plan sets.

Maximum Uses in Existing Zoning District: **R15**

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)	1.43	3.63 F	5 U	66	8	6

*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
Office (710)	-	-	7,500 SF	86	34	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
Warehousing (150)	-	-	7,500 SF	57	1	1

Traffic changes between maximum: **R15 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+77	+27	+5

METRO SCHOOL BOARD REPORT

Projected student generation existing R15 districts: 1 Elementary 0 Middle 0 High

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

The proposed SP zoning is not expected to generate any additional students than the existing R15 zoning. Students would attend Gower Elementary School, H.G. Hill Middle School, and James Lawson High School. Gower Elementary is identified as at over capacity. H. G. Hill Middle School is identified as exceedingly under capacity and James Lawson High School is identified as at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 15,000 square feet of general office, retail, and warehouse uses.
2. With the final site plan, architectural elevations consistent with the elevations provided with the preliminary SP shall be provided.
3. On the corrected copy, update the setback and buffer information on the coversheet match the 20' C3 landscape buffers shown on the south and west side on the landscaping plan.
4. On the corrected copy, the area shown on the site plan as "10' Type A Landscape Easement" shall be updated to a "10-foot landscape easement (17.24.070.A)."
5. On the corrected copy, the landscape plan shall be updated to show an A level landscape buffer in the area identified as the 10-foot landscape easement.
6. Final plat may be required prior to permitting.
7. 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.
8. 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.
9. 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.
10. Comply with all conditions and requirements of Metro reviewing agencies.
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 OL 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. 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.

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

Resolution No. RS2024-240

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-046-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 15,000 square feet of general office, retail, and warehouse uses.
2. With the final site plan, architectural elevations consistent with the elevations provided with the preliminary SP shall be provided.
3. On the corrected copy, update the setback and buffer information on the coversheet match the 20' C3 landscape buffers shown on the south and west side on the landscaping plan.

4. On the corrected copy, the area shown on the site plan as "10' Type A Landscape Easement" shall be updated to a "10-foot landscape easement (17.24.070.A)."
5. On the corrected copy, the landscape plan shall be updated to show an A level landscape buffer in the area identified as the 10-foot landscape easement.
6. Final plat may be required prior to permitting.
7. 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.
8. 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.
9. 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.
10. Comply with all conditions and requirements of Metro reviewing agencies.
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 OL 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. 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.

25. 2024SP-047-001

500 & 516 HAGAN STREET

Council District: 17 (Terry Vo)

Staff Reviewer: Matt Schenk

A request to rezone from MUL-A to SP zoning for properties located at 500 and 516 Hagan Street, at the corner of Chestnut Street and Hagan Street, (1.68 acres), to permit a mixed-use development, requested by Fulmer Lucas Engineering, applicant; MV 910 Cherokee, LLC, owner.

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 Mixed-Use Limited-Alternative (MUL-A) to Specific Plan (SP) zoning for property located at 500 and 516 Hagan Street, at the corner of Chestnut Street and Hagan Street to permit a mixed-use development (1.68 acres).

Existing Zoning

Mixed Use Limited-Alternative (MUL-A) is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards.

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 and commercial uses.

SOUTH 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.

SUPPLEMENTAL POLICY

The site is located within the Wedgewood-Houston Chestnut Hill (WHCH) Small Area Plan, specifically the SPA 11-WHCH-1 supplemental policy area. The WHCH Plan describes this area, which is called North Wedgewood-Houston, as containing a wide variety of commercial and small-scale light industrial uses with a higher density mix of uses appropriate for the area. In line with the neighborhood's long-term vision, this area is home to a rising number of

houses and small and larger scale artisan and maker uses. The urban grid, variety of uses, and new dense housing, create a vibrant walkable commercial neighborhood that adds services to the broader community.

SITE CONTEXT AND PLAN DETAILS

The site is approximately 1.68 acres and is located at the southeast corner of Chestnut Street, identified as a Collector-Avenue on the Major and Collector Street Plan (MCSP), and Hagan Street, a local street. Directly to the west of the site is a CSX rail line. In addition to frontage on Chestnut Street and Hagan Street, an improved alley terminates at the southern property line of the site. The site consists of two parcels, with one parcel containing a single-story building with industrial and commercial uses and the other parcel being vacant. The surrounding parcels are zoned IR, IWD, MUL-A-NS, and SP. Neighboring uses include a variety of industrial, commercial, community, and office uses. In the broader area, there are also multi-family residential developments.

The proposed site plan consists of four buildings, including an existing building on the southern parcel that is being retained, a retail plaza, and below grade parking. The buildings would have heights of one, two, three, and seven stories, with the seven-story building proposed to have a maximum height of 90 feet. The buildings would allow for commercial and other non-residential uses, with the seven-story building on the northeastern portion of the site also proposed for up to 125 multi-family residential units on the upper floors. The SP proposes architectural standards and elevations that address both the street frontages and the CSX rail line, a portion of which is visible traveling east on Chestnut Street. The buildings would be oriented towards Hagan Street and a pedestrian plaza, with pedestrian connections from the sidewalks along Hagan Street for all buildings. The site access would be from a public alley that terminates into the property at the southern property line. This alley will access a parking garage located below grade.

ANALYSIS

The proposed SP is located within the T4 Urban Mixed Use Neighborhood Policy (T4 MU). The T4 MU policy intends to create urban neighborhoods with high intensity development, increased levels of multi-modal connectivity and an urban design form. The proposed land uses, development intensity, and building form are consistent with the T4 MU policy. Additionally, the proposed SP proposes high levels of pedestrian connectivity within the site and to neighboring properties.

The WHCH Small Area Plan also includes additional specific guidance for this area. The WHCH Plan includes standards for building typologies and heights, as well as appropriate use and zoning districts. The building typologies include plex or manor, house court, townhouse, flats, live/work, mixed use, and industrial buildings, with heights of three to four stories. The Small Area Plan includes provisions for when additional height may be appropriate: 1) providing active uses and enhanced streetscaping; 2) combined with adaptive reuse of the other parts of the site; 3) accompanied by urban industrial uses; and 4) located in lower lying area.

The proposed heights of the four structures range from one story to seven stories, with three of the four buildings meeting the Small Area Plan guidance for height. To justify an increase in height, the plan proposes active uses on the ground floor of all buildings fronting Hagan Street. The buildings also address both street frontages and the CSX rail line through the use of glazing and building articulation. The existing industrial and commercial building on the site will also be preserved in this plan, providing for adaptive reuse of the structure. The proposed seven story building is located towards the northwest corner of the site in a lower lying area near the CSX rail line. The portion of Chestnut Street adjacent to this building is an elevated bridge over the CSX rail line, contributing to the lower lying appearance of the site. Additionally, on the western side of the rail line, adjacent to this site, the WHCH Small Area Plan recommends building heights of five to seven stories and immediately to the south of the site, an approved SP permits building heights of up to six stories.

Overall, the plan incorporates features that are consistent with land use policy and Small Area Plan guidance. These features include providing a mixture of commercial and residential uses, providing active uses along the streetscape, adaptive reuse of the existing building, and increasing pedestrian connectivity.

FIRE MARSHAL RECOMMENDATION

Approve with Conditions

- 10/3/24- Meeting with Civil. Several points of aerial apparatus access to tower portion will be available. Chestnut St. and Alley as primary points.

STORMWATER RECOMMENDATION

Approve with conditions

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

WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final construction plans shall comply with the design regulations established by NDOT.
- Final design and improvements may vary based on actual field conditions.
- In general, with a final: Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called out per NDOT detail standards.
- Provide frontage improvements per the Major Collector Street Plan (MCSP).
- Dedicate ROW to accommodate the MCSP requirements.
- Dimension ROW pavement widths for clarity.
- Access off ROW should meet Metro Code requirements.
- Note: A private hauler will be required for waste/recycle disposal. Contact Metro Water services for waste disposal requirement (solidwastereview@nashville.gov).
- Additional 1-1/2' mill and overlay may be required to cover full extents of utility work in public ROW. (cont.) Extents to be coordinated in field with NDOT inspector.
- Comply w/ NDOT traffic comments/conditions.
- Additional approval comments/conditions: Existing lay-by/pull-off parking along 516 Hagan St. should be removed and the MCSP meet along the frontage.
- Continue to coordinate w/ NDOT engineers on striping, stop control and sight distance at Hagan/Chestnut intersection.

TRAFFIC & PARKING RECOMMENDATION

Approve with Conditions

- Per review of the MMTA, [1.A.] The intersection of Chestnut St and Hagan St is close to warranting a traffic signal, therefore the applicant shall submit a revised signal warrant analysis prior to Final SP approval. If the signal is warranted, the applicant will be required to contribute or construct the traffic signal further coordination with NDOT will be required. [1.B.] Intersection of Hagan and Merritt shall operate as an all-way stop, and if not installed at the time of construction pedestrian infrastructure on all corners of the intersection shall be provided. [1.C.] Install a stop sign for the southbound approach of the alley at the Merritt Ave intersection. [1.D.] The applicant shall install supplemental signage at the intersection of Fort Negley and Chestnut.
- The applicant is to comply with the MCSP along all frontages. Remove all callouts/mentions to the proposed rideshare area along Hagan Street and provide the MCSP along the frontage of the existing building. Prior to Final SP approval, the applicant shall coordinate with NDOT for the Chestnut Street frontage due to the existing grade from the bridge.
- Coordinate with NDOT on the Curb Radius on the SW corner of the intersection of Chestnut and Hagan. The current building placement may create sight distance issues for vehicles heading EB on Chestnut, therefore chamfering of the building corner and/or shifting of the stop bar maybe required.
- Parking shall be provided per Metro Code.
- At Final SP, the applicant shall submit truck turning exhibits for the loading dock off the alley.
- Off-peak loading and deliveries for the development shall be prioritized to minimize impacts to traffic operations.
- Coordinate with WeGo on any transit stop improvements.
- Prior to use and occupancy, the applicant will be required to develop a TDM plan for the future residents of this development. Further coordination with Meghan.Mathson@nashville.gov will be required.
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

METRO HISTORIC STAFF RECOMMENDATION

Approve

- Recommend a Phase I/II archaeological survey.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.84	1.0 F	36 U	194	12	16

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.42	1.0 F	18,295 SF	691	18	69

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.42	1.0 F	18,295 SF	2,052	182	179

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)	0.765	1.0 F	125 U	680	43	54

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.382	1.0 F	105,000 SF	3,964	99	400

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,707	-70	+190

METRO SCHOOL BOARD REPORT

Projected student generation proposed SP-MU district: 19 Elementary 7 Middle 10 High

Students would attend Fall-Hamilton Elementary School, Cameron College Preparatory Middle School, and Glenclyff High School. Fall-Hamilton Elementary School and Cameron College Preparatory School are identified as under capacity, while Glenclyff High School is identified as overcapacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 105,000 square feet of non-residential uses permitted in MUL-A and those specified in the SP document and 125 multi-family residential units. The following uses shall be prohibited in the entire development: short term rental property, owner-occupied, short term rental property, not

- owner-occupied, Alternative Financial Services, Beer and Cigarette Market, Car Wash, Donation Center Drop Off, Funeral Homes, and Distributive Business/Wholesale Warehouse shall not be permitted.
2. Building heights shall be limited to seven stories and 90 feet.
 3. Covered rooftop amenities shall be included in maximum height calculation.
 4. At the final site plan stage, detailed elevations will be provided and reviewed by staff to ensure buildings are addressing public streets and frontages.
 5. Add the following note to the corrected set: All mechanical units shall be screened from the right-of-way by landscaping or an enclosure, or a combination of both. Screening details are to be submitted with the final site plan.
 6. On the corrected copy, remove the materials note under the Architectural Standards section on sheet 19 and replace with the following: The building façades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
 7. On the corrected copy, replace any standards on the Regulations sheets to reflect the conditions of Metro reviewing agencies, as applicable.
 8. Comply with all conditions and requirements of Metro reviewing agencies.
 9. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
 10. 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.
 11. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
 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. 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.
 14. 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.
 15. A final plat may be required prior to permitting.
 16. No master permit or HPR shall be recorded on the property prior to final site plan approval.

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

Resolution No. RS2024-241

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-047-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 105,000 square feet of non-residential uses permitted in MUL-A and those specified in the SP document and 125 multi-family residential units. The following uses shall be prohibited in the entire development: short term rental property, owner-occupied, short term rental property, not owner-occupied, Alternative Financial Services, Beer and Cigarette Market, Car Wash, Donation Center Drop Off, Funeral Homes, and Distributive Business/Wholesale Warehouse shall not be permitted.
2. Building heights shall be limited to seven stories and 90 feet.
3. Covered rooftop amenities shall be included in maximum height calculation.
4. At the final site plan stage, detailed elevations will be provided and reviewed by staff to ensure buildings are addressing public streets and frontages.
5. Add the following note to the corrected set: All mechanical units shall be screened from the right-of-way by landscaping or an enclosure, or a combination of both. Screening details are to be submitted with the final site plan.
6. On the corrected copy, remove the materials note under the Architectural Standards section on sheet 19 and replace with the following: The building façades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
7. On the corrected copy, replace any standards on the Regulations sheets to reflect the conditions of Metro reviewing agencies, as applicable.
8. Comply with all conditions and requirements of Metro reviewing agencies.

9. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
10. 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.
11. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
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. 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.
14. 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.
15. A final plat may be required prior to permitting.
16. No master permit or HPR shall be recorded on the property prior to final site plan approval.

26. 2024SP-048-001

4222 & 4278 CENTRAL PIKE

Council District: 12 (Erin Evans)

Staff Reviewer: Laszlo Marton

A request to rezone from RS15 to SP zoning for properties located at 4222, 4226 and 4278 Central Pike, approximately 765 feet east of South New Hope Road, to permit a mixed-use development, requested by Dewey Engineering, applicant; Frank Batson Homes, Inc., owner.

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

The Metropolitan Planning Commission deferred 2024SP-048-001 to the November 14, 2024, Planning Commission meeting. (7-0)

27. 2024DDU-001-001

BL2024-559

Council District: 05 (Sean Parker)

Staff Reviewer: Laszlo Marton

A request to apply a Detached Accessory Dwelling Unit Overlay District to various properties located south of Douglas Avenue, north of West Eastland Avenue, and west of Gallatin Avenue, zoned RS5, R6 and R6-A, and partially within the Greenwood Neighborhood Conservation Overlay District (123.1 acres), requested by Councilmember Sean Parker, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change to apply a Detached Accessory Dwelling Unit (DADU) Overlay District.

Zone Change

A request to apply a Detached Accessory Dwelling Unit Overlay District to various properties located south of Douglas Avenue, north of West Eastland Avenue, and west of Gallatin Avenue, zoned Single-Family Residential (RS5), One and Two-Family Residential (R6) and One-and Two Family Residential-Alternative (R6-A) and partially within the Greenwood Neighborhood Conservation Overlay District (123.1 acres).

Existing Zoning (to remain)

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

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.

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

Neighborhood Conservation Overlay District (NHC) is applied to geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures, or objects which are united by past events or aesthetically by plan or physical development. *A portion of the zoning boundary area includes properties in the Greenwood Neighborhood Conservation Overlay District.*

Proposed Zoning

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

EAST NASHVILLE COMMUNITY PLAN

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

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

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

SITE AND CONTEXT

The approximately 123-acre area is located in East Nashville and makes up a majority of the properties south of Douglas Avenue, north of West Eastland Avenue, and West of Gallatin Avenue. The area is primarily comprised of residential land uses with some commercial and institutional uses. The area has a development pattern of single-family residential and two-family residential uses with a gridded street network. The area is generally served by a network of public alleys and many of the streets in this area have sidewalks.

ANALYSIS

Staff finds the proposed Detached Accessory Dwelling Unit (DADU) overlay to be consistent with the T4 NE and T4 NM policy guidance to provide infill development that provides an increased housing diversity. The majority of the proposed overlay boundary is within T4 NM policy areas. T4 NM policy describes that successful infill should be designed with elements of the established development pattern (setbacks, massing, orientation, height) to blend new development into the surrounding neighborhood.

The proposed DADU overlay would have a limited impact to the existing neighborhood character as observed from the street as the additional residential unit is required to be located behind the principal structure. Design standards are included in the Zoning Code that require DADUs to be of similar style, design, and material color as used for the principal structure and shall use similar architectural characteristics including roof form and pitch, to the existing principal structure. The subject area is well served by infrastructure to support appropriate infill development with proximity to a mixed-use corridor along Gallatin Avenue, gridded public street network, and improved public alleys, and sidewalks. Additionally, a majority of the area is within a 5–10-minute walk to a bus stop on WeGo Route 56.

Staff will note that there are some properties within the proposed overlay area that are within the Civic Policy, as they are Metro owned properties, however they meet the criteria for the application of the DADU overlay as they are zoned RS5.

Additionally, there are properties between W. Eastland Avenue and Granada Avenue that are within the Greenwood Neighborhood Conservation Overlay District. New DADU construction will require Metro Historic Zoning Commission approval in addition to Metro Codes permitting approval.

Overall, the DADU overlay increases density modestly, and aligns with the goals of T4 NE and T4 NM policies, and NashvilleNext to provide more housing choices near transit corridors. Staff finds the proposed overlay to be consistent with the subject policies.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-242

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

28. 2024S-115-001

MONROE PARK - PHASE 1

Council District: 01 (Joy Kimbrough)

Staff Reviewer: Celina Konigstein

A request for concept plan approval to create 33 lots utilizing conservation development standards on property located at Knight Drive (unnumbered), at the current terminus of Rock Creek Trace, zoned R10 (9.19 acres), requested by Elkins Surveying Company, applicant; Quality Clean Construction, LLC, owner.

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

The Metropolitan Planning Commission deferred 2024S-115-001 to the November 14, 2024, Planning Commission meeting. (7-0)

29. 2024S-116-001

HAMILTON CHURCH ROAD

Council District: 08 (Deonté Harrell)

Staff Reviewer: Dustin Shane

A request for concept plan approval to create 129 residential lots utilizing the compact development standards on properties located at 3807 and 3817 Hamilton Church Road and Hamilton Church Road (unnumbered), approximately 345 feet east of South Shore Drive, zoned RS10 (37.10 acres), requested by Thomas & Hutton, applicant; Pardue Family Hamilton Church Road Partners, owner.

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

The Metropolitan Planning Commission deferred 2024S-116-001 to the November 14, 2024, Planning Commission meeting. (7-0)

30. 2024S-141-001

CANE RIDGE FARMS NORTH

Council District: 33 (Antoinette Lee)

Staff Reviewer: Laszlo Marton

A request for concept plan approval to create 26 lots utilizing the conservation development standards on property located at Cane Ridge Road (unnumbered), at the current terminus of Ohara Drive, zoned RS10 (12.68 acres), requested by Dale & Associates, applicant; Drapac Group 46, LLC, owner.

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

The Metropolitan Planning Commission deferred 2024S-141-001 to the November 14, 2024, Planning Commission meeting. (6-0-1)

31. 2024S-142-001

CANE RIDGE FARMS SOUTH

Council District: 33 (Antoinette Lee)
Staff Reviewer: Celina Konigstein

A request for concept plan approval to create 15 lots utilizing conservation development standards on property located at Cane Ridge Road (unnumbered), at the current terminus of Camille Drive, zoned RS10 (12.02 acres), requested by Dale & Associates, applicant; Drapac Group 46, LLC, owner.

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

The Metropolitan Planning Commission deferred 2024S-142-001 to the November 14, 2024, Planning Commission meeting. (6-0-1)

32. 2024S-143-001

JAMES HALEY SUBDIVISION

Council District: 09 (Tonya Hancock)
Staff Reviewer: Matt Schenk

A request for final plat approval to create one lot on property located at Neelys Bend Road (unnumbered), approximately 730 feet north of Menees Lane, zoned RS80 (2.25 acres), requested by Anthony T. Bollinger, applicant; James & Jayda Haley, owners.

Staff Recommendation: Approve with conditions including a variance from Section 4-2.5.a.1.c of the Metro Subdivision Regulations.

APPLICANT REQUEST

Request for final plat approval to create one lot.

Final Plat

A request for final plat approval to create one lot on property located at Neelys Bend Road (unnumbered), approximately 730 feet north of Menees Lane, zoned Single-Family Residential (RS80) (2.25 acres).

SITE DATA AND CONTEXT

Location: The site consists of one parcel located on the east side of Neelys Bend Road, north of Menees Lane.

Street Type: The site has frontage on Neelys Bend Road, a Collector-Avenue, with an existing right-of-way width of 50 feet.

Approximate Acreage: 2.25 acres, or approximately 87,885 square feet.

Parcel/Site History: The site consists of a single parcel that was created by deed in 2024.

Zoning History: The parcel has been zoned Single Family Residential (RS80) since 2023.

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

Surrounding land use and zoning:

- North: Single-Family Residential (RS80)
- South: Single-Family Residential (RS40)
- East: Single-Family Residential (RS80)
- West: Single-Family Residential (RS40 and RS80)

Zoning: Single-Family Residential (RS80)

Min. lot size: 80,000 square feet

Max. building coverage: 0.20

Min. rear setback: 20'

Min. side setback: 20'

Max. height: 3 stories

Min. street setback: Contextual per Zoning Code

PROPOSAL DETAILS

Number of Lots: 1

Lot sizes: Lot 1 is 2.25 acres (87,885 square feet)

Access: Access to the lot is provided by Neelys Bend Road.

Subdivision Variances or Exceptions Requested: An exception to Section 4-2.5.a.1.c for lot size is required.

APPLICABLE SUBDIVISION REGULATIONS

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

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

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

4-2. Development Standards

4-2.1 Identification of Primary Conservation Land

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

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

4-2.2 Preservation of Conservation Land

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

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

4-2.3 Development Footprint

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

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

4-2.4 Building Placement

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

Lot 1 is undeveloped, and a proposed building envelope has been identified on the plat.

4-2.5 Rural Character Design

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

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

a. *Building Setback along existing public streets.*

Complies. The building setbacks are required to be varied, and a minimum setback line is required to be platted when the average setback of abutting parcels is more than the minimum required street setback established by the zoning. Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback of the abutting parcels. The average front setback of the abutting parcels is approximately 154 feet, which is less than the anticipated 185.9-foot contextual street setback required by Zoning. Therefore, a setback is not identified on the plat. The proposed building envelope at Lot 1 is located approximately 331 feet from Neelys Bend Road, beyond the of adjacent parcels.

b. *Lot Depth along existing public streets.*

Complies. The minimum depth for lots along existing public streets shall be the building setback required by Sec 4-2.5(a) plus 300 feet. This provision requires a 454-foot lot depth. As proposed, the depth of Lot 1 is approximately 594 feet, which is larger than the required minimum depth.

c. *Lot size along existing public streets.*

Does not comply. A compatibility analysis was conducted per this requirement based on the surrounding parcels. The minimum lot size is to be either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than the smallest of the surrounding parcels, whichever is greater. The result of the analysis is that the minimum lot size required for Lot 1 is approximately 4.16 acres or 181,593 square feet. The area of Lot 1 is proposed to be 2.25 acres, or 87,885 square feet. The proposed lot does not meet the 4.16-acre minimum lot size. A variance is needed and will be discussed below.

d. *Lot frontage abutting existing public streets.*

Complies. A compatibility analysis was conducted per this requirement based on the surround parcels. The result of the analysis is that the minimum lot frontage along Neelys Bend Road required for Lot 1 is 101.8 feet. The frontage of Lot 1 is proposed to be approximately 150.6 feet, which exceeds the minimum lot frontage requirement.

e. *Street lights.*

Not applicable for this case.

f. *Conservation Development.*

Not applicable for this case.

g. *Compact Development.*

Not applicable for this case.

Subdivision Variances or Exceptions Requested: Yes. This request requires a variance from Section 4-2.5.a.1.c. for minimum lot size.

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

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

Variance Analysis

Variance Request-Minimum Lot Size

Section 4-2.5.a.1.c. requires the minimum lot size along existing public streets be equal to or greater than 70% of the average size of surrounding parcels or equal to or greater than the smallest, whichever is greater. In this case, the minimum required lot size is approximately 4.16 acres. As proposed, the size of Lot 1 is approximately 2.25 acres. When considering the lot size pattern of the broader area along the same block as Neelys Bend Road, several existing parcels have lot sizes less than the 2.25 acres proposed for this lot. Existing parcels in the broader area vary in size with several properties ranging from 1 to 2 acres. While the proposed lot would still be smaller than required, when including parcels in the broader area in the compatibility analysis, it would be larger than the smallest lot in the

broader area. Staff finds that a variance for minimum lot size would not conflict with the intent of the Rural Subdivision Regulations and meets all the requirements for the Commission to grant a variance.

PLANNING STAFF COMMENTS

With the exception of the minimum lot size requirement, the proposed lot meets the standards of the Metro Subdivision Regulations and Metro Zoning Code.

POLICY CONSIDERATIONS

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

NashvilleNext includes a Community Character Manual (CCM) which established character areas for each property within Metro Nashville. The community character policy applied to the entirety of this property is T2 RM (Rural Maintenance). The goal of the T2 RM Policy is to maintain the general character of rural neighborhoods as characterized by their development pattern, varying setbacks, building form, and land uses. Appropriate land uses in the T2 RM policy include maintenance of the land in its natural state, small scale agricultural and related accessory and support uses, residential, institutional, and rural subdivisions. Staff finds that the Rural Subdivision regulations meet the intent of the T2 RM policy to provide rural residential lots as maintaining the general character of rural neighborhoods.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Planning has stated ROW reservation is adequate.

TRAFFIC AND PARKING RECOMMENDATION

Approve

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

WATER SERVICES RECOMMENDATION

Not applicable

- Water Services has no objection to the plat (uploaded by Planning on October 8, 2024) and confirm they are to be served by MSUD for Water, and we defer to Metro Health Department for Septic System.

METRO HEALTH RECOMMENDATION

Approve

STAFF RECOMMENDATION

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

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-143-001 with conditions including a variance to 4-2.5.a.1.c. for lot size based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.
3. The mylar shall be approved and signed by the Metro Health Department prior to recording.

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

Resolution No. RS2024-243

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-143-001 is approved with conditions including a variance from Section 4-2.5.a.1.c of the Metro Subdivision Regulations. (7-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.
3. The mylar shall be approved and signed by the Metro Health Department prior to recording.

33. 2024S-151-001

1122 SNOW AVENUE

Council District: 09 (Tonya Hancock)

Staff Reviewer: Savannah Garland

A request for final plat approval to create eight lots on property located at 1122 Snow Avenue, approximately 540 feet west of Stoney River Lane, zoned RS7.5 (1.83 acres), requested by JTA Land Surveying, Inc., applicant; Proverbs Build Homes, LLC, owners.

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

The Metropolitan Planning Commission deferred 2024S-151-001 to the November 14, 2024, Planning Commission meeting. (7-0)

34. 2024S-152-001

THE PLAN OF NOLETON LOT 1

Council District: 25 (Jeff Preptit)

Staff Reviewer: Matt Schenk

A request for final plat approval to replat Lot 1 for property located at 3297 Lealand Lane, at the southwest corner of Lealand Lane and Battlefield Drive, zoned RS10 (0.39 acres), requested by Smith Land Surveying, applicant; Laura & John Slaughter, owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to replat Lot 1.

Final Plat

A request for final plat approval to replat Lot 1 for property located at 3297 Lealand Lane, at the southwest corner of Lealand Lane and Battlefield Drive, zoned Single-Family Residential (RS10) (0.39 acres).

CASE HISTORY

On June 14, 2007, the Metro Planning Commission approved a final plat for this site. The overall subdivision approved two lots, including the subject site (Lot 1) and the property to the south (Lot 2). The approved plat was subsequently recorded. Both existing lots are currently developed with single-family homes. The 2007 plat included a note requiring sidewalk construction with issuance of any building permit, as sidewalks along existing streets were a function of the Subdivision Regulations in effect at that time. The purpose of this request is to replat Lot 1 and remove the sidewalk note. The proposed plat maintains the lot size, lot frontage, and easements as the previously approved final plat.

SITE DATA AND CONTEXT

Location: The site consists of one lot located at the southwest corner of Lealand Lane and Battlefield Drive.

Street Type: The site has frontage on Lealand Lane, a collector-avenue, with an existing right-of-way width of 80 feet and Battlefield Drive, a collector-avenue, with an existing right-of-way width of approximately 50 feet that increases along the site frontage.

Approximate Acreage: 0.39 acres, or approximately 17,114 square feet.

Parcel/Site History: The site consists of a single lot that was created by plat in 2007.

Zoning History: The lot has been zoned Single Family Residential (RS10) since 2007.

Existing land use and configuration: The lot is currently developed with a single-family residence that fronts Lealand Lane.

Surrounding land use and zoning:

- North: Single-Family and Two-Family Residential (RS10 and R10)
- South: Single-Family Residential (RS10)
- East: Single-Family Residential (RS10)
- West: Single-Family Residential (RS10)

Zoning: Single-Family Residential (RS10)

Min. lot size: 10,000 square feet

Max. building coverage: 0.40

Min. rear setback: 20'

Min. side setback: 5'

Max. height: 3 stories

Min. street setback: Contextual per Zoning Code

PROPOSAL DETAILS

Number of Lots: 1

Lot sizes: 0.39 acres (17,144 square feet)

Access: Access to the lot is provided via Lealand Lane.

Subdivision Variances or Exceptions Requested: None

APPLICABLE SUBDIVISION REGULATIONS

Staff has determined that this plat is consistent with the previously approved final plat and the Subdivision Regulations.

PLANNING STAFF COMMENTS

The proposed plat does not change the lot area, lot frontage, or easements from the previously approved final plat. As the lot is consistent with the previously recorded plat, staff recommends approval with conditions.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Not applicable

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Planning has stated sidewalk is not a requirement, NDOT does not object to the plat.

TRAFFIC AND PARKING RECOMMENDATION

Approve

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

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-152-001 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.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission’s approval.
3. On corrected copy, update purpose note to say the purpose is to replat Lot 1.
4. On corrected copy, show setbacks as shown on the original plat.
5. On corrected copy, add note: BZA variance granted to side setback per BZA Order #2024-093.
6. On corrected copy, update 50’ right-of-way label for Battlefield Drive to reflect the 5’ dedication area recorded with the 2007 plat.

Approve with conditions. (7-0)

Resolution No. RS2024-244

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-152-001 is approved with conditions. (7-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission’s approval.
3. On corrected copy, update purpose note to say the purpose is to replat Lot 1.
4. On corrected copy, show setbacks as shown on the original plat.
5. On corrected copy, add note: BZA variance granted to side setback per BZA Order #2024-093.
6. On corrected copy, update 50’ right-of-way label for Battlefield Drive to reflect the 5’ dedication area recorded with the 2007 plat.

35. 2005P-009-002

3101 NOLENSVILLE PIKE (AMENDMENT)

Council District: 16 (Ginny Welsch)

Staff Reviewer: Jason Swaggart

A request to amend the preliminary plan for a Planned Unit Development district on property located at 3101 Nolensville Pike, at the southwest corner of McIver Street and Nolensville Pike zoned CS (1.1 acres), to permit a car wash, requested by Dale & Associates, applicant; PNE Investment LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Amend PUD to permit a car wash.

PUD Amendment

A request to amend the preliminary plan for a Planned Unit Development district on property located at 3101 Nolensville Pike, at the southwest corner of McIver Street and Nolensville Pike zoned Commercial Service (CS), (1.1 acres), to permit a car wash.

Existing Zoning

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

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 subject site is located at the southwest corner of Nolensville Pike and McIver Street. The site is approximately one acre in size and is developed with a used car lot.

Site Plan

The plan identifies the existing conditions on the site, with the addition of a 3,200 square foot one story building. The plan limits the height of the additional building to 25 feet. Existing conditions shown on the plan include a 2,500 sq. ft. sales office, surface parking and display area and other site improvements. As proposed, the total floor area with the

additional building is 5,700 sq. ft. The building is to be utilized for auto detailing (car wash). The proposed building is located at the southwest corner of the site on an existing concrete pad. No other changes are proposed. The plan includes existing restrictions in the PUD. The restrictions limit permitted uses, and include other site requirements pertaining to, but not limited to, landscaping, lighting, and dumpster location.

SOUTH NASHVILLE COMMUNITY PLAN

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

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

ANALYSIS

Section 17.40.120.F of the Zoning Code specifies what types of changes to a PUD must be approved by Council.

F. Changes to a Planned Unit Development District.

1. Modification of Master Development Plan. Applications to modify a master development plan in whole or in part shall be filed with and considered by the planning commission according to the provisions of subsection A of this section. If approved by the commission, the following types of changes shall require concurrence by the metropolitan council in the manner described:
 - a. Land area being added or removed from the planned unit development district shall be approved by the council according to the provisions of Article III of this chapter (Amendments);
 - b. Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance shall be authorized by council ordinance;
 - c. A change in land use or development type beyond that permitted by the specific underlying zoning district shall be authorized only by council ordinance; or
 - d. An increase in the total number of residential dwelling units above the number last authorized by council ordinance or, for a PUD district enacted by council ordinance after September 1, 2006, an increase in the total number of residential dwelling units above the number last authorized by council ordinance or above the number last authorized by the most recent modification or revision by the planning commission; or
 - e. When a change in the underlying zoning district is associated with a change in the master development plan, council shall concur with the modified master development plan by ordinance.
 - e.[f.]Any modification to a master development plan for a planned unit development or portion thereof that meets the criteria for inactivity of Section 17.40.120.H.4.a.
2. Changes to a Final Site Plan. Applications to modify a previously approved final site plan shall follow the procedures of Section 17.40.170.
3. Addition of a Special Exception Use. The addition or relocation of a special exception use otherwise permitted by the underlying base zone district shall be considered by the board of zoning appeals according to the applicable provisions of Chapter 17.16, Article III and Article VII of this chapter and may be approved upon consideration of a recommendation from the planning commission.
4. Subsequent Change in Zoning District. Following adoption of a PUD district, no subsequent change in zoning district classification shall occur within that PUD without concurrent reapproval of the master development plan by the planning commission and council.
5. Cancellation of a PUD District. Cancellation of a PUD district may be initiated by the planning commission, the metropolitan council, or a property owner within the PUD district. A PUD district shall be canceled by ordinance according to the provisions of Article III of this chapter.

ANALYSIS

The existing development was approved by Council in 2005 (BL2005-688) for a used vehicular sales facility. That bill was amended to add numerous restrictions. Restrictions limit land uses and include site requirements, pertaining to, but not limited to, landscaping, lighting, and dumpster location. In 2014, the PUD was amended (BL2014-763) to change signage standards from the previous ordinance allowing signage consistent with the MUL zoning district. The amendment did not alter the previously approved plan or other conditions not pertaining to signage. The existing floor area in the PUD exceeds the maximum floor area specified in BL2005-688. There have been no additions to the existing building since 2005, and the discrepancy is due to error in drafting the bill. With this amendment, the discrepancy will be addressed.

Typically, PUD uses are dictated by the underlying base zoning district; however, in this case, the permitted uses are limited to the uses in the ordinance. The proposed use is a car wash. A car wash is permitted in CS, but the ordinance does not include it as a permitted use. Since the proposed use is not permitted, then the proposed plan must be approved by Council. It is important to note that the car wash is not intended for public use and is for auto detailing of cars to be sold.

In terms of the policy, the proposed use is a use that can be found in T4 CM policy areas, which is the policy applied to the front half of the site where the existing facility is located. Although the proposed car wash is located within the T4 NE policy area at the back, the existing PUD permits nonresidential uses and the plan does not propose any changes to access, landscaping or signage. The proposed car wash is compatible with the existing use.

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

WATER SERVICES RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. Repair/replace any damage to public infrastructure in ROW, during construction on car/detailing area onsite.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Stripe in a crosswalk across McIver Street at its intersection with Nolensville Pike.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. All conditions of BL2005-688, shall apply with the exception that car wash be a permitted use and signage meet the standards for the MUL zoning district as stipulated in BL2014-763.
3. The total square footage of this PUD amendment is 5,700 square feet.
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. RS2024-245

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-009-002 is approved with conditions. (7-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. All conditions of BL2005-688, shall apply with the exception that car wash be a permitted use and signage meet the standards for the MUL zoning district as stipulated in BL2014-763.
3. The total square footage of this PUD amendment is 5,700 square feet.
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.

36. 2024Z-088PR-001

Council District: 05 (Sean Parker)

Staff Reviewer: Laszlo Marton

A request to rezone from RS7.5 to R8-A zoning for property located at 2718 Oakwood Avenue, at the corner of Bullock Avenue and Oakwood Avenue (0.22 acres), requested by William P. Herrington Sr., applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS7.5 to R8-A.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family Residential-Alternative (R8-A) zoning for property located at 2718 Oakwood Avenue, at the corner of Bullock Avenue and Oakwood Avenue (0.22 acres).

Existing Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *Based on acreage alone, RS7.5 would permit a maximum of one single-family lot.*

Proposed Zoning

One and Two-Family Residential-Alternative (R8-A) 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, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *Based on acreage alone, R8-A would permit a maximum of one duplex lot for a total of two units. Duplex eligibility to be confirmed by Metro Codes.*

EAST NASHVILLE COMMUNITY PLAN

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

Dickerson North Corridor Study

The property is located within the Pages Branch Character Area of the Dickerson North Corridor Study. The character area provides guidance on the development pattern of the Dickerson Pike Corridor and improving pedestrian connections. The study also presents a mobility framework for the larger study area focusing primarily on future infrastructure for bikeways, greenways, and street connections. While the subject property is within the larger Pages Branch Character Area, the supplemental policy does not directly address the property.

ANALYSIS

The application consists of one parcel (Map 060-16, Parcel 193) totaling 0.22 acres, located along the west side of Oakwood Avenue, at the intersection of Oakwood Avenue and Bullock Avenue. The property has been zoned Single Family Residential (RS7.5) since 1998 and contains a single-story home. Surrounding properties are zoned RS10

and RS7.5, while surrounding uses are single family residential and two-family residential. Oakwood Park is directly across the street.

The application proposes to rezone the property from RS7.5 to R8-A. The property is located within the T4 Urban Neighborhood Maintenance policy area which intends to maintain the general character of urban residential neighborhoods. The proposed R8-A zoning could allow up to one duplex lot for a total of two units which is a moderate increase in intensity from the existing RS7.5 district which would permit one unit. The property is uniquely situated on the corner of the block, has frontage on both Oakwood Avenue and Bullock Avenue, has access to open space as it is directly across from Oakwood Park, and is adjacent to existing two-family uses along Bullock Avenue to the west. The site is within a 5-minute walk to a bus stop on WeGo Route 28. The -A designation provides additional guidelines for access and driveways, garages, and includes a minimum raised foundation requirement, to be in line with urban development standards as called for in the urban policy.

The proposed R8-A district increases density modestly at a scale that is supported by the T4 NM policy. Additionally, the proposal aligns with goals of NashvilleNext to provide a mixture of housing choices near transit.

FIRE RECOMMENDATION
Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.22	4.54 F	1 U	15	5	1

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

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

*Based on two-family lot

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

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

METRO SCHOOL BOARD REPORT

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

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

The proposed R8-A zoning is not expected to generate any additional students than the existing RS10 zoning. Students would attend Tom Joy Elementary School, Jere Baxter Middle School, and Maplewood High School. Tom Joy Elementary, Jere Baxter Middle School, and Maplewood High School are identified as at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-246

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-088PR-001 is approved. (7-0)

37. 2024Z-094PR-001

BL2024-580

Council District: 07 (Emily Benedict)

Staff Reviewer: Matt Schenk

A request to rezone from RS15 to R15 zoning for properties located at 727 Hart Lane, 731, 735, 737, 741 Saunders Court, 3816, 3820 3822, 3824, 3828, 3836, 3838 and 3840 Saunders Avenue, at the northwest corner of Saunders Court and Saunders Avenue (10.2 acres), requested by Councilmember Emily Benedict, applicant; various owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS15 to R15.

Zone Change

A request to rezone from Single-Family Residential (RS15) to One and Two-Family Residential (R15) zoning for properties located at 727 Hart Lane, 731, 735, 737, 741 Saunders Court, 3816, 3820, 3822, 3824, 3828, 3836, 3838 and 3840 Saunders Avenue, at the northwest corner of Saunders Court and Saunders Avenue (10.2 acres).

Existing Zoning

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *Based on acreage alone, RS15 would permit a maximum of 29 single-family lots. Application of Metro's Subdivision Regulations may result in fewer units on this site.*

Proposed Zoning

One and Two Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *Based on acreage alone, R15 would permit a maximum of 29 lots including 7 duplex lots for a total of 36 units. Metro Codes provides final determinations on duplex eligibility. Application of Metro's Subdivision Regulations may result in fewer units on this site.*

EAST NASHVILLE PLAN

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

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

ANALYSIS

The application consists of 14 parcels, ranging in size between 0.69 and 0.84 acres. All of the parcels have been zoned Single-Family Residential (RS15) since 1998. The parcels have primarily developed with single-story, single-family residential uses, although Parcel 37 is a two-family residential use. The surrounding parcels are zoned Single-Family Residential (RS15) with an SP zoned parcel allowing for eight townhouse-style multi-family residential units located to the south across Saunders Court. Land uses of the surrounding parcels include single-family residential, two-family residential, and vacant land. The parcels primarily have frontages along Saunders Avenue, identified as a collector-avenue on the Major and Collector Street Plan (MCSP) and Saunders Court, a local street, while Parcel 32 has frontage on Hart Lane, which is classified as a collector-avenue.

The parcels are all located within the Suburban Neighborhood Maintenance (T3 NM) policy, with portions of Parcels 32 through 37 having areas of Conservation policy (CO) along stream buffers. The T3 NM policy intends to maintain the general character of suburban neighborhoods but may support some change depending on the context. The parcels located adjacent to a Suburban Neighborhood Evolving (T3 NE) area and within close proximity to a District Employment Center (D EC) policy area, both of which would support additional density. Additionally, the parcels are located primarily along collector streets, and the area is served by a WeGo bus route, both of which contribute to supporting additional density. Due to these factors, the proposed R15 zoning district provides a modest increase in density and aligns with the goals of the T3 NM policy.

FIRE RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: **RS15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	10.2	2.46 F	25 U	290	23	27

Maximum Uses in Proposed Zoning District: **R15**

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)	10.2	3.08 F	31 U	354	27	33

*Based on two-family lots

Traffic changes between maximum: **RS15 and R15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 1	+64	+4	+6

METRO SCHOOL BOARD REPORT

Projected student generation existing RS15 zoning districts: 3 Elementary 2 Middle 3 High

Projected student generation proposed R15 district: 4 Elementary 2 Middle 3 High

The proposed R15 zoning is expected to generate one additional student beyond what is generated under the existing RS15 zoning. Students would attend Hattie Cotton Elementary School, Jere Baxter Middle School, and Maplewood High School. Hattie Cotton Elementary School is identified as under capacity, while Jere Baxter Middle School and Maplewood High School are identified as at capacity. This information is based on the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-247

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-094PR-001 is approved. (7-0)

38. 2024Z-102PR-001

Council District: 21 (Brandon Taylor)

Staff Reviewer: Laszlo Marton

A request to rezone from RS5 to R6-A zoning for property located at 2801 Delaware Ave, at the southwest corner of Delaware Ave and 28th Ave N (0.25 acres), requested by JMR Investments, LLC, applicant; Annie B. Reasonover, ET AL, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential-Alternative (R6-A) zoning for property located at 2801 Delaware Avenue, at the southwest corner of Delaware Avenue and 28th Avenue North (0.25 acres).

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *Based on acreage alone, RS5 would permit a maximum of two single-family lots. This does not account for compliance with the Subdivision Regulations.*

Proposed Zoning

One and Two-Family Residential (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre, including 25 percent duplex lots, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *R6-A would permit a maximum of one duplex lot for a total of two units. Duplex eligibility would be reviewed by Metro Codes. This does not account for compliance with the Metro Subdivision Regulations.*

NORTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The application consists of one parcel (Map 092-10, Parcel(s) 177) totaling 0.25 acres, located on the southwest corner of 28th Avenue North and Delaware Avenue. The property consists of a single-family home built in 1920. Surrounding properties are zoned RS5, Multifamily Residential-Alternative (RM20-A), Office Limited (OL), and Specific Plan (SP) and surrounding uses are residential and office.

The application proposes to rezone the property from RS5 to R6-A. R6-A could allow a maximum of two units on the property. The site is located within the T4 Urban Neighborhood Evolving (T4 NE) policy area. The T4 NE policy is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle, and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. The property is located in an area that is in transition, with T4 Urban Mixed Use Neighborhood policy to the east and T4 Urban Residential Corridor policy to the north, and in walking distance to a bus stop at the intersection of Charlotte Avenue and 28th Avenue North. While the T4 NE policy could support additional intensity at the site given its location at the intersection of an arterial, the proposed R6-A district brings the property more in line with the policy goals by increasing density modestly and providing a mixture of housing choices that support walking and transit use. For these reasons, staff recommends approval of R6-A.

FIRE RECOMMENDATION

Approve with conditions

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.25	8.71 F	2 U	28	7	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.25	11.26 F	2 U	28	7	2

*Based on two-family lots

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

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

METRO SCHOOL BOARD REPORT

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

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

The proposed R6-A zoning is expected to generate no more students than the existing RS5 zoning district. Students would attend Park Avenue Elementary School, Moses McKissack Middle School, and Pearl-Cohn High School. 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. RS2024-248

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-102PR-001 is approved. (7-0)

39. 2024Z-107PR-001

Council District: 16 (Ginny Welsch)

Staff Reviewer: Savannah Garland

A request to rezone from RS7.5 to R6-A zoning for properties located at 196 A Chilton Street and Chilton Street (unnumbered), at the southeast corner of Chilton Street and Waller Street (0.36 acres), requested by Steven Emery, applicant; Alicia Cooke Smyser & Emily Hinkebein, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS7.5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family Residential-Alternative (R6-A) zoning for properties located at 196 A Chilton Street and Chilton Street (unnumbered), at the southeast corner of Chilton Street and Waller Street (0.36 acres).

Existing Zoning

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 would permit a maximum of two single-family residential lots, based on acreage only.*

Proposed Zoning

One and Two-Family Residential - Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre, including 25 percent duplex lots, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk

standards. Based on acreage alone, R6-A would permit a maximum of two duplex lots for a total of four units. Metro Codes provides final determinations on duplex eligibility.

SOUTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The application consists of two parcels (Map 133-02, Parcel(s) 299-300) totaling 0.36 acres, located on the corner of Chilton and Waller Streets. These properties have been zoned Single-Family Residential (RS7.5) since 2003. Parcel 299 is currently vacant and parcel 300 has a single structure on it. The application proposes to rezone the properties from RS7.5 to R6-A. The surrounding land uses are vacant, single-family, and one and two-family residential. The subject parcels have frontage along Chilton Steet, which is a local street. An improved alley #1925 runs along the southern boundary of the subject site.

The properties are located within the Urban Neighborhood Maintenance (T4 NM) policy. The T4 NM policy focuses on preserving the existing residential character, while accommodating new growth that fits within the character. The western property is a vacant corner lot that has the potential to provide a more diverse mix of infill housing. The T4 NM policy supports areas of land that are vacant and could redevelop with a broader mix of housing types. The proposed Alternative (-A) standards would ensure that future development on the site has an urban form, consistent with the policy guidance. The policy also supports lots being accessed from alleys. The proposed R6-A district increases density modestly and aligns with goals of T4 NM policy.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.36	5.80 F	2 U	28	7	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.36	12.81 F	4 U	54	8	5

*Based on two-family lots

Traffic changes between maximum: **RS7.5 and R6-A**

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

METRO SCHOOL BOARD REPORT

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

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

The proposed R6-A zoning is not expected to generate any additional students than the existing RS7.5 zoning. Students would attend Glencliff Elementary School, Wright Middle School, and Glencliff High School. Glencliff Elementary is identified as being at capacity. Wright Middle School is identified as under capacity and Glencliff High

School is identified as overcapacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-249

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-107PR-001 is approved. (7-0)

40. 2024Z-111PR-001

Council District: 02 (Kyonzté Toombs)

Staff Reviewer: Jeremiah Commey

A request to rezone from RS5 to R6-A zoning for property located at 1230 Bessie Avenue, approximately 105 feet south of Weakley Avenue (0.12 acres), requested by C&H Properties, LLC, applicant; Alfred Brooks, Jr. ETUX, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential - Alternative (R6-A) zoning for property located at 1230 Bessie Avenue, approximately 105 feet south of Weakley Avenue (0.12 acres).

Existing Zoning

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

Proposed Zoning

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

BORDEAUX-WHITES CREEK- HAYNES TRINITY COMMUNITY PLAN

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

Haynes Trinity Supplemental Policy

The site is within the Haynes Trinity Small Area Plan which includes supplemental policies for the area. The Small Area Plan was approved and adopted by the Planning Commission on January 11th, 2018. The mobility component of the supplemental policy was removed from this area when the policy was amended in 2023 from T4 MU (Urban Mixed Use Neighborhood) to T4 NM.

ANALYSIS

The application consists of one, approximately 0.12-acre parcel located at 1230 Bessie Avenue, approximately 105 feet south of Weakley Avenue. The parcel has been zoned Single Family Residential (RS5) since 1998 and contains a single-story, single-family residential use. The surrounding parcels include vacant land zoned Commercial Services (CS) to the east, and property zoned RS5 and R6-A to the north, south, and west. Land uses of the surrounding parcels include vacant property, single-family, and some two-family residential. The subject parcel has frontage along Bessie Avenue, which is a local street.

The proposed R6-A zoning is consistent with the T4 Urban Neighborhood Maintenance (T4 NM) policy at this location. The T4 NM policy focuses on preserving the existing residential character, while accommodating new growth that fits within the character. The proposed rezone to R6-A could allow for a maximum of two units which is a slight increase in density. There are existing two-family uses nearby, and a property to the rear of the subject property was recently rezoned in late 2023 to R6-A. The surrounding area also includes many vacant properties which would allow for opportunities for additional residential development, which may result in an area with a mix of single-family and two-family land uses. Staff finds this zoning district is appropriate in the site context given the surrounding land uses and intent of the policy to provide additional opportunities for housing. As the proposed request is in keeping with the general character and aligns with the T4 NM policy, staff recommends approval.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.12	8.71 F	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.12	23.92 F	2 U	28	7	2

*Based on two-family lots

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

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

METRO SCHOOL BOARD REPORT

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

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

The proposed R6-A zoning is not expected to generate any additional students than the existing RS5 zoning. Students would attend Alex Green Elementary School, Haynes Middle School, and Whites Creek High School. Alex Green Elementary School is exceedingly overcapacity. Haynes Middle School is at capacity. Whites Creek High School has been 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. RS2024-250

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-111PR-001 is approved. (7-0)

41. 2024Z-112PR-001

Council District: 16 (Ginny Welsch)
Staff Reviewer: Jeremiah Commey

A request to rezone from RS5 to R6-A zoning for property located at 311 Lutie Street, approximately 500 feet east of Nolensville Pike (0.21 acres), requested by Networth Realty of Nashville, applicant; Jerome Graff, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential - Alternative (R6-A) zoning for property located at 311 Lutie Street, approximately 500 feet east of Nolensville Pike (0.21 acres).

Existing Zoning

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

Proposed Zoning

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

SOUTH NASHVILLE COMMUNITY PLAN

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

ANALYSIS

The application consists of one approximately 0.21-acre parcel, located at 311 Lutie Street, approximately 500 feet east of Nolensville Pike. The parcel has been zoned Single Family Residential (RS5) since 2004 and contains a single-family residential use. The surrounding parcels are zoned Single-Family Residential (RS5), with One and Two-Family – Alternative (R6-A) zoning in the immediate area on property located to the south. There are commercial and civic uses located to the west of the property. The subject parcel has frontage along Lutie Street which is classified as a local street.

The proposed R6-A zoning is consistent with the T4 Urban Neighborhood Maintenance (T4 NM) policy. T4 NM policy focuses on preserving the existing residential character, while accommodating new growth that fits within the character. Based on the approximate acreage of the site, the proposed R6-A zoning may allow for up to one duplex lot for a total of two units. The site has access via an improved alley at the rear, which contributes to supporting additional density. Staff finds this zoning district is appropriate in the site context given the mix of single-family and two-family land uses in the area. A property that borders the subject property was recently rezoned to R6-A in August 2024. The proposed Alternative (-A) district standards would ensure that future development on the site has an urban form, consistent with the policy guidance. The -A standards would also require vehicular access via the rear alley which assists in being able to accommodate a slight increase in density by not increasing traffic along Lutie Street. As the proposed request is in keeping with the general character of the area and aligns with the goals of the T4 NM policy, staff recommends approval.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.21	13.47 F	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.21	12.02 F	2 U	28	7	2

*Based on two-family lots

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

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

METRO SCHOOL BOARD REPORT

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

The proposed R6-A zoning is not expected to generate any additional students than the existing RS5 zoning. Students would attend John B. Whitsitt Elementary School, Cameron College Preparatory Middle School, and Glenclyff High School. John B. Whitsitt Elementary School and Glenclyff High School are identified as overcapacity, while Cameron College Preparatory Middle School is identified as under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-251

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-112PR-001 is approved. (7-0)

42. 2024Z-114PR-001

Council District: 01 (Joy Kimbrough)
 Staff Reviewer: Laszlo Marton

A request to rezone from RM6-NS and RS15 to RM20-A-NS zoning for properties located at 3821 Ashland City Highway, 3825 Ashland City Highway and 3825 #1-6 Ashland City Highway, approximately 225 feet southeast of Abernathy Road (1.26 acres), requested by CCC of TN, LLC, applicant; Fortuitous, LLC, owner.

Staff Recommendation: Disapprove RM20-A-NS and approve RM15-A-NS.

APPLICANT REQUEST

Zone change from RM6-NS to RM20-A-NS.

Zone Change

A request to rezone from Multi-Family Residential-No Short Term Rental (RM6-NS) and Single-Family Residential (RS15) to Multi-Family Residential-Alternative-No Short Term Rental (RM20-A-NS) zoning for properties located at

3821 Ashland City Highway, 3825 Ashland City Highway, and 3825 #1-6 Ashland City Highway, approximately 225 feet southeast of Abernathy Road (1.26 acres).

Existing Zoning

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *Approximately 0.25 acres of the subject site is zoned RS15. Based on acreage alone, RS15 would permit a maximum of one single-family lot.*

Multi-Family Residential-No Short-Term Rental (RM6-NS) is intended for single-family, duplex, and multi-family dwellings at a density of six dwelling units per acre. *The RM6-NS zoned portion of the subject site is 1.01 acres. Based on acreage alone, RM6 would permit a maximum of six units.*

Proposed Zoning

Multi-Family Residential-Alternative-No Short-Term Rental (RM20-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *RM20-A-NS would permit a maximum of 25 units.*

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle, and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers. Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

ANALYSIS

The application consists of two parcels totaling 1.26 acres, located along the north side of Ashland City Highway. The eastern property at 3821 Ashland City Highway has been zoned Single-Family Residential (RS15) since 1998, while the western property at 3825 Ashland City Highway was rezoned to RM6-NS in 2021. Surrounding properties are zoned RS15 and Specific Plan (SP). The SP (BL2023-1814) to the south was approved in 2023 and permits one single-family residential use and one detached accessory dwelling unit use. The SP (2022SP-028-001) to the east permits a maximum of 460 multi-family residential units and 30,000 square feet of non-residential uses.

The application proposes to rezone the properties from RS15 and RM6-NS to RM20-A-NS. The properties are located within the T3 Suburban Neighborhood Evolving and Conservation policy areas. T3 NE areas are intended to create and enhance suburban residential neighborhoods. Conservation policy on the site is associated with a stream buffer that runs along the frontage of the subject properties.

The T3 NE policy supports a broader mix of housing types with moderate densities to provide for housing choice. Based on acreage alone, the proposed RM20-A-NS zoning could allow up to 25 units. While the policy is generally supportive of higher density residential development in relation to corridors and centers, the subject properties are not immediately adjacent to the Clarksville Pike corridor and do not border a center policy area. Land uses in this area transition from higher densities in the T3 Mixed Use Corridor policy to the east to lower densities in the T3 Neighborhood Maintenance policy to the northwest. RM20-A-NS is on the higher end of densities that the T3 NE policy supports, and staff finds that a less intense multi-family zoning district, such as RM15-A-NS, would provide a more appropriate transition in intensity as the land uses transition from the Clarksville Pike Corridor to the west. RM15-A-NS could allow for a maximum of 19 units.

FIRE RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: **RS15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.25	4.0 F	1 U	15	5	1

Maximum Uses in Existing Zoning District: **RM6-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	1.01	6 D	6 U	31	3	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	1.26	20 D	25 U	135	9	12

Traffic changes between maximum: **RS5 and RM20-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+89	+1	+8

METRO SCHOOL BOARD REPORT

Projected student generation existing RS15/RM6-NS districts: 2 Elementary 1 Middle 1 High
 Projected student generation proposed RM20-A-NS district: 7 Elementary 2 Middle 3 High

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

STAFF RECOMMENDATION

Staff recommends disapproval of RM20-A-NS and approval of RM15-A-NS.

Disapprove RM20-A-NS and approve RM15-A-NS . (7-0)

Resolution No. RS2024-252

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-114PR-001 is disapproved for RM20-A-NS and approved for RM15-A-NS. (7-0)

43. 2024Z-115PR-001

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

A request to rezone from RS5 to RM20-A-NS zoning for property located at 205 Joyner Avenue, approximately 120 feet west of Foster Avenue (0.17 acres), requested by Steadfast Group, applicant; Mary L. & Thomas Crawford Jr. ETAL, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to RM20-A-NS.

Zone Change

A request to rezone from Single-Family Residential (RS5) to Multi-Family Residential- Alternative-No STRP (RM20-A-NS) zoning for property located at 205 Joyner Avenue, approximately 105 feet west of Foster Avenue (0.17 acres).

Existing Zoning

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

Proposed Zoning

Multi-Family Residential-Alternative-No STRP (RM20-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. The -NS designation prohibits Short-Term Rental Property – Owner Occupied and Short-Term Rental Property - Not Owner Occupied uses from the district. *RM20-A-NS would permit a maximum of three units.*

SOUTH NASHVILLE 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.

ANALYSIS

The application consists of one parcel (Map 119-05, Parcel 346) totaling 0.17 acres, located along the south side of Joyner Avenue, and 120 feet west of Foster Avenue. The property has been zoned Single-Family Residential (RS5) since 2004 and contains a single-story structure. The application proposes to rezone the property from RS5 to RM20-A-NS. The surrounding land uses are primarily single-family residential to the west and north, with two-family uses south of the subject site. There are a few vacant, a church and commercial uses around the subject site. This parcel has frontage along Joyner Avenue, which is a local street. The parcel also has an improved Alley #1879 to the south of the subject site and an unimproved Alley #1881, west of the parcel.

The property is located within the Urban Neighborhood Center (T4 NC) policy and along the policy edge of Urban Neighborhood Evolving (T4 NE) located to the west. The T4 NC policy areas are pedestrian-friendly areas with commercial, mixed-use, residential, and institutional land uses. T4 NE areas have lots generally accessed from alleys and the primary land use is residential. The site is located just to the west of an arterial boulevard, Foster Avenue, with commercial and office land uses on the east side of Foster Avenue. The proposed Alternative (-A) standard would ensure that future development on the site has an urban form, consistent with the policy guidance. The T4 NC policy supports a high level of connectivity with complete street networks, sidewalks, and existing mass transit. The closest WeGo bus stop is about 0.21 miles west of the subject site. The RM20-A-NS zoning district is appropriate for areas designated in the general plan to have more intense residential development to meet the policy goals of encouraging transit and walkable communities. The alley network will help to provide enhanced connectivity, aligning with the policy goals. Given the surrounding uses and the site's location located between two arterials, Nolensville Pike and Foster Avenue, coupled with the alley network for better access management to the site, staff recommends approval of the proposed RM20-A-NS district because it fits the context of the area and aligns with the goals of T4 NC policy.

FIRE RECOMMENDATION

Approve

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

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

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	0.17	20 D	3 U	15	1	2

Traffic changes between maximum: **RS5 and RM20-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	3 U	+0	-4	+1

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed RM20-A-NS district: 1 Elementary 0 Middle 0 High

The proposed RM20-A-NS zoning is expected to generate one more student than the existing RS5 zoning. Students would attend John B. Whitsitt Elementary School, Cameron College Preparatory Middle School, and Glenclyff High School. John B. Whitsitt Elementary is identified as at over capacity while Cameron College Preparatory Middle School is under capacity, and Glenclyff High School is identified as overcapacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-253

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-115PR-001 is approved. (7-0)

44. 2024Z-117PR-001

Council District: 17 (Terry Vo)

Staff Reviewer: Celina Konigstein

A request to rezone from IWD to MUL-A-NS zoning for properties located at 1247 and 1249 Lewis Street, approximately 200 feet north of Garden Street (0.22 acres), requested by Thompson Burton, PLLC, applicant; Home Equity Options, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from IWD to MUL-A-NS.

Zone Change

A request to rezone from Industrial Warehouse/Distribution (IWD) to Mixed Use Limited-Alternative-No Short-Term Rental Property (MUL-A-NS) zoning for properties located at 1247 and 1249 Lewis Street, approximately 200 feet north of Garden Street (0.22 acres).

Existing Zoning

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

Proposed Zoning

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

SOUTH 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.

Wedgewood-Houston & Chestnut Hill Planning Study

The Wedgewood-Houston Chestnut Hill (WHCH) Planning Study was adopted by the Planning Commission in 2019. The study included updates to community planning, land use, and street plans in the Wedgewood Houston and Chestnut Hill Neighborhoods.

The WHCH Planning Study is a supplement to and part of the South Nashville Community Plan of NashvilleNext. WHCH includes six different character areas each comprised of several smaller subdistricts that address land use, transportation, and community design at the neighborhood scale. Each district is unique in terms of the recommended land use mix, intensity, and appropriate building types intended to guide future development of the neighborhoods.

The site is located in Character Area 6, Browns Creek, Subdistrict 6b, which currently contains a mix of residential, commercial, and light industrial uses. Future development could be appropriate for a mixture of commercial uses and mixed-use and live-work buildings. All development in Subdistrict 6b should be sensitive to its setting within the floodplain adjacent to Browns Creek. A future greenway is planned along Browns Creek and within Subdistrict 6b, pockets of open space are encouraged.

ANALYSIS

The application consists of two parcels totaling 0.22 acres located on the west side of Lewis Street. Both parcels are currently vacant. Surrounding properties are zoned IWD, Multi-Family Residential (RM20-A) and MUL-A with surrounding uses being primarily industrial, residential, and vacant land.

The policy on the site, T4 MU, supports a variety of different mixed-use zoning districts with Alternative (-A) designations to encourage a development pattern with uses contributing to an urban mixed-use neighborhood. The supplemental policy on the site further supports the proposed MUL-A-NS as future development in this subdistrict area is intended to introduce mixed uses into the area. There is an alley present to the rear of the site which would be utilized during future development as the primary vehicular access to the site as required by the Alternative provisions.

The majority of parcels within subdistrict 6b of the supplemental policy are within the Brown’s Creek floodplain. A handful of the parcels west of Lewis Street are outside of the floodplain, including both of the subject parcels. Given the location of the subject parcels outside of the floodplain, this site could be an appropriate candidate for additional density.

The prohibition of short-term rentals through the -NS designation supports the policy’s goal to create livable neighborhoods.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.22	0.8	7,667 SF	58	1	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.11	1.0 F	5 U	26	1	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.055	1.0 F	2,396 SF	90	2	9

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.055	1.0 F	2,396 SF	269	24	24

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+327	+26	+35

METRO SCHOOL BOARD REPORT

The proposed MUL-A-NS zoning includes a mix of uses which could vary and assumption of school impact at this point is premature. Students would attend John B. Whitsitt Elementary School, Cameron College Prep Middle School, and Glenclyff High School. Both John B. Whitsitt Elementary School and Glenclyff High School have been identified as being over capacity while Cameron College Prep Middle School has been identified as being under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (6-0-1)

Resolution No. RS2024-254

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-117PR-001 is approved. (6-0-1)

45. 2024Z-118PR-001

Council District: 28 (David Benton)
Staff Reviewer: Celina Konigstein

A request to rezone from AR2a to RM9-A-NS zoning for property located at Una Antioch Pike (unnumbered), approximately 465 feet east of Moss Road (4.01 acres), requested by PC Properties, GP, applicant; Antioch First Baptist Church, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from AR2a to RM9-A-NS.

Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Multi-Family Residential – Alternative – No Short Term Rental Property (RM9-A-NS) zoning for property located at Una Antioch Pike (unnumbered), approximately 465 feet east of Moss Road (4.01 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. *AR2a would permit a maximum of two duplex lots for a total of four units. Duplex eligibility to be confirmed by Metro Codes.*

Proposed Zoning

Multi-Family Residential – Alternative – No Short Term Rental Property (RM9-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre 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. RM9-A-NS would permit a maximum of 36 units.*

ANTIOCH – PRIEST LAKE COMMUNITY PLAN

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

T3 Suburban Residential Corridor (T3 RC) is intended to maintain, enhance, and create suburban residential corridors. T3 RC areas are located along prominent arterial-boulevard or collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel for all users. T3 RC areas provide high access management and are served by moderately connected street networks, sidewalks, and existing or planned mass transit.

Supplemental Policy

The site is located within a supplemental policy area which is intended to provide additional guidance beyond the T3 RC Policy on building form and site design, connectivity, and zoning. Within the Antioch Priest Lake Plan, the supplemental policy is 13-RH-T3-RC-01, which applies to the undeveloped land within the Rural Hill–Moss Road neighborhood.

Specific standards within the 13-RH-T3-RC-01 supplemental policy area address building height, massing, density, access, enhanced connectivity on larger parcels within the T3 Residential Corridor policy area of the Antioch Priest Lake Plan.

SITE AND CONTEXT

The rezoning application is for a 4.01-acre parcel located along the northern side of Una Antioch Pike. The property has been zoned AR2a since 1974 and is vacant. The property is adjacent to RS7.5 zoning to the south, east, and north. The zoning to the west is AR2a. There is a Planned Unit Development Overlay District (PUD) on land zoned RM6 to the northwest. The surrounding land uses are dormitory/boarding house, single-family residential, and religious institution.

ANALYSIS

The requested zoning district is able to meet the goals of the T3 RC policy to create suburban residential corridors. The requested zoning district would permit multi-family residential development at a moderate level of intensity. The -NS designation prohibits Short Term Rental uses which is appropriate to create permanent housing choices along corridors. The supplemental policy on the property provides additional guidance beyond the T3 RC policy.

The requested RM9-A-NS is able to address many of the key components of the supplemental policy including height, site design, and density. The supplemental policy states that the first tier of buildings closest to the corridor should orient towards the corridor. The Alternative (-A) designation limits the amount of parking between the building and the street, requires primary entrances along street facing facades, and minimum glazing requirements. The supplemental policy allows for consideration of up to five stories, depending on the context and adjacent buildings. Even though this site is located along a corridor which speaks to additional density, the surrounding context to the north and east is within the Suburban Neighborhood Maintenance (T3 NM) policy and is primarily developed with lower density residential land uses. The RM9-A-NS zoning district permits building heights at 30 feet within the 0-80 foot build-to zone and a maximum height of 35 feet with a minimum 15 foot setback. The maximum height within the requested zoning district is likely appropriate considering the surrounding context. The supplemental policy indicates that densities in this area will vary with carrying capacity of the land and with exceptional development design, additional densities may be supported. The site has limited areas of Conservation (CO) policy and does not significantly impact the development potential of the site. The CO policy is reflective of a stream that runs along the property frontage, parallel to Una Antioch Pike. At the time of building permit, Metro Stormwater will review any proposed impacts to the water way, especially in regards to a potential stream crossing for access into the property. Limited portions of the site have slopes that range from 15 percent to 20 percent. The steepest slopes over 20 percent are located at the rear of the property and are within the rear setback required of the zoning district, preventing the steepest portions of the property from being development. Staff is unlikely to support additional density beyond the requested RM9-A-NS zoning district without additional site considerations that cannot be addressed without Specific Plan (SP) zoning. Given the lower density of the requested

district, and the -A standards providing additional architectural and development standards, staff supports the requested zoning district at this site.

FIRE RECOMMENDATION
Approve

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)	4.01	0.5 F	4 U	54	8	5

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	4.01	9 D	36 U	194	12	16

Traffic changes between maximum: **AR2a and RM9-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	32	+140	+4	+11

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 0 Elementary 0 Middle 0 High

Projected student generation proposed RM9-A-NS district: 6 Elementary 2 Middle 4 High

The proposed RM9-A-NS zoning district is anticipated to generate 12 additional students than the existing AR2a zoning district. Students would attend J.E. Moss Elementary School, Apollo Middle School, and Antioch High School. J.E. Moss Elementary School has been identified as being at capacity, Apollo Middle School has been identified as being under capacity and Antioch High School has been identified as being over capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-255

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-118PR-001 is approved. (7-0)

46. 2024Z-119PR-001

Council District: 19 (Jacob Kupin)

Staff Reviewer: Hazel Hastwell

A request to rezone from Single-Family Residential (RS3.75) and Multi-Family Residential (RM20) to Muti-Family Residential-NO STRP (RM20-NS) zoning for property located at 1014 and 1006 Morrison Street and Morrison Street (unnumbered), within the Phillips Jackson Redevelopment District, approximately 177 feet northwest of Jackson Street (0.18 acres), requested by Synergy Realty Network, applicant; Deneke and Tyae Burford, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS3.75 to RM20-NS.

Zone Change

A request to rezone from Single-Family Residential (RS3.75) and Multi-Family Residential (RM20) to Multi-Family Residential-No STRP (RM20-NS) zoning for properties located at 1014 and 1006 Morrison Street and Morrison Street (unnumbered), within the Phillips Jackson Redevelopment District, approximately 177 feet northwest of Jackson Street (0.18 acres).

Existing Zoning

Single-Family Residential (RS3.75) requires a minimum 3,750 square foot lot and is intended for single-family dwellings at a density of 9.87 dwelling units per acre. *Approximately 0.01 acre of the site is zoned RS3.75. Development entitlements would be determined by Codes.*

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of four units.*

Proposed Zoning

Multi-Family Residential-No STRP (RM20-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. The -NS designation prohibits Short-Term Rental Property – Owner Occupied and Short-Term Rental Property - Not Owner Occupied uses from the district. *RM20-NS would permit a maximum of four units.*

DOWNTOWN COMMUNITY PLAN

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

Hope Gardens Supplemental Policy

The intent for Hope Gardens is to preserve its historic character while accommodating a mix of new housing and new mixed-use development at appropriate locations as specified in the plan.

SITE AND CONTEXT

The application consists of three parcels totaling 0.18 acres fronting on the east side of Morrison Street. The two larger parcels are zoned RM20, and the smaller parcel is zoned RS3.75. Parcels to the west, north, and east are zoned RM20. Property to the south is zoned RS3.75. Surrounding uses are a mixture of residential housing and vacant properties.

ANALYSIS

The property is located within a T4 NM policy area, which focuses on maintaining the general character of the developed parcels. The area is a densely populated urban neighborhood. Morrison Street faces the interstate and most of the residential parcels along this block are zoned RM20. The corner parcels of this block are zoned RS3.75 and Commercial Service (CS). Additionally, the area is located within the Urban Zoning Overlay, which encourages compatibility of new development. The placement of the multifamily zone as a transition away from the high impact interstate to single family residential is an appropriate use of zoning to gradually change the intensity of development. The majority of the subject site is already zoned RM20, and this proposed zone change is intended to create a consistent zoning district across the site. Additionally, the NS designation will ensure units built are for long term residents. For these reasons staff recommends approval.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.1	8.71 F	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	0.1	20 D	2 U	9	1	1

Traffic changes between maximum: **RS3.75 and RM20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-6	-4	+0

METRO SCHOOL BOARD REPORT

Projected student generation existing RS3.75 districts: 0 Elementary 0 Middle 0 High
 Projected student generation proposed RM20-NS district: 0 Elementary 0 Middle 0 High

The proposed RM20-NS zoning is not expected to generate additional students than the existing RS3.75 zoning. Students would attend Jones Elementary School, John Early Middle School, and Pearl Cohn High School. Jones Elementary is identified as being under capacity while John Early Middle School and Pearl Cohn High School are identified as being exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-256

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-119PR-001 is approved. (7-0)

47. 2024Z-120PR-001

Council District: 35 (Jason Spain)
 Staff Reviewer: Laszlo Marton

A request to rezone from AR2a to RS10 zoning for a portion of property located at McCrory Lane (unnumbered), approximately 700 feet north of Beautiful Valley Drive (0.68 acres), requested by Catalyst Design Group, applicant; Harpeth Overlook Partners, LLC, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from AR2a to RS10.

Zone Change

A request to rezone from Agricultural/Residential (AR2a) to Single-Family Residential (RS10) zoning for a portion of property located at McCrory Lane (unnumbered), approximately 700 feet north of Beautiful Valley Drive (0.68 acres).

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of one duplex lot for a total of two units. Confirmation of duplex eligibility and development entitlements would be determined by Metro Codes.*

Proposed Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of two single-family lots based on acreage alone. Application of Metro’s Subdivision Regulations may result in fewer units at this site.*

BELLEVUE COMMUNITY PLAN

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

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

ANALYSIS

The application consists of a portion of one parcel (Map 126, Parcel 155) totaling 0.68 acres, located east of McCrory Lane. The property has been zoned Agricultural/Residential (AR2a) since 1974 and is currently vacant. Surrounding properties are zoned RS10 and AR2a while surrounding uses are primarily single-family residential.

The application proposes to rezone a portion of the property from AR2a to RS10. The property is located within the T3 Suburban Neighborhood Maintenance (T3 NM) and Conservation (CO) policy areas. T3 NM policy intends to maintain the general character of developed suburban neighborhoods. CO policy is associated with steep slopes and floodplain along the northern and western site boundaries. Based on acreage alone, the proposed RS10 district could allow up to two single-family lots. If subdivided as part of a larger development, the property would likely be subject to the Conservation Development Standards and would be required to phase the development to areas of the site that are outside environmentally sensitive areas. RS10 would create a similar lot pattern and density to the existing Travis Trace Subdivision to the south and a recently approved concept plan located on the remaining RS10-zoned portion of the subject property. Staff will note that a majority of the subject parcel (155) was rezoned to RS10 in April 2024; however, a new deed was subsequently recorded which added an AR2a-zoned area to the parcel, resulting in split zoning across the parcel. Rezoning the remaining portion of the property to RS10 would provide consistent bulk standards across the entire property and would align the zoning on the property to be more closely aligned with the T3 NM Policy.

FIRE RECOMMENDATION

Approve

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)	0.68	2.94 D	2 U	28	7	2

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.68	2.94 D	2 U	28	7	2

Traffic changes between maximum: **AR2a and RS10**

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

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a districts: 0 Elementary 0 Middle 0 High

Projected student generation proposed RS10 district: 0 Elementary 0 Middle 0 High

The proposed RS10 zoning is expected to generate no more additional students than the existing AR2a zoning. Students would attend Gower Elementary School, H.G. Hill Middle School, and James Lawson High School. Gower Elementary School is identified as overcapacity, H.G. Hill Middle School and James Lawson High School are identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-257

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-120PR-001 is approved. (7-0)

48. 2024Z-122PR-001

BL2024-570

Council District: 09 (Tonya Hancock)

Staff Reviewer: Celina Konigstein

A request to rezone from CN to R15 zoning for properties located 1532, 1536, 1538 Neelys Bend Road and Neelys Bend Road (unnumbered), approximately 90 feet north of Neelys Bend Court (1.52 acres), requested by Councilmember Tonya Hancock, applicant; Jorge Acevedo and Laurent Champonnois, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from CN to R15.

Zone Change

A request to rezone from Commercial Neighborhood (CN) to One and Two-Family Residential (R15) zoning for properties located 1532, 1536, 1538 Neelys Bend Road and Neelys Bend Road (unnumbered), approximately 90 feet north of Neelys Bend Court (1.52 acres).

Existing Zoning

Commercial Neighborhood (CN) is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

Proposed Zoning

One and Two-Family Residential (R15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots. *Based on acreage alone, R15 would permit a maximum of four lots with one duplex lot for a total of five units. This does not account for compliance with the Metro Subdivision Regulations.*

MADISON COMMUNITY PLAN

T2 Rural Maintenance (T2 RM) is intended to maintain rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RM areas have established low-density residential, agricultural, and institutional development patterns. Although there may be areas with sewer service or that are zoned or developed for higher densities than is generally appropriate for rural areas, the intent is for sewer services or higher density zoning or development not to be expanded.

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 AND CONTEXT

The 1.52-acre site consists of four parcels and is located north of the intersection of Neelys Bend Court and Neelys Bend Road. Parcels 006 and 009 are classified as vacant land. Parcel 007 has a two-family residential use and

parcel 008 has a single-family residential use. All four parcels have been zoned CN since 1998. Surrounding properties are zoned Single-Family Residential (RS40 and RS80). Nearby land uses are primarily residential.

ANALYSIS

The site is located in a T2 Rural Maintenance policy (T2 RM) policy area. According to policy guidance, these areas are intended to maintain the general character of rural neighborhoods recognizing change can occur and when it does occur, that efforts should be made to retain the existing character of the neighborhood.

The existing zoning district does not align with policy guidance as it permits commercial uses within a residential policy area. The proposed zoning district, R15, will retain the existing residential use that is supported by the policy and is the primary surrounding land use in the area. The southern two parcels, 008 and 009, are below the requested minimum lot area of 15,000 square feet. Future development on these parcels will be restricted in the future, unless combined. Additionally, the conservation policy on this site likely refers to the stream running along the southern border of the site through parcel 009, further reducing the development potential on this parcel. A rezone to R15 would ensure residential uses remain and provide a more rural form supporting the policy’s intent to a greater degree than the existing CN zoning.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.52	0.25 F	16,553 SF	625	16	63

Maximum Uses in Proposed Zoning District: **R15**

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)	1.52	3.56 F	5 U	66	8	6

*Based on two-family lots

Traffic changes between maximum: **RS15 and R15**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-259	-8	-57

METRO SCHOOL BOARD REPORT

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

Projected student generation proposed R15 district: 1 Elementary 0 Middle 0 High

The proposed R15 zoning district is expected to generate one more student than the existing CN zoning district. Students would attend Neelys Bend Elementary School, Neelys Bend: A LEAD Public School, and Hunters Lane High School. Neelys Bend Elementary School, Neelys Bend: A LEAD Public School, and Hunters Lane High School have been identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-258

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-122PR-001 is approved. (7-0)

H: OTHER BUSINESS

49. Adoption of 2025 Planning Commission Calendar

Resolution No. RS2024-259

"BE IT RESOLVED by The Metropolitan Planning Commission that the Adoption of 2025 Planning Commission Calendar is approved. (7-0)

50. Adoption of Amended Rules of Procedure

Vice Chair Farr moved, and Mr. Clifton seconded the motion to adopt the Amended Rules of Procedure. (8-0)

Resolution No. RS2024-260

"BE IT RESOLVED by The Metropolitan Planning Commission that the Amended Rules of Procedure is approved. (8-0)

51. Historic Zoning Commission Report

52. Board of Parks and Recreation Report

53. Executive Committee Report

54. Accept the Director's Report and Approve Administrative Items

Resolution No. RS2024-261

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

55. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

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

January 09, 2025

MPC Meeting

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

J: ADJOURNMENT

The meeting adjourned at 4:55 p.m.