



METROPOLITAN PLANNING COMMISSION

DRAFT MINUTES

November 14, 2024
4:00 pm Regular Meeting

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

MISSION STATEMENT

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

Commissioners Present:

Greg Adkins, Chair
Jessica Farr, Vice Chair
Asia Allen
Lillian Blackshear
Stewart Clifton
Dennie Marshall
Matt Smith

Commissioners Absent:

Edward Henley
Kathy Leslie
Councilmember Jennifer Gamble

Staff Present:

Lucy Kempf, Executive Director
Lisa Milligan, Assistant Director of Land Development
Andrea Dorlester, Land Development Manager
Tara Ladd, Legal Counsel
Abbie Rickoff, Planning Manager I
Amelia Gardner, Planner III
Savannah Garland, Planner II
Laszlo Marton, Planner I
Jeremiah Commey, Planner I

Lucy Alden Kempf

Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County

800 President Ronald Reagan Way, P.O. Box 196300 Nashville, TN 37219-6300

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Notice to Public

Please remember to turn off your cell phones.

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

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

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

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

Writing to the Commission

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

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

Fax: (615) 862-7130

E-mail: planning.commissioners@nashville.gov

Speaking to the Commission

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

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

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

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

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

Legal Notice

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



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

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

MEETING AGENDA

A: CALL TO ORDER

The meeting was called to order at 4:03 p.m.

B: ADOPTION OF AGENDA

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

C: APPROVAL OF OCTOBER 24, 2024 MINUTES

Mr. Clifton moved, and Ms. Blackshear seconded the motion to approve the meeting Minutes of October 24, 2024. (7-0)

D: RECOGNITION OF COUNCILMEMBERS

No Councilmembers spoke at this time.

E: ITEMS FOR DEFERRAL / WITHDRAWAL: 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 14, 16, 17, 18, 20, 22, 23, 28, 29, 34, 35, 38, 46

Ms. Gardner advised Ms. Blackshear has recused herself from Items 14 and 17.

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

F: CONSENT AGENDA ITEMS: 53

Ms. Gardner advised Ms. Blackshear has recused herself on Items 19, 21 and 42.

Vice Chair Farr moved, and Mr. Marshall seconded the motion to approve the Consent Agenda. (7-0)

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

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

G: ITEMS TO BE CONSIDERED

- 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 December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-036-001 to the December 12, 2024, Planning Commission meeting. (7-0)

2. 2024SP-037-001
3993 DICKERSON PIKE MULTI-FAMILY
Council District: 03 (Jennifer Gamble)
Staff Reviewer: Dustin Shane

A request to rezone from RS20 to SP zoning for properties located at 3993 Dickerson Pike and Nesbitt Drive (unnumbered), approximately 200 feet west of Nesbitt Court (4.48 acres), to permit 33 multifamily residential units, requested by Catalyst Design Group, applicant; Rhythm Development 401K and Jeff Kendig, owners.

Staff Recommendation: Defer to the December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-037-001 to the December 12, 2024, Planning Commission meeting. (7-0)

3. 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 December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-039-001 to the December 12, 2024, Planning Commission meeting. (7-0)

4. 2024SP-042-001
BL2024-616
NORTHVIEW SENIOR LIVING
Council District: 02 (Kyonzte 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, (6.3 acres), to permit 254 multi-family residential units, requested by Thomas & Hutton, applicant; Born Again Church & Christian Outreach Ministries, Inc., owner.

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 (R8) to Specific Plan (SP) zoning for a portion of property located at 858 West Trinity Lane, approximately 500 feet west of Horizon Drive, to permit 254 multi-family residential units (6.3 acres).

Existing Zoning

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *Based on acreage alone, R8 would permit a maximum of 29 lots with seven duplex lots for a total of 36 units. Duplex eligibility to be confirmed by Metro Codes. Application of the Subdivision Regulations could result in fewer lots.*

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 would permit a maximum of 254 multi-family residential units.*

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

T4 Urban Residential Corridor (T4 RC) is intended to maintain, enhance, and create urban residential corridors. T4 RC areas are located along prominent arterial-boulevard or collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive, and comfortable access and travel

for all users. T4 RC areas provide high access management and are served by moderately connected street networks, sidewalks, and existing or planned mass transit.

Development Summary	
SP Name	Born Again Church
SP Number	2024SP-042-001
Council District	2, Toombs

Site Data Table	
Site Data	6.3 Acres
Map and Parcel	Map 70-8, Parcel 30
Existing Zoning	R8
Proposed Zoning	SP - Regulatory
Allowable Land Uses	Multifamily Residential

Specific Plan (SP) Standards

1. Permitted uses shall be limited to 254 multi-family residential units. Short Term Rental Property (STRP), owner occupied and not owner-occupied, shall be prohibited from the entire development.
2. A standard buffer shall be provided per Metro Zoning regulations along all residential property lines.
3. Vehicular access shall be limited to an ingress/egress easement through Map 70-08, Parcel 30, with gated emergency provided from Roy Street.
4. Perimeter screening of parking areas located adjacent to West Trinity Lane shall be a minimum of 15-feet in width and shall comply with the landscape buffer yard standards of Figure 17.24.240B for a 15' wide landscape buffer.
5. Frontage improvements along West Trinity Lane include maintaining the existing curb and gutter and providing a 6 foot furnishing zone and a 6 foot sidewalk. The final site plan shall dedicate ROW along all frontages to accommodate the full future MCSP requirements.
6. If a development standard is absent from the SP and/or Council approval, the property shall be subject to the standards, regulations, and requirements, as applicable, of the RM40 zoning district as of the date of the applicable request or application.
7. The final site plan/building permit site plan shall depict any required right-of-way dedication, 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.
8. Landscaping and tree density requirements per Metro Zoning Ordinance.
9. The required parking, maximum height at setback, and height control plane shall be as follows:

Required Parking	258
Maximum Building Height	66'-0" (6-Stories)
Height Control Plane	None
Street Setbacks	None

Proposed SP

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.

Haynes Trinity Supplemental Policy

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

SITE CONTEXT

The subject site consists of a 6.3-acre portion of a parcel located along the south side of West Trinity Lane and east of Roy Street. The property has been zoned One and Two-Family Residential (R8) since 1974 and is heavily wooded. Adjacent zoning includes One and Two-Family Residential (R8) to the south, east, and west and Single-Family Residential (RS7.5), and SP to the north across West Trinity Lane. Surrounding uses are primarily single-family residential and two-family residential south of West Trinity Lane and multi-family residential north of West Trinity Lane. The site is adjacent to the Born Again Church and has frontage on West Trinity Lane, which is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP).

PLAN DETAILS

The proposed regulatory SP would permit a multi-family residential development with a maximum of 254 multi-family residential units. Short term rentals, owner and not owner-occupied, are proposed to be prohibited from the entire development. The SP proposes a maximum building height of six stories in 66 feet. Standards not specifically called out by the SP will be subject to bulk regulations of the RM40 zoning district. Access to the site will be limited to an access easement through the adjacent Born Again Church driveway and a gated emergency access will be provided from Roy Street. Along the West Trinity Lane frontage, proposed streetscape improvements include a 6-foot-wide furnishing zone and a 6-foot-wide sidewalk, while maintaining the existing curb and gutter. For parking areas adjacent to West Trinity Lane, perimeter screening in the form of a 15-foot-wide landscape buffer will be provided.

ANALYSIS

The site is within the T4 Urban Residential Corridor (T4 RC) and Conservation (CO) policy areas. The T4 RC policy is intended to maintain, enhance, and create urban residential corridors. T4 RC areas are located along prominent arterial-boulevard or collector-avenue corridors and are served by multiple modes of transportation, provide high access management, and are served by moderately connected street networks, sidewalks, and existing or planned mass transit. CO policy is associated with a small area in the northeast corner of the site that contains steep slopes. The proposed SP would permit 254 multi-family residential units at a density of approximately 40.3 units an acre, which is on the higher end of densities supported by the T4 RC policy, but of a similar density to adjacent West Trinity Lane SP (2018SP-084-001). The site's location along a major arterial, and proximity to an existing transit stop, make it an appropriate location for additional intensity to activate and frame the corridor.

The SP meets the goal of the T4 RC policy for high access management by limiting vehicular access to the existing Born Again Church driveway, an existing access point along the corridor. While the T4 RC policy is generally supportive of building heights of up to three stories, the policy is supportive of taller building heights along priority corridors and within proximity to existing transit stops. Topography on the site also varies and there is a 60-foot change in elevation from east-west along the site's frontage. As the site is located within a five-minute walk to a bus stop on WeGo Route 71 and has frontage on West Trinity Lane, an arterial boulevard, the proposed building height of six stories in 66 feet is appropriate given the location and context.

The site is also within the Haynes Trinity Supplemental Policy area. The Supplemental Policy includes a Mobility Plan that calls for an enhanced block structure and increased street connectivity with multiple routes. While the SP does not propose additional street connectivity, it meets a major goal of the supplemental policy by utilizing the existing church access point, and thus consolidating access along the corridor.

FIRE MARSHAL RECOMMENDATION

Approve

HISTORIC RECOMMENDATION

Approve

- Phase I archaeological survey recommended.

WEGO RECOMMENDATION

Approve with conditions

- Development must provide an eastbound in-lane local service type shelter bus stop on Trinity Lane and appurtenances as per latest WeGo Design guidelines.

- Bus stop location must be coordinated with WeGo, NDOT and with other developers with the goal that eastbound and future westbound bus stops and crosswalk(s) are adjacent to each other and to pedestrian access routes to the developments.
- WeGo conditions must be shown on Final SP plans.
- Development must liaise and reach agreement on all WeGo conditions with WeGo Robert.Johnson@Nashville.gov prior to this SP submittal, again prior to final SP, and again prior to Building Permit.

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Final construction plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions.
- 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.
- Comply w/ NDOT traffic comments/conditions of approval.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- At a minimum, a 6 ft furnishing zone & 6 ft sidewalk shall be provided along the property frontage on W. Trinity Lane. Modifications to this cross section may be approved by NDOT in some areas if topographical challenges impact the constructability, as determined during the development of construction plans. Developer shall dedicate ROW along West Trinity Lane in conformance with the MCSP to accommodate the future plans for the corridor.
- The total parking count shall be consistent with the count shown in the submitted parking study, 276 spaces for 254 units. The SP plan shows 258 parking spaces, which will require 18 spaces to be allocated within the existing church parking lot.
- A dedicated EB right turn lane may be constructed on W. Trinity Lane at the development access if additional analysis indicates that it is warranted. Additional traffic comments will be forthcoming at the time of submittal.
- In compliance with the review of the MMTA, a transit stop along the frontage of this development shall be provided, that is complementary of the stop on the opposite side of the street at 864 West Trinity. Additional coordination with NDOT and WeGo will be required prior to Final SP approval.
- The Developer shall provide a financial contribution in the amount of \$75,000 for the installation of a future enhanced pedestrian crossing near the location of the enhanced WeGo transit stops. The contribution should be provided prior to the approval of the Final SP.
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

METRO WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. A minimum of 30% W&S Capacity must be paid before issuance of building permits.

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)	6.3	6.81 F	36 U	406	31	38

*Based on two-family lots

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
Senior Adult Housing – Attached (252)	-	-	254 U	996	51	63

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+218 U	+590	+20	+25

METRO SCHOOL BOARD REPORT

Projected student generation existing R8 district: 5 Elementary 2 Middle 3 High

Projected student generation proposed SP district: 68 Elementary 23 Middle 28 High

The proposed SP zoning district is anticipated to generate 109 more students than what would be generated under the current R8 zoning district. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. Cumberland Elementary School and Haynes Middle High School are identified as at capacity. Whites Creek Middle School is exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Approve with conditions and disapprove without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 254 multi-family residential units. Short Term Rental Property (STRP) owner occupied and not owner-occupied shall be prohibited.
2. Any permits that are currently under review for the subject site and proposed development shall be updated to comply with the standards of this SP.
3. With the final site plan, architectural elevations consistent with the elevations provided with the preliminary SP shall be provided.
4. Comply with all conditions and requirements of Metro Reviewing Agencies.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with the final site plan application.
6. 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 RM40 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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 Property Owners’ Association.
9. Prior to final SP approval, a master deed/HPR may only be recorded on the following conditions: a) a master deed/HPR may be recorded for the purpose of creating the legal tax parcel on which the project will be located; and b) the requirements of the SP final site plan shall control development of the site and shall supersede any master deed/HPR that is recorded prior to site plan approval that identifies locations of buildings or other improvements on the property.
10. 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.
11. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.

Approve with conditions and disapprove without all conditions, including the updated conditions in the memo provided by staff. (7-0)

Resolution No. RS2024-262

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-042-001 is approved with conditions and disapproved without all conditions, including the updated conditions in the memo provided by staff. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 254 multi-family residential units. Short Term Rental Property (STRP) owner occupied and not owner-occupied shall be prohibited.
2. Any permits that are currently under review for the subject site and proposed development shall be updated to comply with the standards of this SP.
3. With the final site plan, architectural elevations consistent with the elevations provided with the preliminary SP shall be provided.
4. Comply with all conditions and requirements of Metro Reviewing Agencies.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with the final site plan application.
6. 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 RM40 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
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 Property Owners’ Association.
9. Prior to final SP approval, a master deed/HPR may only be recorded on the following conditions: a) a master deed/HPR may be recorded for the purpose of creating the legal tax parcel on which the project will be located; and b) the requirements of the SP final site plan shall control development of the site and shall supersede any master deed/HPR that is recorded prior to site plan approval that identifies locations of buildings or other improvements on the property.
10. 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.
11. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.

5. 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 December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-043-001 to the December 12, 2024, Planning Commission meeting. (7-0)

6. 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 December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-044-001 to the December 12, 2024, Planning Commission meeting. (7-0)

7. 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 December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-045-001 to the December 12, 2024, Planning Commission meeting. (7-0)

8. 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 (30.14 acres), 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 January 9, 2025, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-048-001 to the January 9, 2025, Planning Commission meeting. (7-0)

9. 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: Withdraw.

The Metropolitan Planning Commission withdrew 2024S-084-001. (7-0)

10. 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 December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-115-001 to the December 12, 2024, Planning Commission meeting. (7-0)

11. 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: Approve with conditions.

APPLICANT REQUEST

Concept plan to create 129 lots.

Concept Plan

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 Single-Family Residential (RS10) (37.10 acres)

SITE DATA AND CONTEXT

Location: The site is located on the southern side of Hamilton Church Road approximately 345 feet east of South Shore Drive.

Street Type: The site has frontage onto Hamilton Church Road, which is a collector avenue. The plan proposes one new collector street, the extension of two existing local streets, and one new local street and draws access from Hamilton Church Road.

Approximate Acreage: 37.10 acres or 1,616,076 sq. ft.

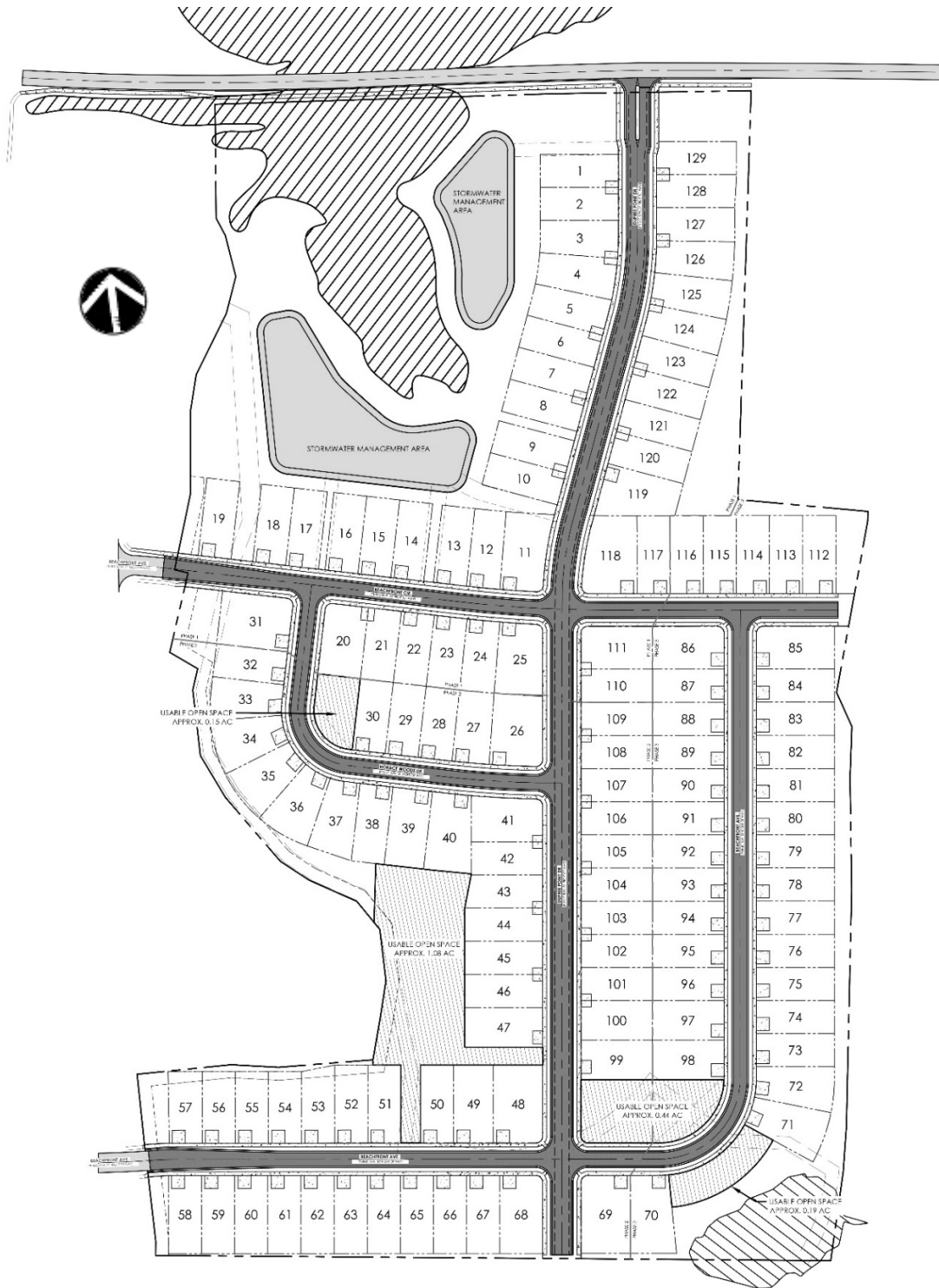
Parcel/Site History: This site is comprised of three parcels. Parcel 011 was created by the platting of the South Shore subdivision to the west in 2005, and Parcel 012 is a lot created by plat in 1978. Parcel 102 is identified as a reserve lot created by the same plat.

Zoning History: The site is zoned Single-Family Residential (RS10). It has been zoned RS10 since 2023. Previously, the site was zoned Agricultural/Residential (AR2a).

Existing land use: The property currently contains a single-family home on Parcel 012.

Surrounding land use and zoning:

- North: Single-Family Residential/Agricultural/Residential (AR2a)
- South: Single-Family Residential/Agricultural/Residential (AR2a)
- East: Single-Family Residential; vacant rural land/Agricultural/Residential (AR2a)
- West: Single-Family Residential/One and Two-Family Residential & Planned Unit Development Overlay (R15 & PUD)



Proposed Concept Plan



Aerial Image

Zoning: Single-Family Residential (RS10)

- Min. lot size: 10,000 sq. ft.
- Min. lot coverage: 0.40
- Max. height: 3 stories
- Min. street setback: 20' or contextual per Code
- Min. rear setback for all properties: 20'
- Min. side setback for all properties: 5'

PROPOSAL DETAILS

This proposal is for a subdivision development under existing zoning entitlements. No rezoning is proposed with this application. This proposal utilizes the by-right Compact Development standards of Section 17.12.080 of the Metro Zoning Code.

Number of lots: 129 single-family lots

Lot sizes: Lots range in size from 5,610 sq. ft. to 9,099 sq. ft.

Access: The lots have frontage onto the proposed collector avenue and local streets, and the site draws access from Hamilton Church Road.

Open space: 12.25 acres of open space are proposed. Usable open space comprises 1.86 acres of this total.

Subdivision Variances or Exceptions Requested: None

COMPACT DEVELOPMENT

Plan Requirements (Section 17.12.080)

The concept plan establishes that compact development is proposed and displays the layout of all lots and common areas. This compact development subdivision proposal includes only single-family lots. The concept plan delineates the alternative lot sizes to be employed and describes the land areas required to satisfy open space requirements.

Minimum Area Required to be Eligible (Section 17.12.080.A)

This property is utilizing the Proximal Option for minimum site area. Property located within 0.25 miles of any MCSP-classified arterial or collector street shall have a minimum site area of no less than five times the minimum lot area for the base zoning district. The site is zoned RS10, which has a minimum lot area of 10,000 sq. ft. The minimum area within a proximal option compact development subdivision in the RS10 district is 50,000 sq. ft. The site contains approximately 1,616,076 sq. ft. and exceeds the minimum area requirement to be eligible to utilize the compact development proximal option.

Maximum Lot Yield (Section 17.12.080.B)

The compact development option includes specific standards for calculation of maximum lot yield within a compact development subdivision that ensure that the maximum number of lots does not exceed what is permitted by the existing base zoning. The Zoning Code specifies that the lot yield shall be based on dividing eighty percent of the gross acreage by the minimum lot size of the base zoning district.

The gross area of this site is approximately 37.1 acres or 1,616,076 sq. ft. The minimum lot size of the existing zoning district, RS10, is 10,000 sq. ft.

$$1,616,076 \text{ sq. ft.} \times 0.80 = 1,292,860.8 \text{ sq. ft. (80\% of the gross site area)}$$
$$1,292,860.8 \text{ sq. ft.} / 10,000 \text{ sq. ft.} = 129 \text{ lots}$$

Design Flexibility (Section 17.12.080.C)

In order to accomplish the purpose of this section, flexibility in lot sizes may be proposed in exchange for the creation of open space. Lots within a compact development subdivision may reduce in size from the minimum required by the base zoning district an equivalent of two smaller zoning districts. This subject site is zoned RS10, so the application proposes to reduce lot sizes from the 10,000-square foot minimum of the RS10 zoning district to the 5,000-square foot minimum of the RS5 zoning district.

A minimum of fifteen percent of the site shall be placed in open space. If additional usable open space is provided beyond the minimum requirement, a subdivision may reduce the minimum lot size by an equivalent percentage beyond the two-zoning district reduction. In no case shall the minimum lot size be reduced below 3,750 square feet. The application does not propose additional usable open space; therefore, no further lot size reductions are requested.

The bulk standards of the zoning district which most closely resembles the alternative lot sizes chosen for any given phase of the development shall be employed for that phase of the subdivision. In this case, the standards of the RS5 zoning district apply. As proposed, all bulk standards meet this requirement.

A twenty-foot standard B landscape buffer yard as per Chapter 17.24 Article III shall be required along the perimeter of the development when perimeter lots abutting a conventional R/RS subdivision are reduced in size from the minimum lot size required by the base zoning district. All perimeter lots meet this minimum size requirement or feature the required landscape buffer yard. For the portions of the buffer yard that fall within lots, a landscape buffer yard access easement is shown on the plans.

Open Space Standards (Section 17.12.080.D)

The required fifteen percent open space of a compact development may contain usable open space and stormwater features as required and described in this section. A minimum of five percent of a compact subdivision's total area shall be usable open space. One usable feature shall be installed for subdivisions containing between four and ninety-nine total residential units, plus an additional usable feature for every one hundred residential units, or portion thereof, in excess of the first ninety-nine units. Usable features shall not be located in regulatory no-disturb stormwater buffers or floodway as determined by metro water services. Examples of usable open space include paved greenway trails, walking or hiking trails, reflective passive areas, playgrounds, dog parks, etc. These open spaces are to be convenient and accessible to all residents. Usable features may include stormwater mitigation facilities such as bioretention, bioswale, or rain garden, designed as an amenity and provided in conjunction with other usable features mentioned in this section; a stormwater feature alone shall not count as usable open space.

This application proposes four usable open spaces, totaling 1.86 acres, which meets the five percent minimum required of all compact subdivisions (37.10 acres x 0.05 = 1.855 acres). These open spaces are convenient to all residents of the proposed subdivision (being less than 1,320 feet along an accessible path from each lot). Two usable open space features are required based on the lot count. An open space management plan was submitted with the concept plan application. Specific uses for the open space shall be decided at final site plan. Tree density and street tree planting are required per the zoning code and the applicable regulations of Metro Government. A note indicates landscaping and street tree requirements will be met at final site plan. A preliminary landscaping plan was also provided with the concept plan which shows the proposed street trees (planted 30 feet on center) along both new and existing streets along with the proposed plantings within the required buffer yard.

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 Evolving (T3 NE) policy. For sites within the T3 Suburban transect, the conventional regulations found in Chapter 3 are utilized.

3-1 General Requirements

Staff finds that all standards are met.

3-2 Monument Requirements

Monuments will be placed on property corners or referenced to property lines consistent with the requirements of the subdivision regulations.

3-3 Suitability of the Land

Land which the Planning Commission finds to be unsuitable for development due to flooding, steep slopes, rock formations, problem soils, sink holes, other adverse earth formations or topography, utility easements, or other features which may be harmful to the safety, health and general welfare of inhabitants of the land and surrounding areas shall not be subdivided or developed unless adequate methods to solve the problems created by the unsuitable land conditions are formulated.

The site contains areas shown on FEMA maps as part of the 100-year floodplain. The plan does not propose lots within these areas. Separately, an area of steep slopes on the site was identified by survey to be a manmade pile of debris. A sinkhole exists in the southeastern corner of the site that is shown within open space, although not proposed within usable open space. This will require additional permits at the state level.

3-4 Lot Requirements

All proposed lots comply with the minimum lot size of the Zoning Code. Any development proposed on the resulting lots will be required to meet the bulk and landscaping standards of a comparable zoning district which most closely resembles the alternative lot sizes (RS5 zoning, in this instance) proposed for any given phase of development at the time of building permit. All proposed lots have frontage on the new public streets.

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.

Not applicable. No lots are proposed fronting on an existing street.

3-6 Blocks

All proposed block lengths meet the distance requirements as established in the subdivision regulations.

3-7 Improvements

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

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

Sidewalks are required in association with new streets. The proposed subdivision includes two new public streets and the extensions of two others. The proposed concept plan includes sidewalks along the new streets per the local street standard requirements. The plan also indicates sidewalks along Hamilton Church Road consistent with the Major and Collector Street Plan (MCSP) cross section.

3-9 Requirements for Streets

The application proposes one new collector street perpendicular to and drawing access from Hamilton Church Road, two extensions of existing local streets (Beachfront Avenue) from the west, and a new local street. Beachfront Avenue curves from two directions east across the site, with one stub-out being shown at the eastern boundary of the subject site to enable future connectivity. The new local street intersects both Beachfront Avenue and the proposed collector and is contained wholly within the site. The proposed new collector will stub-out to the south and will allow for broader future connectivity in the area as envisioned by the MCSP.

The MCSP also shows a planned east-west collector road through the southern portion of the subject site. The concept plan shows Beachfront Avenue as a local road generally in the location of the planned east-west collector. Staff finds this to be acceptable for several reasons: 1) the existing portion of Beachfront Avenue in the subdivision to the west is a local road, 2) the location of the planned east-west collector runs close by a large sinkhole that could impact the road's location and construction, and 3) the northern segment of Beachfront Avenue extended (labeled as Beachfront Circle on the plan) stubs at the eastern property line, allowing for possible future connections to the east.

Public street requirements are reviewed by NDOT. NDOT has reviewed the concept plan and found it to be in compliance with the standards of this section subject to several conditions. Those conditions are listed in the recommendations from all agencies section below.

3-10 Requirements for Dedication, Reservations, or Improvements

The application proposes to dedicate the necessary right-of-way for the new proposed streets. The existing right-of-way width along Hamilton Church Road is sufficient per the Major and Collector Street Plan requirements.

3-11 Inspections During Construction

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

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

NDOT reviews street names and signage requirements for public roads and has recommended approval of this concept plan. See comments in the recommendations from all agencies section below.

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

Not applicable to this case. The concept plan does not propose any new private streets.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

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

3-16 Sewerage Facilities

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

3-17 Underground Utilities

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

PLANNING STAFF COMMENTS

The proposed subdivision meets the standards of the Metro Subdivision Regulations for a major subdivision and the standards of the Metro Zoning Code. Staff recommends approval with conditions.

POLICY CONSIDERATIONS

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

The Community Character Manual (CCM) policy applied to the site is Suburban Neighborhood Evolving (T3 NE). T3 NE areas are predominately residential areas with neighborhoods featuring shallow and consistent setbacks and closer building spacing. T3 NE areas within the suburban transect are intended to provide greater housing choice and improved connectivity.

Moderate to high levels of connectivity with street networks and sidewalks are a key feature of T3 NE areas. The policy speaks to vehicular connections with new development providing for multiple route options to destinations, reducing congestion on primary roads. Lot sizes within the broader policy can vary and zoning districts ranging from RS7.5 up to RM20-A are supported depending on context.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

HISTORIC ZONING RECOMMENDATION

Approve

- Phase I archaeological survey recommended.

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT ROADS RECOMMENDATION

Approve with conditions

- Subdivision concept plans generally conform to NDOT standards, and final road construction drawings must comply with the Subdivision Street Design Standards and Specifications.
- For a roadway location in proximity to sinkholes, provide a geotechnical report as to the suitability of roadway location in proximity to sinkholes with the submittal of construction plans. Identify any mitigation, if required. If the placement of fill material into sinkholes/depressions is required, the applicant must comply with the rules, regulations, and specifications of this department and other governmental agencies.
- Beachfront Avenue (at lots 19 & 31). Taper proposed road pavement to existing pavement. Plat 20050210 0015592 identifies a 50' ROW width. Continuation of 50' ROW for Beach front Ave - Design per NDOT ST-252 road section.
- Beachfront Avenue (at lots 57 & 58). Taper proposed road pavement to existing pavement. Plat 20020624 0075604 identifies a 50' ROW width. Continuation of 50' ROW for Beachfront Ave - design per NDOT ST-252 road section.
- Driveway ramps to comply with Sections 13.12 and 17.20.160 of the Metro Code. Driveway ramps to be constructed per NDOT ST-322 spec. Provide at minimum 25' of separation between drives.
- Provide curb ADA ped ramp placement on the intersection corners and at T intersections (at the T-intersection, include a curb ramp on the stop control side of the 'T'). Relocate stormwater inlets that would be located in any ramp ped or access.
- Notes to applicant toward final construction plan submittal:
 - Remove note indicating signage to be provided for Horace Woods Drive Horizontal Curve. AASHTO guidelines for geometric Design of Low-Volume Roads indicates that you can design for 20 mph from 25 mph if certain AADT is met. Provide on construction plans a horizontal curve per AASHTO low volume guidance (provide veh/day justification label) or radius per Green Book for design of low speed urban streets. No signs needed if veh/day is met for low volume design considerations.
 - Slopes along roadways shall not exceed 3:1.
 - Project is in USD on construction plans provide streetlighting photometric plan and style of lighting. Streetlights are to be placed according to NDOT and NES specifications. Comply with the most recently adopted edition of Nashville Electric Service Street Lighting Guidelines.
 - Confirm with the USPS postmaster on requirements of postal deliveries (individual residential, cluster box, commercial delivery, etc.). <https://about.usps.com/handbooks/po632/welcome.htm>. Vehicles must be out of roadway travel lanes when accessing kiosks.
 - If not previously completed - Reserve/ Coordinate street naming/ name reservations with the NDOT Addressing Office, Contact: Sara Cain, 615-862-8782.
 - At time of final construction plan submittal ensure NDOT approved intersection/ signal modification sheets are included in the submittal.
 - At time of final construction plan submittal ensure an offsite improvements sheet (grading, sidewalk, striping, etc) is included in the submittal.

NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

Per review of the MMTA:

- The applicant shall comply with the MCSP along all public ROW frontages.
- The applicant shall also provide a sidewalk connection from the Western property down to the South Shore Drive intersection. Further coordination with NDOT will be required on the exact dimensions of the sidewalk and grass strip based on the available ROW and existing grade.
- The applicant will be required to optimize the signal timing plan at the intersection of Hobson Pike and Hamilton Church Road. Additional signal ahead signage on all approaches shall also be installed. Further coordination between the applicant's traffic engineer and NDOT's signal team will be required.
- The applicant shall provide appropriate traffic control for the new public street intersections within the subdivision.
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

WATER SERVICES RECOMMENDATION

Approve with conditions

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

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Comply with the requirements of all Metro Agencies.
2. Minor changes may be allowed during review of the final based on engineering and construction plans. However, any changes proposed to the plan will still require compliance with the Compact Development standards.
3. Pursuant to 2-2.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.
4. On the corrected copy, add a note indicating that street trees will be required along existing streets.
5. If investigations reveal a wider extent to the sinkhole that impacts planned usable open space, other areas within the development shall be designated to fulfill the open space requirement.
6. On the corrected copy, show a fence around the sink hole.
7. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval of a concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.

RECOMMENDED ACTION

Motion to approve with conditions proposed subdivision Case No. 2024S-116-001 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. RS2024-263

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-116-001 is approved with conditions. (7-0)

CONDITIONS

1. Comply with the requirements of all Metro Agencies.
2. Minor changes may be allowed during review of the final based on engineering and construction plans. However, any changes proposed to the plan will still require compliance with the Compact Development standards.
3. Pursuant to 2-2.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat.
4. On the corrected copy, add a note indicating that street trees will be required along existing streets.
5. If investigations reveal a wider extent to the sinkhole that impacts planned usable open space, other areas within the development shall be designated to fulfill the open space requirement.

6. On the corrected copy, show a fence around the sink hole.
7. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval of a concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.

12. 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 December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-134-001 to the December 12, 2024, Planning Commission meeting. (7-0)

13. 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: Approve with conditions.

APPLICANT REQUEST

Request for concept plan approval to create 26 lots.

Concept plan

A request for concept plan approval to create 26 lots utilizing conservation development standards on property located at Cane Ridge Road (unnumbered), at the current terminus of Ohara Drive, zoned Single-Family Residential (RS10) (12.68 acres).

SITE DATA AND CONTEXT

Location: The site consists of one property located at the terminus of Ohara Drive.

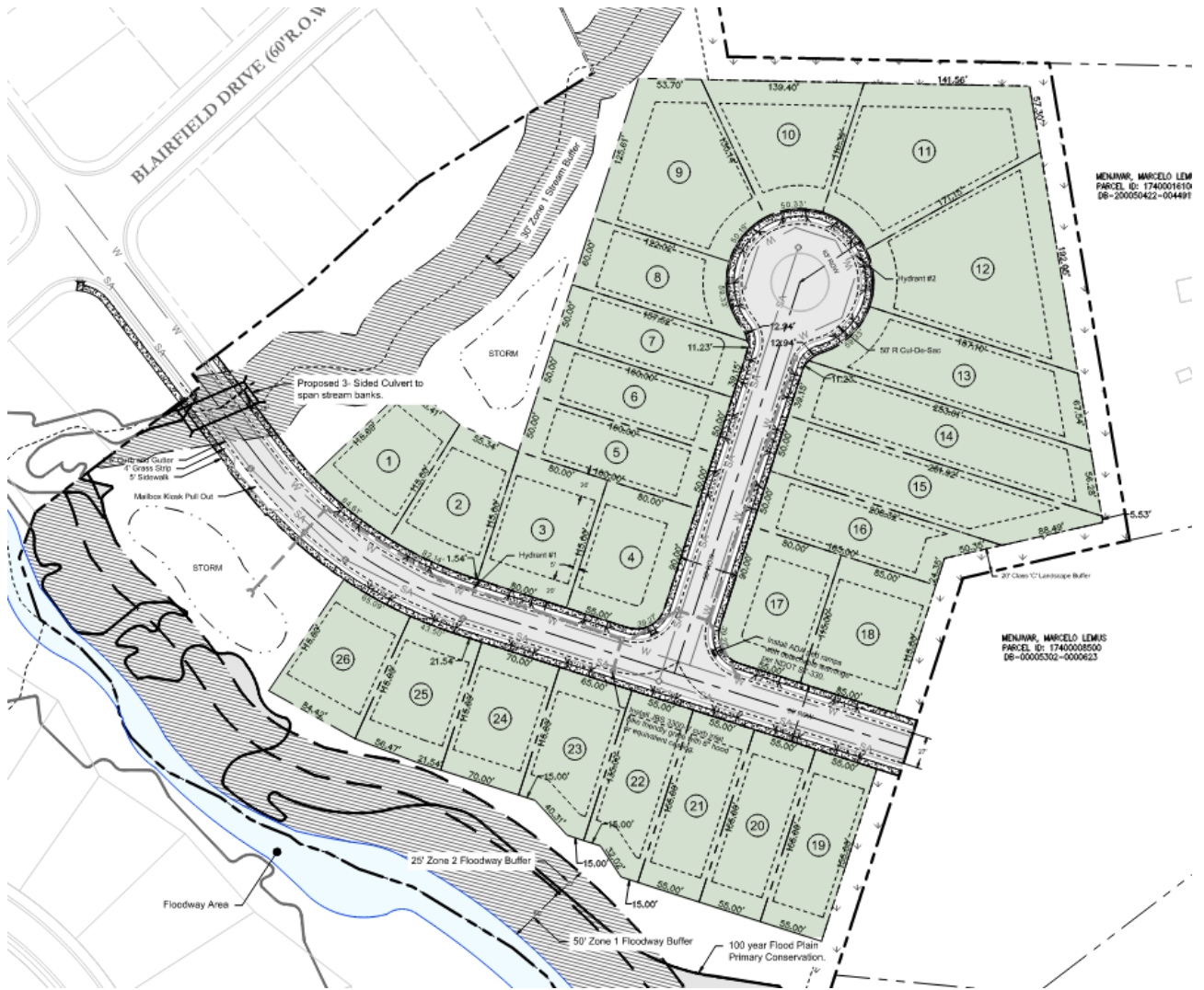
Street Type: The site has frontage along Ohara Drive which is classified as a local street. The site plan proposes two new public streets, one which is an extension of Ohara Drive and the other which terminates in a cul-de-sac.

Approximate Acreage: 12.68 acres (552,343 SF).

Parcel/Site History: The subject property was created by plat in 2002 as part of the Cane Ridge Farms Phase Two subdivision (20020821-0101307).

Zoning History: The subject property has been zoned Single-Family Residential (RS10) since 1999.

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



Proposed Concept Plan

Surrounding Land Use and Zoning:

- North: Single Family/Single Family Residential (RS10)
- South: Single Family/Single Family Residential (RS10)
- East: Single Family/Agricultural/Residential (AR2a)
- West: Single Family/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: 20' along local streets

PROPOSAL DETAILS

Number of lots: 26 lots

Lot sizes: The proposed lot sizes vary from 7,975 square feet to 19,571 square feet. The plan utilizes the Conservation Development standards to permit lot size flexibility in exchange for protection of natural areas present on the site. The Conservation Development Standards (17.12.090) allow subdivisions to reduce lots in size from the minimum required by the base zoning district by an equivalent percentage of the site that is to remain natural open space. The site is 12.68 acres (552,343 square feet), while the plan proposes 2.67 acres (116,648 square feet) of natural open space, resulting in allowable lot size reduction of 21.1 percent. This reduction would result in a minimum lot size of 7,890 square feet. All proposed lots exceed the minimum lot size.

Access: The plan proposes an east-west extension of Ohara Drive as well as a new north-south public street that will terminate into a cul-de-sac. The street names will be reviewed and approved by NDOT prior to the approval of the final plat.

Subdivision Variances or Exceptions Requested: None.

Conservation Development Standards (17.12.090)

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

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

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

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

Complies. The site is zoned RS10 which would require a minimum area of 100,000 square feet. The proposed site has a total area (552,343 SF) which meets the minimum site area.

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

More than 10 percent of the site contains features described in parts a and b as 100-year floodplain, Floodway, and Streams with their associated buffers

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

The total site area is 12.68 acres. Eighty percent of the gross acreage of the site is 10.14 acres. The maximum lot yield is 44 lots based on a minimum of 10,000 square feet for an RS10 residential lot. A total of 26 lots are proposed, which does not exceed the maximum lot yield.

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

The proposal sets aside approximately 21.1 percent of the 12.68-acre site for undisturbed natural area (2.67 acres). The plan reduces the minimum lot size from 10,000 square feet to 7,890 square feet (17.12.090.d.4) due to the preservation of natural features.

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

Natural areas on the site include areas of 100-year floodplain, floodway, and associated stream buffers. Protected natural open space comprising approximately 2.67 acres (shown as Natural Open Space on the plans) is identified on the northeastern and southern portions of the site encompassing the stream buffer in the northeastern portion of the site as well as floodway and 100-year floodplain along the southern and eastern portions of the site.

F. Application Requirements

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

APPLICABLE SUBDIVISION REGULATIONS

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

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

3-1 General Requirements

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

3-2 Monument Requirements

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

3-3 Suitability of the Land

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

3-4 Lot Requirements

All lots comply with the minimum standards of the zoning code and the conservation subdivision requirements. Lots are required to have frontage onto a public street or, where permitted, onto a private

street, or onto a common open space. All proposed lots front onto the proposed public streets and include sidewalk connections.

3-5 Infill Subdivisions

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

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

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

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

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

3-5.6 Reasonable Conditions
Not applicable to this case.

3-6 Blocks

The extension of Ohara Drive has a block length of approximately 645 feet while the block length for the new north-south street is approximately 341 feet. The subdivision regulations indicate that block lengths in residential areas shall not exceed 1,200 feet. The proposed Ohara Drive extension terminates in a stub to allow for future connections, while the new north-south street terminates in a cul-de-sac.

3-7 Improvements

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

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

The proposed subdivision includes new public streets, an extension of Ohara Drive, and a north-south street that terminates in a cul-de-sac. Sidewalks are shown along the frontages of all newly proposed streets.

3-9 Requirements for Streets

The proposed subdivision includes the extension of an existing public street, Ohara Drive, and construction of a new public street. NDOT has reviewed and recommended approval with conditions. New public streets are to comply with ASSHTO and the NDOT Subdivision Street Design Standards and Specifications.

3-10 Requirements for Dedication, Reservations, or Improvements

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

3-11 Inspections During Construction

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

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

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

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

Not applicable. No private streets are proposed.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

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

3-16 Sewerage Facilities

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

3-17 Underground Utilities

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

PLANNING STAFF COMMENTS – SUBDIVISION REGULATIONS

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

POLICY CONSIDERATIONS

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

NashvilleNext includes a Community Character Manual (CCM) which established character areas for each property within Metro Nashville. The community character policy applied to the entirety of this property is T3 NE (Suburban Neighborhood Evolving). The goal of the T3 NE policy is to create and enhance suburban residential neighborhoods with more housing choices; improved pedestrian, bicycle, and vehicular connectivity; and moderate density development patterns. Appropriate land uses in the T3 NE policy include residential, community gardens and open spaces, and institutional uses.

According to the T3 Suburban Neighborhood Evolving policy density is secondary to the form of development; however, these areas are meant to be moderate density with smaller lots and a more diverse mix of housing types than are typically found in T3 Suburban Neighborhood Maintenance areas.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

GREENWAYS RECOMMENDATION

Approve with conditions

- A Conservation Greenway Easement shall be memorialized in a Metro Parks' Conservation Greenway Easement Agreement with two exhibits: a legal description and a boundary survey of the easement, that must be provided to Metro Parks staff prior to final site plan approval.
- Coordinate with Metro Parks Greenways staff regarding Park Board and Metro Council approval processes for Conservation Greenway Easement and Participation Agreement.
- Greenway trail to be open to the public 365 days/year per Metro Parks approved operating hours, except for times of routine maintenance where temporary closure is required for public safety.
- No dumpsters, loading zones, HVAC units, or similar to fronting the greenway and must be screened from greenway view.
- No obstructions will be in a greenway easement, unless approved by Metro Parks staff, including, but not limited to site furniture, signage, and lighting.
Maintenance within Greenway Conservation Easement to be performed by Applicant until such time as the greenway is built or upon other agreement between Parks and the applicant.
- No storm water inlets or manholes to be in paved surface of the greenway.

STORMWATER RECOMMENDATION

Approve with conditions

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

NASHVILLE DOT RECOMMENDATION

Approve with conditions

- Subdivision concept plans generally conform to NDOT standards and final road construction drawings must comply with the Subdivision Street Design Standards and Specifications.
- Note number 15 on cover sheet does not apply to NDOT, modify to state Metro Nashville Waste Services.
- Coordinate/ reserve road names with NDOT addressing section. Sara Cain (615) 880-2427 sara.cain@nashville.gov
- All driveway requirements within the metro code, in effect at the time of approval, are to be followed. Contractor may make field adjustments within parameters of code and NDOT Department regulations. See code section 13.12.110 and 13.12.200.
- Provide design details of culvert crossing stream on construction plans.
- Ensure that no inlets/ frame and grates are located within any ramps (ped or access).
- Confirm with the USPS post master on requirements of postal deliveries (individual residential, cluster box, commercial delivery, etc.).
- <https://about.usps.com/handbooks/po632/welcome.htm>. Vehicles must be out of roadway travel lanes when accessing kiosks.
- Include on construction plan submittal:
 - Nashville Department of Transportation Construction Notes
 - All work within the Public right-of-way requires an Excavation Permit from the Nashville Department of Transportation.
 - Proof-rolling of ALL street sub-grades is required in the presence of the Nashville Department of Transportation Inspector, request to be made 24 hours in advance.
 - Stop signs to be 30 inch by 30 inch.
 - Street name signs are to have six inch white letters in Highway Gothic font on a nine inch green aluminum blade, and be mounted vertically staggered. Street name signs shall be assembled using extruded sign blades.
 - All signs to have 3M high intensity retro-reflective coating.
 - All striping within ROW is to be 80 mil thermoplastic striping at the time of acceptance. Paint striping should be used in the interim until final striping has been placed.
 - The development/ contractor shall have a NDOT stamped set of plans on site to be produced upon request during any site visit.
- At intersection provide ADA ped ramps /w detectable warnings per NDOT ST-330 spec.
- Use JBS 3300-V curb inlet bike friendly grates with 6" hood or an equivalent casting on storm inlets located within the curb and gutter.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Provide sidewalk extension to intersection of Ohara Drive and Blairfield Drive /w ADA compliant ped ramp /w detectable warnings at intersection.

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Concept Plan only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an availability study is required before the Final SP can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study. The required capacity fees must also be paid prior to Final Site Plan/SP approval, a minimum of 30% of capacity & 100% of DAPARC fees must be paid in order to receive approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. On the corrected copy, update the Case Number on the coversheet 2024S-141-001.
2. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval a of concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.
3. Comply with all conditions and requirements of Metro reviewing agencies.
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. The clearing, grading, and disturbance of natural open space shall be prohibited, unless otherwise identified in the concept plan. Minor changes may be allowed during review of the final based on engineering and construction plans. However, if the amount of open space is reduced, the lots may need to increase in size per the requirements of the Conservation Development standards.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-141-001 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.

Ms. Blackshear has recused herself and left the meeting.

Mr. Marton presented the staff recommendation to approve with conditions.

Adam Sagar, Dale & Associates, 516 Heather Place, spoke in favor of the application.

Chair Adkins reminded the Commission and audience of the new rule change that speakers only have to provide their name and location, but not their address, due to safety concerns.

Twana Chick, Cane Ridge, spoke in opposition to the application.

Nannette Coffee, District 33, stated she is there to speak for Kathy Crowe, who lives near the property. She spoke in opposition to the application.

Adam Sagar spoke in rebuttal.

Chair Adkins closed the Public Hearing.

Ms. Ladd advised the Commissioners they will be required to review this in the context of the subdivision regulations to determine if it is complying with those regulations, or they can consider it as a general plan.

Vice Chair Farr stated this seems to meet the requirements. She asked if they could incorporate some of the items on the list of conditions that the applicant agreed upon with the Association.

Ms. Milligan suggested a general condition for the applicant to continue to work with the community.

Vice Chair Farr moved, and Mr. Clifton seconded the motion to approve with conditions, including a condition for the applicant to continue conversations with the Cane Ridge Community Club to address concerns. (6-0)

Resolution No. RS2024-264

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-141-001 is approved with conditions, including a condition for the applicant to continue conversations with the Cane Ridge Community Club to address concerns. (6-0)

CONDITIONS

1. On the corrected copy, update the Case Number on the coversheet 2024S-141-001.
2. Pursuant to 2-2.5.f of the Metro Subdivision Regulations, the approval a of concept plan shall be effective for four years from the date of Planning Commission approval to the recording of the final plat or a phase of the plat as described in Section 2-2.5.g.
3. Comply with all conditions and requirements of Metro reviewing agencies.
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. The clearing, grading, and disturbance of natural open space shall be prohibited, unless otherwise identified in the concept plan. Minor changes may be allowed during review of the final based on engineering and construction plans. However, if the amount of open space is reduced, the lots may need to increase in size per the requirements of the Conservation Development standards.

14. 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 December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-142-001 to the December 12, 2024, Planning Commission meeting. (6-0-1)

15. 2024S-151-001
1122 SNOW AVENUE
Council District: 09 (Tonya Hancock)
Staff Reviewer: Savannah Garland

A request for final plat approval to create seven 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: Approve with conditions.

APPLICANT REQUEST

Request for final plat approval to create seven lots.

Final Plat

A request for final plat approval to create seven lots on properties located at 1122 Snow Avenue, approximately 540 feet west of Stoney River Lane, zoned Single-Family Residential (RS7.5) (1.83 acres).

SITE DATA AND CONTEXT

Location: This site is located on the north side of Snow Avenue, north of Pierce Road.

Street Type: This site has frontage on Snow Avenue and on Stable Court, both of which are classified as local streets. Five lots are proposed to front Snow Avenue and two lots are proposed to front Stable Court.

Approximate Acreage: 1.83 acres or approximately 79,714 square feet.

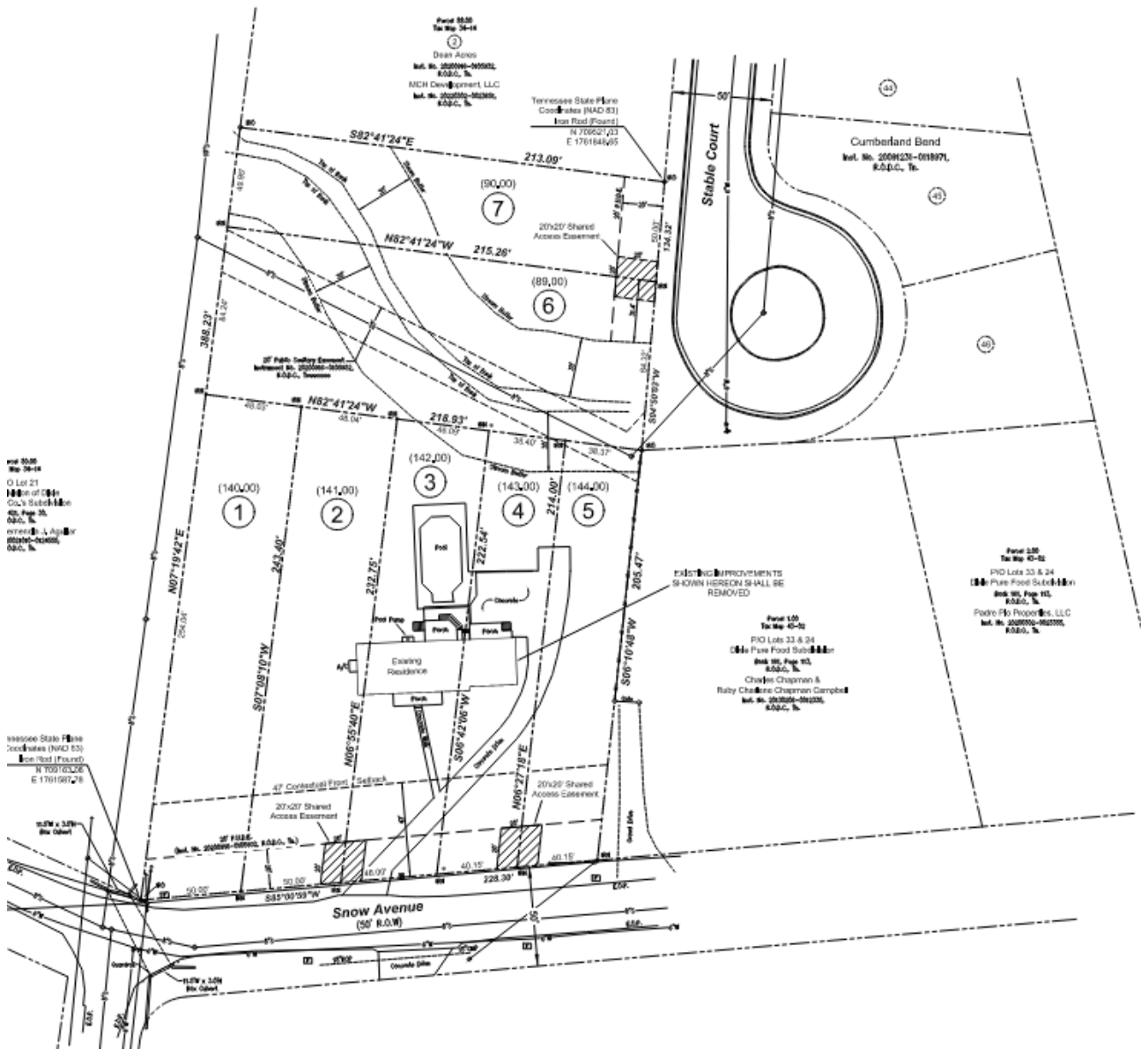
Parcel/Site History: This site is comprised of one lot (Lot 1) that was created by plat in 2020 along with Lot 2 to the north (Instrument # 20200916 0105932).

Zoning History: This site is zoned Single-Family Residential (RS7.5). It has been zoned RS7.5 since 1998. Prior to being zoned RS7.5 it was zoned R8.

Existing land use: The site has a single-family residential use.

Surrounding land use and zoning:

- North: vacant and single-family residential (RS7.5)
- South: single-family residential (RS7.5)
- East: single-family residential (RS7.5)
- West: single-family residential (RS7.5)



Proposed Final Plat

▲ North

Zoning: Single-Family Residential (RS7.5)

- Min. lot size: 7,500 sq. ft.
- Min. building coverage: 0.45
- Min. rear setback: 20 ft.
- Min side setback: 5 ft.
- Min. street setback: 20' or contextual per Zoning Code
- Max height: 3 stories

PROPOSAL DETAILS

Number of Lots: 7

Lot sizes: Lots range from 8,152 sq. ft. to 18,288 sq. ft. in size.

Access: This site has access from both Snow Avenue and from Stable Court. There are three shared access easements proposed. One shared access is between lots two and three, lots four and five, and lots six and seven.

Subdivision Variances or Exceptions Requested: None

APPLICABLE SUBDIVISION REGULATIONS

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

Prior versions of Subdivision Regulations for Nashville and Davidson County contained a uniform set of standards that were applied Metro-wide. This did not take into account the diverse character that exists across the County. In order to achieve harmonious development within the diversity of development patterns that exist in Nashville and Davidson County, the Planning Commission has adopted the current Subdivision Regulations. The Subdivision Regulations incorporate the General Plan policies by including rules or standards for each specific transect. This allows policies of the General Plan to be followed through application of the varying Subdivision Regulations to reflect the unique characteristics found in the different transects. The site is located within the Urban Neighborhood Evolving (T4 NE) policy. In order to achieve harmonious development, the Planning Commission has adopted Subdivision Regulations that include standards for specific transects. For sites within the T4 Urban transect, 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

There are environmental features on the site, specifically on lots 6 and 7. There are streams with a 30 foot stormwater buffer requirement. This stormwater buffer goes partially through the rear of the lots 3-5.

3-4 Lot Requirements

The proposed lots comply with the minimum standards of the Zoning Code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of RS7.5 zoning at the time of building permit. All proposed lots are greater than 7,500 square feet and have frontage on either Snow Avenue or Stable Court.

3-5 Infill Subdivisions

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

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

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

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

All lots exceed the minimum square footage requirement of the zoning district.

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.*

All lots have frontage along public streets.

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

1. *Within T3 Suburban Neighborhood Evolving policy areas, each lot oriented to an existing street shall have a minimum frontage of 50 feet.*

Lots oriented to the terminus of an existing permanent dead-end shall have a minimum frontage of 35 feet.

Not applicable to this case.

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

Lots 1-5 have frontage on Snow Avenue with a minimum frontage of 40.15'. Lots 6-7 along Stable Court have a minimum frontage of 50'. All lots meet the minimum frontage requirement of 40' on Snow Avenue and 35' on the existing permanent dead-end, Stable Court.

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

Not applicable to this case.

3-5.5 *Infill Subdivision Frontage*

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

Two 20-foot-wide access easements are proposed with this subdivision due to frontage widths being less than 50 feet. Shared access easements are provided between Lots 2 & 3 due to frontage widths of 48 feet, and between lots 4 & 5 due to frontage widths of approximately 40 feet. A third shared access easement is proposed between lots 6 and 7 due to the location of stormwater features that span some of the frontage, located on the southeastern portion of lot 6.

3-5.6 *Reasonable Conditions*

Not applicable to this case.

3-6 Blocks

Not applicable. No new blocks are being created.

3-7 Improvements

No public infrastructure or improvements are required with this subdivision. Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

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

For subdivisions, sidewalks are not required along existing streets. Per a recent court case, the section of the Zoning Code that requires sidewalks along existing streets has been voided.

3-9 Requirements for Streets

Not applicable. No new streets are proposed.

3-10 Requirements for Dedication, Reservations, or Improvements

The existing rights-of-way widths for Snow Avenue and Stable Court are shown on the plat as 50 feet, which meets the minimum 50-foot right-of-way width for local streets. The right-of-way widens around the Stable Court cul-de-sac. No dedication is required.

3-11 Inspections During Construction

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

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

Not applicable. No new streets are proposed.

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

Not applicable. No private streets are proposed.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

Public Water is provided to this site by Madison Suburban Utility District (MSUD). MSUD has reviewed this plat and has recommended approval.

3-16 Sewerage Facilities

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

3-17 Underground Utilities

There are no new utilities proposed.

PLANNING STAFF COMMENTS – SUBDIVISION REGULATIONS

The proposed lots meet the standards of the Metro Subdivision Regulations and Metro Zoning Code. Future development will be required to meet the standards of the Metro Zoning Code regarding setbacks, building heights, etc. Staff recommends approval with conditions based on a finding that the proposal can provide for harmonious development.

POLICY CONSIDERATIONS

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

NashvilleNext includes a Community Character Manual (CCM) which established character areas for each property within Metro Nashville. The community character policy applied to this property is T4 Urban Neighborhood Evolving. The intent of T4 NE policy is to create and enhance neighborhoods—to include greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques. The proposed subdivision maintains the residential land use, meets the minimum standards of the zoning district, and has frontage along an existing local street.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT ROADS RECOMMENDATION

Approve

NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION

Approve

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Attached is a copy of the above-referenced subdivision (uploaded by planning on October 8, 2024) on which we recommend approval. Sewer Capacity Fees must be paid before issuance of building permits for new lots. Water provided by Madison Suburban Utility District.

MADISON SUBURBAN UTILITY DISTRICT RECOMMENDATION
Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. On the corrected copy, remove Note #s 14 and 15.
2. On the corrected copy, update the purpose note to say 7 lots.
3. On the corrected copy, remove all setbacks from the plat.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. 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-151-001 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.

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

Mina Naguib, representing the applicant, Nashville, spoke in favor of the application.

Myra, no last name given, Madison, spoke in opposition to the application.

Mina Naguib spoke in rebuttal.

Chair Adkins closed the Public Hearing.

Mr. Clifton asked for staff to respond to the neighbor's concerns.

Ms. Dorlester explained when they build the homes on the property, grading plans and building permits need to be approved and Storm Water and Codes will also be reviewing the plans. Storm Water will have measures in place to control quantity and quality of storm water flow. She further explained with construction of new homes, it is possible the amount of storm water flowing off of the site could be less if retention measures are created on site.

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

Resolution No. RS2024-265

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-151-001 is approved with conditions. (7-0)

CONDITIONS

1. On the corrected copy, remove Note #s 14 and 15.
2. On the corrected copy, update the purpose note to say 7 lots.
3. On the corrected copy, remove all setbacks from the plat.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. 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.

16. 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 a 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 December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 109-71P-001 to the December 12, 2024, Planning Commission meeting. (7-0)

- 17. 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 December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024DTC-014-002 to the December 12, 2024, Planning Commission meeting. (6-0-1)

- 18. 2024Z-051PR-001**

Council District: 10 (Jennifer Webb)
Staff Reviewer: Laszlo Marton

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

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

The Metropolitan Planning Commission deferred 2024Z-051PR-001 to the January 9, 2025, Planning Commission meeting. (7-0)

- 19. 2024CP-003-001**
BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN
AMENDMENT

Council District: 02 (Kyonzté Toombs)
Staff Reviewer: Cory Clark

A request to amend the Bordeaux-Whites Creek-Haynes Trinity Community Plan, by changing community character policy from Civic (CI) to Urban Mixed Use Neighborhood (T4 MU) for properties located at 2937 and 2939 Brick Church Pike, zoned RM15 (4.24 acres), requested by Metro Planning Department, applicant; Awake Nashville, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend the Bordeaux-Whites Creek-Haynes Trinity Community Plan to change community character policy.

Minor Plan Amendment

A request to amend the Bordeaux-Whites Creek-Haynes Trinity Community Plan, by changing community character policy from Civic (CI) to Urban Mixed Use Neighborhood (T4 MU) for properties located at 2937 and 2939 Brick Church Pike, zoned Multi-Family Residential (RM15) (4.24 acres).

BORDEAUX-WHITES CREEK-HAYNES TRINITY COMMUNITY PLAN
Current Policy

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

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

Requested Policy (Note: Conservation policy remains in place.)

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.

BACKGROUND

The community plan amendment area (site) is in the Bordeaux-Whites Creek-Haynes Trinity Community Plan area and consists of two vacant parcels totaling 4.24 acres. The site is bounded by multi-family residential development to the north, light manufacturing to the east, open storage to the south, and Brick Church Pike and warehousing to the west.

This community plan amendment was initiated by the Metro Planning Department. At the February 8, 2024, MPC meeting, the Commission recommended approval for a residential development on properties located at 2937 and 2939 Brick Church Pike (Case 2024Z-017PR-001; the rezoning to RM15 was subsequently approved by Metro Council (BL2024-280). Metro Government sold these properties to a residential developer for building affordable senior housing through the Barnes Fund. The Commission directed staff to prepare a plan amendment to remove Civic (CI) policy, as CI policy is applied to government-owned property.

COMMUNITY PARTICIPATION

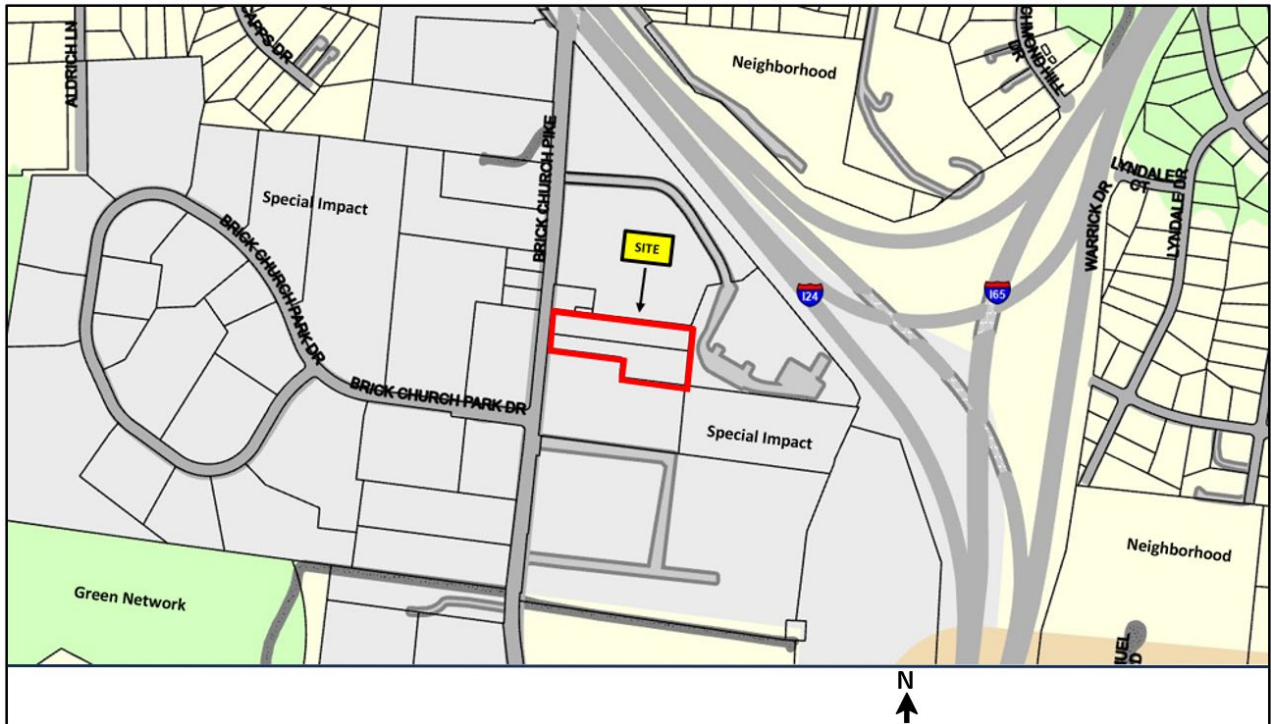
As part of the community plan amendment review process, Planning staff determined that the proposed community plan amendment qualified as a minor housekeeping amendment and did not require a community meeting.

ANALYSIS

In determining the appropriateness of amending the Bordeaux-Whites Creek-Haynes Trinity Community Plan to change community character policy, an analysis was conducted based on the following:

NashvilleNext Growth and Preservation Concept Map

The Growth & Preservation Concept Map is a county-wide vision and tool to shape improvements in quality of life so that new development and redevelopment align with community values. As shown in the following image, the Concept Map classifies the community plan amendment area as Special Impact.



Growth and Preservation Concept Map

Special Impact areas are characterized by concentrated uses; in this case, the concentrated use is industrial. Historically, industrial uses have had a presence in the area along with residential uses, albeit on a smaller scale. Today, industrial uses have increased along Brick Church Pike. The site—originally purposed for residential use when the site was zoned R8 in 1974 —has remained vacant of any residential structures since 2008.

Current plans propose a senior living housing development that—in conjunction with a new multifamily development located directly north of the site—will provide housing types not traditionally found along this portion of Brick Church Pike.

Community Character Policy Application

The purpose of CI policy is to preserve and enhance existing Metro-owned properties used for civic purposes in continuation of providing public services over time. A secondary purpose of this policy is to provide guidance on the rezoning of Metro-owned properties conveyed to private ownership. In addition, CI policy has a provision stating that when property changes ownership, from public to private, existing policy should be updated. The site has been conveyed from Metro to Awake Nashville and has been rezoned to permit development of senior living housing. CI policy does not support the new zoning, and, therefore, new policy is recommended for the site.

A small portion of the property lies in the CO policy area; the CO policy here recognizes existing slopes on the site. The CO policy will remain in place with the community plan amendment.

Mobility and Connectivity

The site is located along Brick Church Pike, a four-lane arterial boulevard designed for medium to high volumes of vehicular traffic. Semi-tractor trailer traffic is a significant presence due to the numerous industrial businesses in the area. There is sidewalk pavement along the entire frontage of the site; there are no bicycle lanes along Brick Church Pike. Access to local public transit is provided by the WeGo #41 bus route. This bus route provides service along Brick Church Pike with the nearest bus stop being approximately 0.1 miles from the site on the west side of Brick Church Pike. The WeGo #41 bus route provides connections for accessing Downtown Nashville, East Nashville, and North Nashville. Multimodal connectivity is an important part of the T4 MU policy. Along with having a mix of land uses, T4 MU policy areas are anticipated to have sidewalks, transit access, and adequate vehicular connections.

Analysis Summary

The proposed T4 MU policy is appropriate because it supports the site’s current zoning, clearing the path for the development of housing that is tailored for senior residents to age in place. In addition, T4 MU policy supports NashvilleNext’s emphasis on creating housing diversity that speaks to housing affordability. Mobility options provided to the site are adequate; however, the creation of new residential development could lead to future enhancements and improvements such as the addition of bicycle lanes along Brick Church Pike. Due to the nature of the site’s intended purpose and its proximity to industrial businesses, the potential for conflict is present. Staff recommends active community engagement among the applicant, industrial business owners, and other community stakeholders to ensure harmonious coexistence in a mainly industrial area during the project development process.

STAFF RECOMMENDATION

Staff recommends approval of the community plan amendment request.

Approve. (6-0-1)

Resolution No. RS2024-266

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024CP-003-001 is approved. (6-0-1)

**20. 2024CP-004-001
MADISON COMMUNITY PLAN AMENDMENT**

Council District: 10 (Jennifer Webb)
Staff Reviewer: Cory Clark

A request to amend the Madison Community Plan, by changing community character policy from District Industrial (D IN) to Urban Neighborhood Evolving (T4 NE) for properties located along Atlantic Avenue and Plum Street, zoned IR (3.18 acres), requested by Metro Planning Department, applicant; various owners.

Staff Recommendation: Defer to the December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024CP-004-001 to the December 12, 2024, Planning Commission meeting. (7-0)

21. 2024CP-013-002
ANTIOCH-PRIEST LAKE COMMUNITY PLAN
Council District: 13 (Russ Bradford)
Staff Reviewer: Cory Clark

A request to amend the Antioch - Priest Lake Community Plan, by changing community character policy from Suburban Neighborhood Evolving (T3 NE) to District Industrial (D IN) for property located at Reynolds Road (unnumbered), zoned R20 (9.82 acres), requested by Fulmer Lucas Engineering, applicant; Jerry R. & Jacqueline A. Bellar Charitable Remainder Trust, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Amend the Antioch-Priest Lake Community Plan to change community character policy.

Minor Plan Amendment

A request to amend the Antioch-Priest Lake Community Plan, by changing community character policy from Suburban Neighborhood Evolving (T3 NE) to District Industrial (D IN) for property located at Reynolds Road (unnumbered), zoned One and Two-Family Residential (R20) (9.82 acres).

ANTIOCH-PRIEST LAKE COMMUNITY PLAN

Current Policy

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 need 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.

Supplemental Policy

The subject site lies within the Couchville Pike supplemental policy (SPA 13-T3-NE-01) area. The supplemental policy applies to residential areas along the Couchville Pike corridor. These areas currently contain primarily single-family houses on large lots that vary in size and pattern from more rural-type properties in the northern portion to suburban lots in the southern portion. Due to the variety of lot sizes and the presence of sensitive environmental features (including mature groves of trees) throughout the area, Suburban Neighborhood Evolving (T3 NE) is applied instead of Suburban Neighborhood Maintenance (T3 NM). However, because of the proximity to Nashville International Airport and the lack of infrastructure, densities will be on the lower end, and development will be primarily in the form of single and two-family houses. Also, due to the proximity to the airport, a significant amount of the surrounding area is in the District Industrial (D IN) policy area.

Requested Policy (Note: Conservation policy remains in place. The supplemental policy will be removed from the property with approval of the policy change.)

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

BACKGROUND

The site is in the Antioch-Priest Lake Community Plan area and consists of a single 9.82-acre parcel that is heavily wooded and vacant of any structures. The site is bounded by Reynolds Road to the east and south, an industrial business park to the southwest, and wooded land to the north and west. In addition, there are several residential

homes immediately south of the site across Reynolds Road. Nearby to the west is the Nashville International Airport, and to the north and northeast are the warehousing and distribution businesses along Couchville Pike.

This property is within the Couchville Pike Area Study area, whose policy guidance was adopted by the Planning Commission in 2023. As part of the Study, Planning staff recommended that properties facing Reynolds Road be placed in a residential policy. However, at the Planning Commission public hearing, staff discussed with the Commission that in this area, policy may be more fluid and need to change due to adjacency to the Airport.

This community plan amendment was requested by the applicant to support Metro Planning Commission Case 2024Z-130PR-001, a request to change zoning from One and Two-Family Residential (R20) to Industrial Restrictive (IR) for property located at Reynolds Road approximately 1,780 feet southwest of Couchville Pike (unnumbered). The applicant is pursuing a zone change to allow extension of adjacent industrial warehouse development. The rezoning request is currently under review by the Land Development staff and will appear on a future Planning Commission agenda.

The existing community character policy applied to the subject site does not support industrial warehouse development. As such, the applicant has requested to change the existing policy to District Industrial (D IN) to support the proposed industrial warehouse development.

COMMUNITY PARTICIPATION

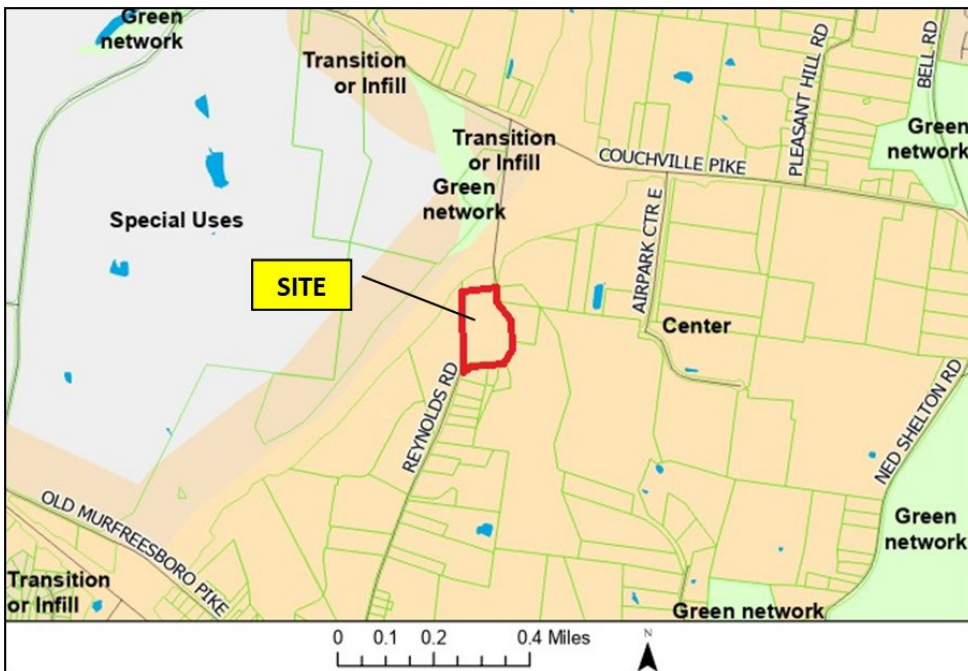
As part of the community plan amendment review process, Planning staff determined that the proposed community plan amendment qualified as a minor amendment and did not require a community meeting. However, Councilmember Bradford held a meeting with constituents at which the applicant discussed the community plan amendment in more detail. The meeting was held virtually on Thursday, August 29, 2024. Notices were mailed to all property owners in a 600-foot radius of the plan amendment site. The meeting was attended by Councilmember Bradford, the applicant, and approximately 14 members of the public. The primary concerns raised by attendees included possible land uses and site access.

ANALYSIS

In determining the appropriateness of amending the Antioch-Priest Lake Community Plan to change community character policy, an analysis was conducted based on the following:

NashvilleNext Growth and Preservation Concept Map

The Growth & Preservation Concept Map is a county-wide vision and tool to shape improvements in quality of life so that new development and redevelopment align with community values. As shown in the following image, the Concept Map designates the community plan amendment area as a Center due to its adjacency to the Nashville International Airport.



Growth and Preservation Concept Map

Centers are areas foreseen to grow, develop, and redevelop and are expected to accommodate a range of future growth, improved public spaces, transit, and sustainable economic activity. The site's Concept Map designation will not change with this amendment.

Community Character Policy Application

Nashville-Davidson County is divided into 14 Community Plan areas which provide history and context along with community-specific issues, strategies, and visions of how different places in the community could change over time. Community Plans implement the Concept Map's vision property by property. The Antioch-Priest Lake Community Plan uses community character policies that are tailored to the character of its neighborhoods and areas. The Couchville Pike Study placed properties with residential policy into a supplemental policy area that limits their densities due to the lack of infrastructure in this area along with the proximity to the Airport. With the applicant's request to change the policy to D IN, the supplemental policy will be removed from this site, as the supplemental policy only applies to T3 NE areas.

The site was envisioned for residential housing and has current policy in place to support this vision. Even with nearby residential homes and T3 NE policy applied to large portions of adjacent land, the site has not been developed with any residential uses. The larger context surrounding the site consists primarily of warehousing and distribution activities due to the area's proximity to the Airport. The applicant/property owner has expressed interest in replacing the existing policy with new policy that would allow industrial development on the site. The proposed policy, D IN, is applied to areas for the purpose of creating industrial districts dominated by warehousing and distribution activities of various functions. Application of D IN policy would align with the surrounding industrial landscape. The number of industrial developments in the area is increasing, signaling that there are continuous investments being made for generating this type of land use. A policy change from T3 NE to D IN is appropriate for this property as it provides the opportunity for them to be part of a larger, coordinated industrial business development oriented towards Couchville Pike.

Mobility and Connectivity

The Major & Collector Street Plan (MCSP) is a comprehensive plan and implementation tool used to address the needs of bicyclists, pedestrians, public transit users, and vehicular users by guiding public and private investment of the roadway infrastructure in Nashville and Davidson County. Currently, the site accesses Reynolds Road, a collector-avenue designed for low to medium volumes of vehicular traffic and collecting trips from local streets. Reynolds Road provides access for connecting to Murfreesboro Pike, a prominent and heavily used arterial boulevard and major corridor. The existing industrial business park—of which the subject site would be part—directly accesses Old Murfreesboro Pike, and Murfreesboro Pike, thereafter. Semi-tractor trailer traffic is ever-present as result of the numerous industrial developments throughout the area.

Analysis Summary

The site is currently vacant, and properties nearby are either vacant or have limited residential housing or industrial uses. Interest in developing the site as an extension of the adjacent industrial business park is present. The larger context surrounding the site includes mostly warehousing and distribution due to proximity to the Airport. Changing the policy to D IN is appropriate, as it would allow the site to develop in a pattern consistent with the adjacent industrial business park.

STAFF RECOMMENDATION

Staff recommends approval of the community plan amendment request and removal of the supplemental policy applied to the site.

Approve. (6-0-1)

Resolution No. RS2024-267

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024CP-013-002 is approved. (6-0-1)

22. 2024Z-015TX-001
BL2024-613
STRUCTURED PARKING WITHIN RIVER NORTH UDO
Council District: 09 (Jacob Kupin)
Staff Reviewer: Eric Hammer

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 update urban design standards related to structured parking within the River North Urban Design Overlay.

Staff Recommendation: Withdraw.

The Metropolitan Planning Commission withdrew 2024Z-015TX-001. (7-0)

23. 2024Z-017TX-001
BL2024-614, BL2024-615
RIVER NORTH MATERIALS STANDARDS
Council District: 09 (Jacob Kupin)
Staff Reviewer: Eric Hammer

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 authorize building material restrictions and requirements within the River North Urban Design Overlay District, zoned MUI-A, IG, MUL, and MUG-A, (165.21 acres).

Staff Recommendation: Withdraw.

The Metropolitan Planning Commission withdrew 2024Z-017TX-001. (7-0)

24. 2024Z-020TX-001
BL2024-617
Council District: Countywide
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 and 17.12 pertaining to housekeeping amendments.

Staff Recommendation: Approve, including an exception to Sec. VIII. D of the Planning Commission Rules and Procedures due to the housekeeping nature of this request.

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 17.12 pertaining to housekeeping amendments.

PROPOSED AMENDMENTS TO TITLE 17

The proposed housekeeping amendment includes changes related to Conservation Development. Staff has included language on how to measure the area associated with protected, heritage, and historic and specimen trees. Included is an amendment to the definition of 'Tree' to include major components of a tree.

PLANNING COMMISSION RULES AND PROCEDURES

Recently the Planning Commission adopted new rules and procedures requiring all text amendments to be heard at two Planning Commission meetings prior to voting. Staff is recommending an exception to Sec. VIII. D of the Planning Commission Rules and Procedures due to the housekeeping nature of this request.

ANALYSIS

This proposed text change adds the following definition for "Tree" and the following language to Chapter 17.12.090 B.2 of the Metropolitan Code since these items were inadvertently not included in the original conservation development ordinance. This ordinance only adds letter "i" to Chapter 17.12.090B.2. All other language remains as previously adopted.

The intent of these changes is to help clarify the overall purpose and intent of the ordinance, as originally adopted, to clarify how to calculate the area for Protected, heritage, and historic and specimen trees:

"Tree" means a woody, perennial plant with a single or multiple trunks capable of growing to a height of 8 ft or more

and includes the anatomical and structural components necessary to sustain the health of the tree, including but not limited to the bole or root flare, trunk, leader, crown, canopy, and structural roots.”

“i. For this section, the area calculated for Protected, heritage, and historic and specimen trees shall utilize the size of the tree protection zone, as defined within 17.28.065.”

PLANNING STAFF RECOMMENDATION

Staff recommends approval.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken to this bill.

FISCAL IMPACT RECOMMENDATION

The Metro Planning Department currently reviews subdivisions associated with the Conservation Development standards.

STAFF RECOMMENDATION

Staff recommends approval, including an exception to Sec. VIII. D of the Planning Commission Rules and Procedures due to the housekeeping nature of this request.

ORDINANCE NO. BL2024-617

An ordinance to amending Chapters 17.04 and 17.12 of Title 17 of the Metropolitan Code to provide housekeeping amendments related to Conservation Development (Proposal No. 2024Z-020TX-001)

NOW, THEREFORE, BE IT ENACTED BY COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVISON COUNTY.

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

"Tree" means a woody, perennial plant with a single or multiple trunks capable of growing to a height of 8 ft or more and includes the anatomical and structural components necessary to sustain the health of the tree, including but not limited to the bole or root flare, trunk, leader, crown, canopy, and structural roots.

Section 2. That section 17.12.090.B.2 of the Metropolitan Code is hereby deleted in its entirety and replaced with the following:

- B. Applicability. Subdivisions proposed in the R/R-A and RS/RS-A zoning districts that meet both of the following standards shall utilize the provisions of this section.
 - 1. Minimum Site Area. The minimum site area of no less than ten times the minimum lot area for the base zoning district as established by Table 17.12.020A. For example, in the R10 district the minimum area for the subdivision would be one hundred thousand square feet. (Ten thousand square feet minimum lot size times ten).
 - 2. Minimum Natural Area. A minimum of ten percent of the site contains any, or a combination of, the following:
 - a. Areas shown on FEMA maps as part of the 100-year floodplain or identified in local studies as confirmed by Metro Stormwater;
 - b. All perennial and intermittent streams, floodways, and associated buffers, as determined by Metro Stormwater or the State;
 - c. Areas of natural slopes of twenty percent or greater of at least ten thousand square foot contiguous area;
 - d. Areas containing problem soils as established by Section 17.28.050; wetlands, as determined by metro stormwater;
 - e. Habitat for federally or state listed or proposed rare, threatened, or endangered species;
 - f. Areas containing a Cedar Glade environment as established by Section 17.28.060;
 - g. Archaeological or historic sites, cemeteries, and burial grounds;
 - h. Protected, heritage, and historic and specimen trees, as defined by Section 17.28.065 of the Metro Zoning Code; or
 - i. For this section, the area calculated for Protected, heritage, and historic and specimen trees shall utilize the size of the tree protection zone, as defined within 17.28.065.

Section 3. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 4. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsor(s) Jennifer Gamble

Approve, including an exception to Sec. VIII. D of the Planning Commission Rules and Procedures due to the housekeeping nature of this request. (7-0)

Resolution No. RS2024-268

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-020TX-001 is approved, including an exception to Sec. VIII. D of the Planning Commission Rules and Procedures due to the housekeeping nature of this request. (7-0)

**25. 2024Z-021TX-001
BL2024-595
TWO-STORY OVERLAY CLERICAL CORRECTION**
Council District: Countywide
Staff Reviewer: Dustin Shane

A request to amend Section 17.36.675 of the Metropolitan Code, Zoning Regulations to correct clerical errors.
Staff Recommendation: Approve, including an exception to Sec. VIII. D of the Planning Commission Rules and Procedures due to the housekeeping nature of this request.

APPLICANT REQUEST

Amend the Zoning Code to correct clerical errors.

PROPOSED AMENDMENTS TO TITLE 17

The bill as filed would amend Section 17.36.675 of the Metropolitan Code of Laws concerning the two-story residential overlay district by correcting several clerical errors.

The proposed changes are shown below (deleted text in ~~strikethrough~~, new text in underline):

Section 1. That Section 17.36.675 of the Metropolitan Code is hereby amended by deleting it in its entirety and replacing it with the following:

17.36.675 - Two-Story Residential Overlay District.

- A. Application for a Two-Story Residential Overlay District. Lots included in a district must be contiguous.
- B. Historic Overlay District. A two-story residential overlay district shall not be applied in an adopted historic overlay district. Adoption of a historic overlay district shall supersede an adopted ~~residential accessory-structure overlay district~~ two-story residential overlay district and only the requirements of the historic overlay district shall apply.
- C. Contextual Overlay District. A two-story residential overlay district shall not be applied in an adopted contextual overlay district. Adoption of a contextual overlay district shall supersede an adopted ~~residential-accessory-structure overlay district~~ two-story residential overlay district and only the requirements of the contextual overlay district shall apply.
- D. Urban Design Overlay District. A two-story residential overlay district shall not be applied in an adopted urban design overlay district. Adoption of an urban design overlay district shall supersede an adopted ~~residential accessory-structure overlay district~~ two-story residential overlay district and only the requirements of the urban design overlay district shall apply.
- E. Urban Zoning Overlay. A two-story residential overlay district shall not be applied in the adopted urban zoning overlay district. Expansion of the urban zoning overlay district shall supersede an adopted two-story residential overlay district and only the requirements of the urban zoning overlay district shall apply.
- F. Eligible Zoning Districts. Two-story residential overlay districts shall only be applicable in single family (RS and RS-A) and one- and two-family (R and R-A) residential zoning districts. Two-story residential overlay districts shall not be applied to property within specific plan (SP) zoning districts.
- G. Planning Commission Recommendation. The planning commission shall review a proposed two-story residential overlay district application for conformance with the general plan. The planning commission shall act to recommend approval, approval with conditions or disapproval of the application. Within ten working days of an action, the commission's resolution shall be transmitted in writing to the applicant, the metro clerk, the zoning administrator and all other appropriate governmental departments.
- H. Council Consideration. The metropolitan council shall consider an ordinance establishing a two-story residential overlay district according to the procedures of Article III of Chapter 17.40 (Amendments). All

property owners within and proximate to a proposed two-story residential overlay district shall be notified according to the procedures of Article XV of Chapter 17.40.

- I. Final Site Plan Approval. For property located within a two-story residential overlay district, a final site plan application shall be submitted for review and approval by the zoning administrator in a manner consistent with the procedures of Section 17.40.170A. The applicant is required to submit all necessary information to the zoning administrator and to certify the accuracy of the submitted information.
- J. Modifications to Design Standards Not Permitted. Two-story residential overlay districts shall be adopted with the standards outlined in 17.36.650 (Guidelines). Modifications to these standards shall not be permitted. Variance requests shall follow the process outlined in Chapter 17.40.
- K. Changes to a Two-Story Residential Overlay District Boundary. A proposed change in the geographic boundary of a two-story residential overlay district on the official zoning map shall be considered by the council according to the procedures of Article III of Chapter 17.40 (Amendments).

BACKGROUND

The two-story residential overlay district section of the Zoning Code as originally adopted contained several clerical errors. In Sub-Sections B, C, and D of Section 17.36.675, the ordinance referenced the residential accessory structure overlay district instead of the two-story residential overlay district. In addition, Sub-Section J referenced Section 17.36.590 of the Zoning Code (concerning residential accessory structure overlay districts) rather than Section 17.36.650, which contains the guidelines for two-story residential overlay districts.

ANALYSIS

The text amendment as submitted seeks to correct former clerical oversights. No provisions of the two-story residential overlay district are being changed. For these reasons, planning staff recommends approval of the proposed text amendment.

The Planning Commission adopted amended Rules and Procedures (Section VIII. D) on October 24, 2024, requiring zoning text amendments to go through a two-step process at the Planning Commission to allow a public hearing at the first meeting where it is considered, then a deferral of two regularly scheduled meetings (four weeks), and then final consideration at a second meeting. However, when a text amendment that is housekeeping in nature is considered, it was also contemplated that staff would recommend an exception to allow it to move forward more quickly if no issues are identified during the review process by staff or the Planning Commission. In this case, staff is recommending an exception to the Rules and Procedures since this is not making any substantive changes and is only correcting language that was incorrect in the original ordinance.

ZONING ADMINISTRATOR RECOMMENDATION

No exception taken.

FISCAL IMPACT RECOMMENDATION

The Codes Department anticipates the proposed amendment to be revenue neutral.

STAFF RECOMMENDATION

Staff recommends approval of the proposed change to Title 17, including an exception to Sec. VIII D. of the Planning Commission Rules and Procedures due to the housekeeping nature of this request.

ORDINANCE NO. BL2024-595

An ordinance amending Section 17.36.675 of the Metropolitan Code, Zoning Regulations to correct clerical errors (Proposal No. 2024Z-021TX-001).

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

Section 1. That Section 17.36.675 of the Metropolitan Code is hereby amended by deleting it in its entirety and replacing it with the following:

17.36.675 - Two-Story Residential Overlay District.

- A. Application for a Two-Story Residential Overlay District. Lots included in a district must be contiguous.
- B. Historic Overlay District. A two-story residential overlay district shall not be applied in an adopted historic overlay district. Adoption of a historic overlay district shall supersede an adopted two-story residential overlay district and only the requirements of the historic overlay district shall apply.
- C. Contextual Overlay District. A two-story residential overlay district shall not be applied in an adopted contextual overlay district. Adoption of a contextual overlay district shall supersede an adopted two-story residential overlay district and only the requirements of the contextual overlay district shall apply.
- D. Urban Design Overlay District. A two-story residential overlay district shall not be applied in an adopted urban design overlay district. Adoption of an urban design overlay district shall supersede an adopted two-story residential overlay district and only the requirements of the urban design overlay district shall apply.
- E. Urban Zoning Overlay. A two-story residential overlay district shall not be applied in the adopted urban zoning overlay district. Expansion of the urban zoning overlay district shall supersede an adopted two-story residential overlay district and only the requirements of the urban zoning overlay district shall apply.
- F. Eligible Zoning Districts. Two-story residential overlay districts shall only be applicable in single family (RS and RS-A) and one- and two-family (R and R-A) residential zoning districts. Two-story residential overlay districts shall not be applied to property within specific plan (SP) zoning districts.
- G. Planning Commission Recommendation. The planning commission shall review a proposed two-story residential overlay district application for conformance with the general plan. The planning commission shall act to recommend approval, approval with conditions or disapproval of the application. Within ten working days of an action, the commission's resolution shall be transmitted in writing to the applicant, the metro clerk, the zoning administrator, and all other appropriate governmental departments.
- H. Council Consideration. The metropolitan council shall consider an ordinance establishing a two-story residential overlay district according to the procedures of Article III of Chapter 17.40 (Amendments). All property owners within and proximate to a proposed two-story residential overlay district shall be notified according to the procedures of Article XV of Chapter 17.40.
- I. Final Site Plan Approval. For property located within a two-story residential overlay district, a final site plan application shall be submitted for review and approval by the zoning administrator in a manner consistent with the procedures of Section 17.40.170A. The applicant is required to submit all necessary information to the zoning administrator and to certify the accuracy of the submitted information.
- J. Modifications to Design Standards Not Permitted. Two-story residential overlay districts shall be adopted with the standards outlined in 17.36.650 (Guidelines). Modifications to these standards shall not be permitted. Variance requests shall follow the process outlined in Chapter 17.40.
- K. Changes to a Two-Story Residential Overlay District Boundary. A proposed change in the geographic boundary of a two-story residential overlay district on the official zoning map shall be considered by the council according to the procedures of Article III of Chapter 17.40 (Amendments).

Section 2. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 3. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Approve, including an exception to Sec. VIII. D of the Planning Commission Rules and Procedures due to the housekeeping nature of this request. (7-0)

Resolution No. RS2024-269

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-021TX-001 is approved, including an exception to Sec. VIII. D of the Planning Commission Rules and Procedures due to the housekeeping nature of this request. (7-0)

26. 2022SP-071-002

LIBERTY PLACE (AMENDMENT)

Council District: 10 (Jennifer Webb)

Staff Reviewer: Amelia Gardner

A request to amend a Specific Plan on properties located at 203, 205, 209, 217, 219, 253, 255, 259 and 261 Liberty Lane, 215B, 257B, and 253B Liberty Lane, approximately 250 feet west of Peebles Court, zoned SP (26.59 acres), to permit 159 multi-family residential units, requested by Catalyst Design Group, applicant; various property owners.

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

APPLICANT REQUEST

Amend a preliminary SP to increase the number of permitted units.

SP Amendment

A request to amend a Specific Plan (SP) on properties located at 203, 205, 209, 217, 219, 253, 255, 259 and 261 Liberty Lane, 215B, 257B, and 253B Liberty Lane, approximately 250 feet west of Peebles Court, zoned SP (26.59 acres), to permit 159 multi-family residential units.

Existing Zoning

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *The existing SP zoning permits a maximum of 106 multi-family residential units.*

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. *The proposed amendment to the SP would permit a maximum of 159 multi-family residential units.*

MADISON COMMUNITY PLAN

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

Development Summary Site Data

SP Name: Liberty Place

Council District: 10

Map/Parcel: Map 26, Parcels 27, 29, 31, 73 + Map 26-11, Parcels A90000CO, B90000CO & C90000CO

Site Acreage: 26.58

Existing Zoning: SP

Proposed Zoning: SP

Allowable Land Uses: A maximum of 159 multi-family residential units

Specific Plan (SP) Standards

1. Permitted uses shall be limited to a maximum of 159 multi-family residential units. Short-term rental property, both owner-occupied and non-owner occupied are not permitted.
2. The maximum FAR shall be 0.60.
3. The maximum ISR shall be 0.70.
4. Primary access to be from Liberty Lane. This is to be controlled using signage, and development entry features, and must occur at a location south of the existing Peeples Ct. intersection with Liberty Lane.
5. Prior to the approval of the final site plan for any new development in this SP, an emergency access easement(s) from Liberty Lane to the Piccadilly Apartment complex which allows emergency service vehicles access to Windsor Green Blvd. must be recorded and in effect, or a second access point shall be established.
6. There shall be a minimum of 20% open space.
7. Existing trees are to remain along perimeter property lines within a 20-foot easement. If townhomes or other attached homes are placed along the perimeter of Windsor Green Subdivision or homes along Liberty Lane, then an additional 20-foot setback shall be required from the 20-foot easement.
8. All development within the boundaries of this SP shall meet the requirements of the Americans with Disabilities Act and the Fair Housing Act. ADA <http://www.ada.gov> U.S. Justice Dept.
9. Building facades 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 the detailed building elevations included with the preliminary SP.
10. Regarding Building Heights:
 - a. Building height shall be limited to a maximum of 45 feet.
 - b. Building height shall be measured from the average elevation (average of 4 most exterior corners) at the finished grade (final ground elevation).
 - c. Building height shall be measured to the midpoint of the primary roof pitch (the vertical distance from eave to midpoint) or to the top of the parapet for a flat roof.
 - d. Ancillary roofs shall not be taller than the primary roof.
11. The fallback zoning will be RM-6.
12. 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 the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
13. Landscaping and tree density requirements per Metro Zoning Code. A complete landscape plan will be required with the Final SP submittal.
14. All parking will be provided per the Metro Zoning Code.

Proposed Regulatory 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.

SITE CONTEXT AND REQUEST DETAILS

The site is 26.59 acres and is comprised of seven parcels located to the northwest of the intersection of Liberty Lane and Peeples Court. The area is located near the north-eastern boundary of Davidson County and is adjacent to the satellite city of Goodlettsville. The site has frontage onto Liberty Lane, a local street. Liberty Lane connects to Gallatin Pike about half of a mile to the south bypassing under Vietnam Veterans Boulevard and an associated off-ramp. The site currently contains several single-family residences.

The surrounding area includes single-family and two-family residential uses and vacant properties. The surrounding area also includes other SPs which permit multi-family residential land uses at varying densities. The Windsor Green Subdivision in Goodlettsville abuts the site to the north. South of Vietnam Veterans Boulevard and on Gallatin Pike is a more intense commercial district with Commercial and mixed-use zoning districts.

Site Plan

The application includes a regulatory document that provides standards that are to be reviewed for compliance with the final site plan application. The proposed standards include a maximum number of units, prohibited uses, maximum FAR and ISR amounts as well as some standards for site planning and design. The proposed amendment would increase the number of permitted uses from 106 multi-family residential units to a maximum of 159 multi-family residential units. Short term rental property (owner occupied and not owner occupied) are prohibited. The proposed building heights are limited to 45 feet.

A standard is included that requires a minimum of 20 percent open space. Also, a standard is included that requires existing trees within 20 feet of the perimeter of the property to be preserved. If townhomes or other attached units are located along the perimeter of the Windsor Green Subdivision or the homes along Liberty Lane, an additional 20 foot building setback is required from the shared property line.

The standards also require the primary access to the site to be from the southern end of Liberty Lane, south of the intersection of Peeples Court. The proposed amended plan includes a standard that prior to the approval of the final site plan, an emergency access easement from Liberty Lane to the Piccadilly Apartment complex to the northwest must be recorded and in effect, or an alternative secondary access point for emergency access will need to be provided. Staff has conditioned an alternative to this standard which is that prior to submitting for the final site plan, the secondary access point will need to be established. Vehicular access to the site is limited by one access point under Vietnam Veterans Boulevard. Given the proposed density, a secondary access for emergency services is required.

ANALYSIS

Staff finds the proposed zoning to be consistent with the intent of the District Employment Center (D EC) policy to have medium-density residential land uses to support the economic activity that is planned for the surrounding area. This D EC policy area is currently primarily composed of nonresidential land uses and the proposed zoning is consistent with the D EC policy's intent to have a reduced portion of the policy area as residential land uses. A small portion of the site is within the Conservation (CO) policy due to an area of slopes exceeding 15 percent. The site is not heavily constrained by environmental features.

The requested zoning district would allow for a development pattern with a scale and form consistent with the policy guidance and the context of the surrounding area. The requests for SP zonings in this area have largely been supported by staff as the density proposed is comparable to what could be developed under the previous one and two-family zoning district (R10) that was applied to this area prior to SP zoning. Based on the site area under R10 zoning, the site would have resulted in a yield of approximately 122 units. The SP zoning would permit a different unit typology than under the existing R10 zoning. Given the intent of the policy to support economic activity, a small increase as proposed in the request may be appropriate.

The ability to create a public street network in this area is limited. The current SP has a condition to construct or make a financial contribution to a sidewalk from the development site to Gallatin Pike to enhance pedestrian connectivity. NDOT has updated this condition based on the increased density as a part of this request. The Fire Marshall has also reviewed the proposed request and is recommending approval of the request. With the application for a final site plan and building permits, the applicant will need to submit plans complying with all applicable fire and building codes.

FIRE MARSHAL RECOMMENDATION **Approve**

STORMWATER RECOMMENDATION

Approve with conditions

- Preliminary approval only. Final submittal shall meet requirements on the Stormwater Management Manual

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. Public and/or private 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% Sanitary Sewer Capacity must be paid before issuance of building permits.
- Water provided by Madison Suburban Utility District.

MADISON SUBURBAN UTILITY DISTRICT

Approve

WEGO PUBLIC TRANSIT RECOMMENDATION

Approve with conditions

- Development must coordinate and reach agreement with WeGo and NDOT about provision of pedestrian facilities linking the site to Gallatin Pike and about provision of transit facilities on Gallatin Pike. Liaise and reach agreement with WeGo Robert.Johnson@Nashville.gov prior to MMTA submission and again prior to Building Permit issue. WeGo conditions must be shown on plans prior to Building Permit issue.

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. Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called outed per NDOT detail standards.
- Note: A private hauler will be required for waste/recycle disposal. Contact Metro Water services for waste disposal requirement (solidwastereview@nashville.gov).
- Additional 1-1/2' mill and overlay may be required to cover full extents of utility work in public ROW. Extents to be coordinated in field with NDOT inspector. ST-322 residential ramp shall be provided in ROW. Provide on bldg. permit plan.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- An updated MMTA is not required. As a result of the request increase in density from 106 units to 159 units, the development's contribution towards the future sidewalks on Liberty Lane to connect down to Gallatin Pike is increased to \$112,500.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	26.59	4 D	106 U	576	36	47

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (221)	-	-	159 U	865	54	69

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	53	+289	+18	+22

METRO SCHOOL BOARD REPORT

Projected student generation existing SP district: **18 Elementary 8 Middle 9 High**
 Projected student generation proposed SP district: **28 Elementary 12 Middle 14 High**

Students would attend Goodlettsville Elementary School, Goodlettsville Middle School, and Hunters Lane High School. Goodlettsville Elementary School and Middle School are identified as under capacity, while Hunters Lane 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 159 multi-family residential units. Short-term rental property, owner occupied, and short-term rental property, not owner occupied shall be prohibited.
2. On the corrected copy, update condition number 5, "Prior to the submittal of the final site plan a secondary access point shall be recorded and in place."
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. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
5. No master permit/HPR shall be recorded prior to final SP approval.
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 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 RM6 zoning district as of the date of the applicable request or application.
12. 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.
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.

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

Resolution No. RS2024-270

"BE IT RESOLVED by The Metropolitan Planning Commission that 2022SP-071-002 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 159 multi-family residential units. Short-term rental property, owner occupied, and short-term rental property, not owner occupied shall be prohibited.
2. On the corrected copy, update condition number 5, "Prior to the submittal of the final site plan a secondary access point shall be recorded and in place."

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. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
5. No master permit/HPR shall be recorded prior to final SP approval.
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 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 RM6 zoning district as of the date of the applicable request or application.
12. 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.
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.

27. 2024SP-026-001
4120 MURFREESBORO PIKE

Council District: 08 (Deonté Harrell)
 Staff Reviewer: Dustin Shane

A request to rezone from AR2A to SP zoning for property located at 4120 Murfreesboro Pike, at the current terminus of Smokey Mountain Place (11.22 acres), and within the Murfreesboro Pike Urban Design Overlay District, to permit 90 multi-family residential units, requested by Land Solutions Company, applicant; Mary Brey and Bonnie Pearson, owners.

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

APPLICANT REQUEST

Rezoning from AR2a to Specific Plan to permit a multi-family residential development.

Preliminary SP

A request to rezone from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning for property located at 4120 Murfreesboro Pike, at the current terminus of Smokey Mountain Place (11.22 acres), and within the Murfreesboro Pike Urban Design Overlay District, to permit 90 multi-family residential units.

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *Based on acreage alone, AR2a would permit a maximum of four lots, with one duplex lot for a total of five units. Compliance with the Metro Subdivision Regulations may result in fewer lots. Duplex eligibility to be confirmed by Metro Codes.*

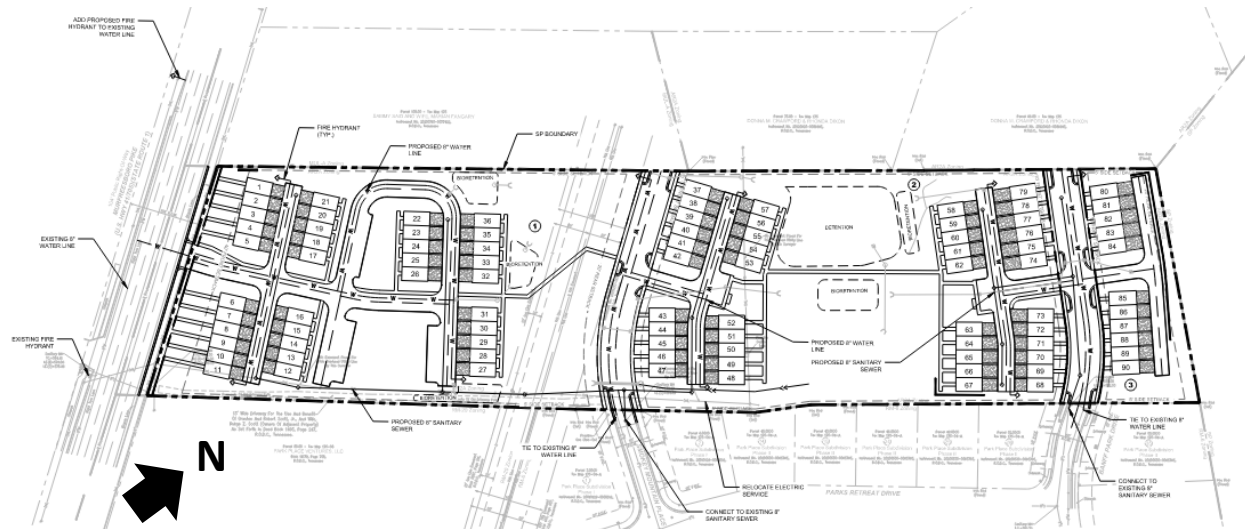
Murfreesboro Pike Urban Design Overlay (UDO) is intended to foster suburban development that is pedestrian friendly while still accommodating for the market needs of suburban development. This UDO focuses on broad design standards while emphasizing best practices for quality suburban design.

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.*

ANTIOCH – PRIEST LAKE 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. (cont.)



Site Layout Exhibit



Architectural Renderings

T3 Suburban Mixed Use Corridor (T3 CM) (cont.)

T3 CM areas provide high access management and are served by highly connected street networks, sidewalks, and existing or planned mass transit.

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

PLAN DETAILS

The approximately 11.22-acre site is on the northeastern side of Murfreesboro Pike, approximately 250 feet northeast of Parks Retreat Drive. The site has been developed with a single-family residence. The site is relatively level without many slope constraints and is heavily wooded. A 100-foot-wide TVA transmission line easement containing power

lines extends across the site NW-SE, roughly bisecting it. Murfreesboro Pike is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP). Residential land uses are predominant in the area, but along Murfreesboro Pike, the land uses on the abutting parcels include a religious institution, office, and some vacant commercial land. The abutting properties are variously zoned AR2a, Mixed-Use Limited – Alternative (MUL-A), Multi-Family Residential (RM20), and SP.

Site Plan

The plan proposes a multi-family residential development consisting of a maximum of 90 multi-family residential units at approximately 8.02 units per acre. The unit types proposed are attached townhomes, ranging in blocks of five to six units. Maximum height is set at 45 feet in three stories and measured per the standard SP definition. The site will be accessible by one vehicular entrance along Murfreesboro Pike. Additionally, two stub-outs from the southeast, Smokey Mountain Place and Banff Park Drive, will be extended through the site to the northwestern property line. Units front Murfreesboro Pike and the new public roads. Sidewalks extending north and south provide circulation through the site and provide connections to sidewalks as shown along the proposed public roads. Parking will be provided per Code by a combination of garage spaces, on-street parking along the new public roads, and head-in parking along the private drives. All garages are accessed by the private alley system, which allows units to front open space areas, with some surface parking adjacent to these areas. The northern and southern halves of the plan show units fronting open space, forming two distinct common areas for pedestrians. Water quality/quantity areas are proposed in the center of the site.

The MCSP-required sidewalk and grass strip are provided along Murfreesboro Pike, and sidewalks are provided along the local street extensions with on-street parking and bulb-outs for street trees. Private walks are shown from each unit to the internal or public sidewalk system, which extends throughout the site and to Murfreesboro Pike. Street trees will be planted fifty feet on center within the grass strip along Murfreesboro Pike as required by the Murfreesboro Pike UDO. Evergreen plantings will screen parking areas, and landscape buffer yards are proposed along portions of the boundary near the rear. Staff is included a condition that a Type B landscape buffer be applied to the side and rear property boundaries of the SP boundary. Bicycle parking will be provided as required by the Murfreesboro Pike UDO. Notes have been included to ensure compliance with the other provisions of the Murfreesboro Pike UDO, which ensure high quality suburban design.

ANALYSIS

The plan is consistent with the proposed T3 CM and T3 NE policies. The T3 CM policy, which covers the front half of the property, against Murfreesboro Pike, is intended to enhance suburban mixed-use corridors by encouraging a greater mix of higher-density residential development along the corridor with buildings that are compatible with the general character of suburban neighborhoods. The proposed plan also meets many of the goals of the second policy on the site, the T3 NE policy. This policy is applied to the northern, or back half of the property. The goals include featuring higher densities, greater housing variety than classic suburban neighborhoods, and moderate setbacks and spacing between buildings, with connectivity to the surrounding street network.

The plan calls for a multi-family residential development that would provide additional density and housing options which is supported by both policies. The townhome built form is consistent with the policies, which allows for one to three stories generally. The proposed plan improves pedestrian, bicycle, and vehicular connections along the corridor via the improvements to Murfreesboro Pike and the extension of the local public street network. The plan and the architectural standards and renderings are consistent with the suburban intent of the T3 CM policy. While the plan proposes a substantial amount of road infrastructure, the visual impact of the automobile is reduced through the provision of garage parking and additional landscaping.

The proposed SP allows an appropriately intense residential development that achieves the intent of the policies to provide additional housing choice at a density higher than traditional suburban developments. The proposed infill development will fit with the evolving nature of this suburban neighborhood along Murfreesboro Pike within the UDO. Staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Add fire hydrant along roadway approximately 250 feet from Murfreesboro Pk entrance.

STORMWATER RECOMMENDATION

Approve

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% W&S Capacity must be paid before issuance of building permits.

NASHVILLE DOT ROADS RECOMMENDATION

Approve with conditions

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions.
- For a final w/ new public roads: Include proposed public roadway construction drawings (profiles, grades, drainage). Roadway construction drawings shall comply with NDOT Subdivision Street Design Standards. 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.
- There shall be no vertical obstructions in 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 or roadway widening work in public ROW. Extents to be coordinated in field with NDOT inspector.

NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Ensure all curb corners where crosswalks are shown in the site plan have ADA compliant curb ramps.
- The development mitigations identified in the MMTA are to be included with the building permit plan set: a) At Parks Retreat Drive & Murfreesboro Pike, install fresh striping to delineate the westbound left and right turn lanes for 150 feet. b) Stripe in crosswalk markings across the site access on Murfreesboro Pike as well as a stop bar and stop sign.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	11.22	0.5 F	5 U	54	8	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
Multi-Family Residential (221)	11.22	-	90 U	489	31	40

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+435	+23	+35

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 1 Elementary 1 Middle 1 High
 Projected student generation existing SP-R district: 15 Elementary 6 Middle 9 High

The proposed SP zoning is expected to generate 27 more students than the existing AR2a zoning district. Students would attend Mt. View Elementary School, J.F. Kennedy Middle School, and Antioch High School. J.F. Kennedy Middle School is identified as being at capacity while Mt. View Elementary and Antioch High School are identified as being 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 90 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, add a note to the landscaping sheet: "In addition to the plantings shown, the final landscaping plan shall meet all standards of the Metro Zoning Code and the Murfreesboro Pike UDO."
3. On the corrected copy, show a Type B landscape buffer along the side and rear property lines. This buffer can be supplemented by existing tree canopy proposed to be retained with landscaping plan.
4. The side elevations fronting the private drive and public streets shall have a minimum glazing of 15 percent.
5. On the corrected copy, revise 'base zoning' to 'fallback zoning.'
6. On the corrected copy, identify the following as prohibited uses: Short term rental properties, owner occupied and short term rental properties, not-owner occupied.
7. 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.
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. No master permit/HPR shall be recorded prior to final SP approval.
11. Final plat may be required prior to permitting.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
13. Comply with all conditions and requirements of Metro reviewing agencies.
14. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
15. 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.
16. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

Resolution No. RS2024-271

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-026-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of 90 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, add a note to the landscaping sheet: "In addition to the plantings shown, the final landscaping plan shall meet all standards of the Metro Zoning Code and the Murfreesboro Pike UDO."
3. On the corrected copy, show a Type B landscape buffer along the side and rear property lines. This buffer can be supplemented by existing tree canopy proposed to be retained with landscaping plan.
4. The side elevations fronting the private drive and public streets shall have a minimum glazing of 15 percent.
5. On the corrected copy, revise 'base zoning' to 'fallback zoning.'
6. On the corrected copy, identify the following as prohibited uses: Short term rental properties, owner occupied and short term rental properties, not-owner occupied.
7. 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.
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. No master permit/HPR shall be recorded prior to final SP approval.
11. Final plat may be required prior to permitting.
12. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
13. Comply with all conditions and requirements of Metro reviewing agencies.
14. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

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

28. 2024SP-049-001
5642 VALLEY VIEW SP
Council District: 04 (Mike Cortese)
Staff Reviewer: Dustin Shane

A request to rezone from R40 to SP zoning for property located at 5642 Valley View Drive, approximately 425 feet west of Cloverland Drive (1.45 acres), to permit six detached multi-family residential units, requested by Dale & Associates, applicant; Vincent & Sarah Biegel, owners.

Staff Recommendation: Defer to the December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-049-001 to the December 12, 2024, Planning Commission meeting. (7-0)

29. 2024SP-052-001
BORDEAUX HOMES
Council District: 01 (Joy Kimbrough)
Staff Reviewer: Celina Konigstein

A request to rezone from CS and RS15 to SP zoning for properties located at 3848 and 3854 Abernathy Road, approximately 375 feet west of Clarksville Pike (10.56 acres), to permit 170 multi-family residential units, requested by Smith Gee Studio, applicant; Gus & Jay Land Partners LLC and Gus Richards, owners.

Staff Recommendation: Defer to the December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024SP-052-001 to the December 12, 2024, Planning Commission meeting. (7-0)

30. 2024SP-053-001
516 MERIDIAN STREET SP
Council District: 05 (Sean Parker)
Staff Reviewer: Savannah Garland

A request to rezone from SP to SP for property located at 516 Meridian Street, at the northwest corner of Treutland Avenue and Meridian Street (0.39 acres), to permit five multi-family residential units, requested by Fulmer Lucas Engineering, applicant; Big Harpeth United Prim. Bap. Assn., TRS., owner.

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

APPLICANT REQUEST

Rezone from SP to SP to permit five multi-family residential units.

Preliminary SP

A request to rezone from Specific Plan (SP) to Specific Plan (SP) for property located at 516 Meridian Street, at the northwest corner of Treutland Avenue and Meridian Street (0.39 acres), to permit five multi-family residential units.

Existing Zoning

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan permitted the application of all uses of RS5 and Detached Accessory Dwelling Units (DADU).*

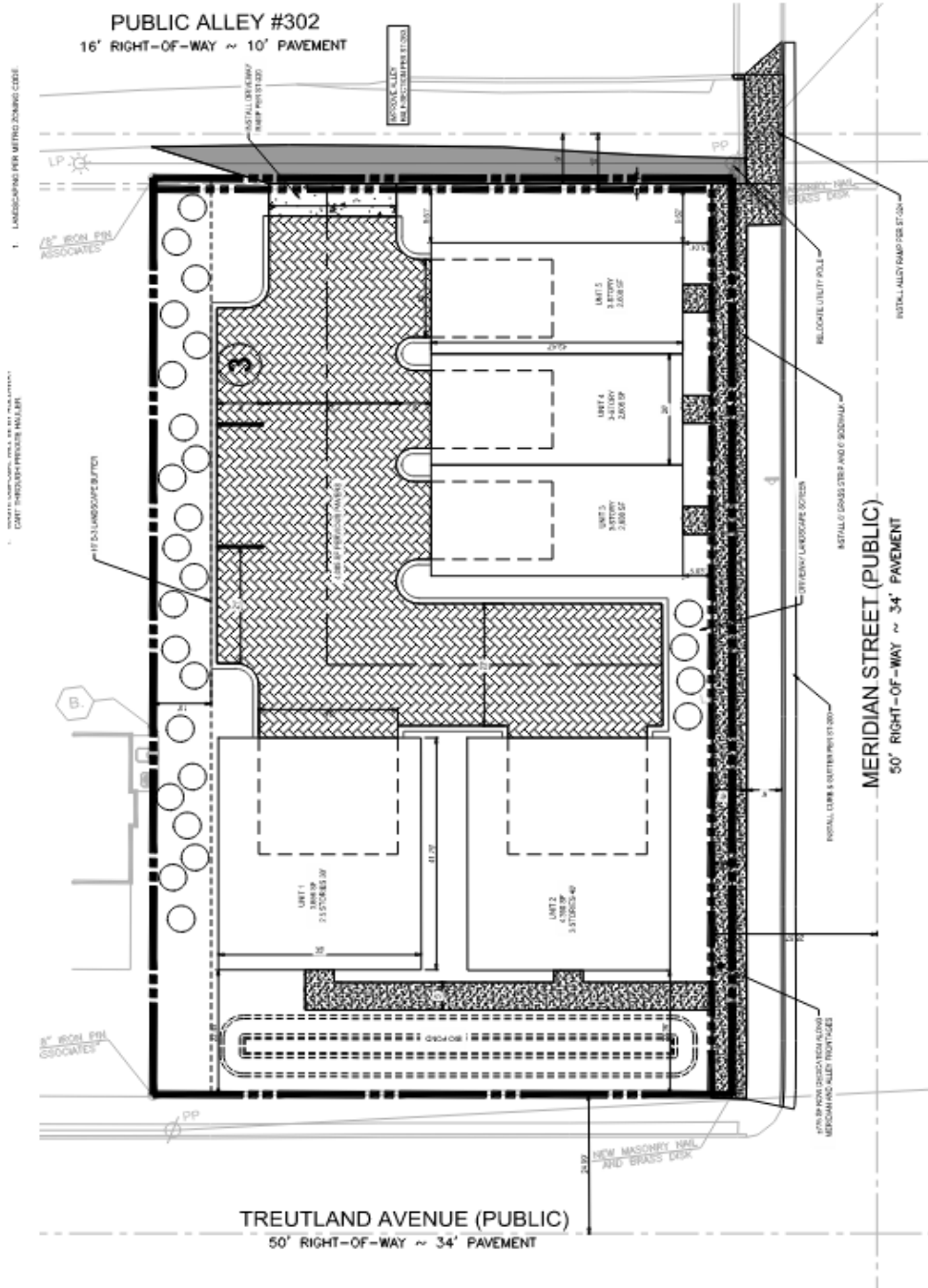
Proposed Zoning

Specific Plan-Mixed Residential (SP-MR) is a zoning district category that provides for additional flexibility of design,

including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes a mixture of housing types.*

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.



Proposed Preliminary Site Plan

SITE CONTEXT AND REQUEST DETAILS

The approximately 0.39-acre site is located on the corner of Meridian Street and Treutland Avenue. The Major and Collector Street Plan (MCSP) classifies Meridian Street as a collector-avenue and Treutland Avenue is a local street. Alley #302 is located along the northern property line. The property is currently a surface parking lot. The surrounding zoning districts include SP, Mixed-Use Limited (MUL), Single-Family Residential (RS5), Multi-Family Residential (RM20), and One and Two-Family Residential (R6). This site is located in the Cleveland Park/McFerrin SP and permits all uses under RS5 and Detached Accessory Dwelling Units (DADU). McFerrin Park is approximately 250 feet northeast of the subject site. The surrounding properties include single-family residential, one and two-family residential, vacant, institutional, (churches & Salvation Army), and commercial land uses.

Site Plan

The proposed SP would permit five multi-family residential units. The plan is proposing two detached units (Units 1 and 2) fronting Treutland Avenue, and three attached units (Units, 3, 4, & 5) fronting Meridian Street. The preliminary SP elevations proposed the following: Unit 1 is located on the western property line and is proposed with a maximum height of 2.5 stories in 26 feet; Unit 2 is located at the corner of Truetland Avenue and Meridian Street with a proposed maximum height of three stories in 37 feet; and Units 3, 4, and 5 are proposed with maximum heights of 3 stories in 40 feet. All heights are measured to the roof peak.

Vehicular access is proposed from the improved alleyway on the northern side of the parcel leading to the garages at the rear of the units and a surface parking area. There is garage parking proposed for each unit and there are three surface parking spaces located behind Unit 1.

There is an existing sidewalk along Truetland Avenue. However, a proposed bioretention pond is proposed between the existing public sidewalk and Units 1 and 2. A separate five-foot-wide pedestrian connection is proposed to connect Units 1 and 2 to the sidewalk along Meridian Street. The streetscape along Meridian Street is proposed to be improved with new curb and gutter, a 6-foot-wide planting strip and a 6-foot-wide sidewalk. Direct entrances from Units 3-5 are proposed to connect to the sidewalk along Meridian Street. A 10-foot-wide B-3 landscape buffer is proposed on the western property line. Driveway landscape screening is also proposed on the eastern side of the property where the drive may be visible from Meridian Street.

ANALYSIS

The subject site is located in the Urban Neighborhood Maintenance T4 (NM) policy area. The T4 NM policy is intended to maintain the general character of existing urban residential neighborhoods which can contain moderately scaled residential development. The T4 NM policy areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit.

The T4 NM policy supports heights ranging from one to three stories for development interior to the neighborhood. Unit 1 is proposed to have 2.5 stories and Unit 2 is proposed to have three stories. The intent of this height transition is to be sensitive to the existing development in the established residential neighborhood to the west and increase height towards the intersection. The heights of structures along Treutland Avenue typically range from one story to two stories. The proposed three-story townhomes are located along Meridian Street which is a collector street as classified by the MCSP and has less of an established context than the street frontage along Treutland Avenue. The policy supports taller buildings along a collector avenue with wider streets and sidewalks. The T4 NM supports transitioning to a lower scale area of the neighborhood adjacent to the site, using techniques such as the proposed lower building height and landscaping buffer.

T4 NM policy areas are pedestrian-friendly areas, with high levels of connectivity with complete street networks, sidewalks, bikeways, and existing transit. The vehicular access is limited to the rear alley, providing for enhanced connectivity that minimizes pedestrian conflicts, consistent with the policy goals. Alley access is common and preferred in this policy where we have established street grids and alley networks. Sidewalks will be improved along Meridian Street per the MCSP standards and there are WeGo bus stops approximately 200 feet north and approximately 280 feet south of the subject site. The improved sidewalk network contributes to the high level of connectivity in the policy area and creates a more walkable neighborhood and community.

FIRE MARSHAL RECOMMENDATION

Approve

HISTORIC ZONING RECOMMENDATION

Approve

- Phase I archaeological survey recommended.

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

- Treutland Avenue - Identify curb & gutter (ST-200) along Treutland Avenue; four (4') foot grass furnishing area width; five (5') foot sidewalk width (ST-210).
- Coordinate the solid waste management / recycling collection plan with the MWS-Solid Waste Division. Recycling is to be included along with the solid waste disposal. Email: solidwastereview@nashville.gov.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Parallel Parking should be 8 feet by 23 feet.

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
Single-Family Residential (210)	-	-	4 U	54	8	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
Multi-Family Residential (221)	-	-	5 U	26	1	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	1 U	-28	-7	-2

METRO SCHOOL BOARD REPORT

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

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

The proposed SP zoning is expected to generate one additional student than the existing SP zoning. Students would attend Ida B. Wells Elementary School, Jere Baxter Middle School, and Maplewood High School. Ida B. Wells is identified as being exceedingly under capacity. Jere Baxter Middle School and Maplewood High School are identified as being at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of five multi-family residential units. Short term rental property, owner occupied, and short term rental property, not-owner occupied shall be prohibited.
2. On the corrected copy, update the height data in the site data to be consistent with the heights shown on the elevations. At the time of final SP, heights shall be measured for consistency with the preliminary SP elevations.
3. The eastern facade of Unit 2 and the southern façade of the townhome units shall have glazing, or other architectural features as to not present a blank façade.
4. Vehicular access shall be limited to the alley.
5. With the final site plan, architectural elevations consistent with the elevations provided with the preliminary SP shall be provided.
6. If bioretention area is shown in its current location, additional plantings shall be provided in the bioretention area to treat as an amenity feature. Landscape details to be evaluated by staff with review of the final SP landscape plan.
7. No master permit/HPR shall be recorded prior to final SP approval.
8. The requirements for the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. Final plat may be required prior to permitting.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements for the RM15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved ordinance.
12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
13. The preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principals and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
15. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.

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

Resolution No. RS2024-272

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-053-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to a maximum of five multi-family residential units. Short term rental property, owner occupied, and short term rental property, not-owner occupied shall be prohibited.
2. On the corrected copy, update the height data in the site data to be consistent with the heights shown on the elevations. At the time of final SP, heights shall be measured for consistency with the preliminary SP elevations.
3. The eastern facade of Unit 2 and the southern façade of the townhome units shall have glazing, or other architectural features as to not present a blank façade.
4. Vehicular access shall be limited to the alley.
5. With the final site plan, architectural elevations consistent with the elevations provided with the preliminary SP shall be provided.
6. If bioretention area is shown in its current location, additional plantings shall be provided in the bioretention area to treat as an amenity feature. Landscape details to be evaluated by staff with review of the final SP landscape plan.
7. No master permit/HPR shall be recorded prior to final SP approval.
8. The requirements for the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. Final plat may be required prior to permitting.
11. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements for the RM15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved ordinance.
12. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
13. The preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be

consistent with the principals and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

15. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.

31. 2024SP-056-001

CITY VISTA - PHASE 2

Council District: 02 (Kyonzté Toombs)

Staff Reviewer: Savannah Garland

A request to rezone from RS5, RM20-A, and MUG-A to SP zoning for property located at Lucile Street (unnumbered), approximately 800 feet north of Lucile Street (5.6 acres) to permit a mixed-use development, and within the Dickerson Pike Sign Urban Design Overlay, requested by CSDG, PLLC, applicant; Rethink Community Nashville JV, LLC, owner.

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

APPLICANT REQUEST

Preliminary SP to permit a multi-family residential development.

Preliminary SP

A request to rezone from Single-Family Residential (RS5), Multi-Family Residential - Alternative (RM20-A), and Mixed Use General – Alternative (MUG-A) to Specific Plan (SP) zoning for property located at Lucile Street (unnumbered), approximately 800 feet north of Lucile Street (5.6 acres), to permit a mixed-use development, and within the Dickerson Pike Sign Urban Design Overlay.

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 seven single-family lots on the 0.75-acres that is zoned RS5.*

Multi-Family Residential-Alternative (RM20-A) 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. *Approximately 3.06 acres of the site is zoned RM20-A, which based on acreage alone would permit a maximum of 61 multi-family residential units.*

Mixed Use General-Alternative (MUG-A) is intended for a moderately high intensity mixture of residential, retail, and office uses and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *Approximately 1.86 acres of the site is zoned MUG-A.*

Urban Design Overlay (UDO) is intended to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment, minimizes intrusion of the automobile into the built environment, and provides for the sensitive placement of open spaces in relationship to building masses, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the Zoning Code. *A portion of this site is located in the Dickerson Pike Sign UDO.*

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. *This Specific Plan is a mixed-use SP to allow development on the property consistent with RM20-A and MUG-A zoning in the respective areas of the property as shown on the development plan. The purpose is to also show the proposed public road extension that is consistent with the MCSP.*

EAST NASHVILLE COMMUNITY PLAN

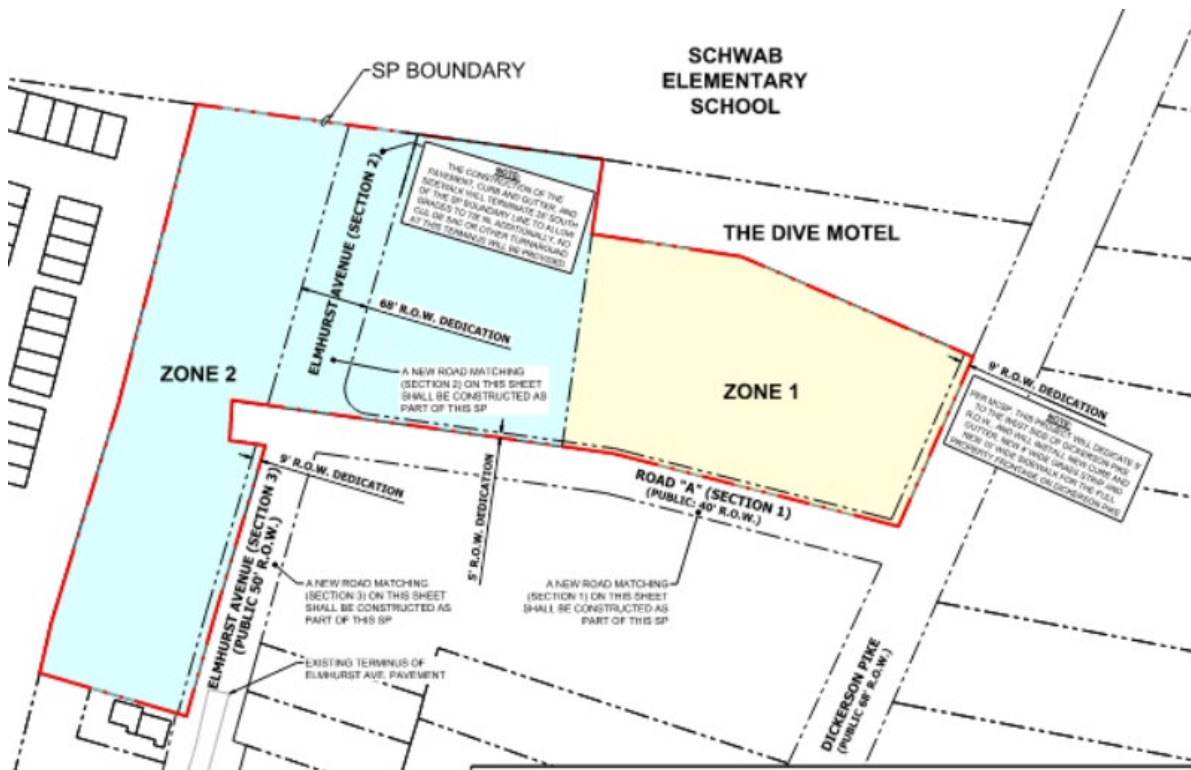
T4 Urban Mixed Use Corridor (T4 CM) is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are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

T4 Urban 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 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.

Dickerson South Supplemental Policy

The Dickerson South Supplemental Policy is intended to provide guidance beyond the base policies on the properties. The supplemental policy area identifies subdistricts which provide specific direction on appropriate building heights based on context. Another component of the supplemental policy is a mobility plan. The mobility plan identifies future cross sections to enhance existing transportation conditions and provides for future infrastructure in the area of the supplemental policy.



SP ZONING DATA - ZONE 1

Proposed Zoning:	Specific Plan
Acreage:	1.80 AC±
Required Parking:	2 space per unit for townhomes. All other uses shall meet zoning code.
Build-To Zone:	0' - 15'
Rear Setback:	5'
Allowable Uses:	All uses of MUG-A in zoning code
Bulk Regulations:	Match regulations for MUG-A in zoning code unless noted otherwise in this SP document.
Allowable Height:	Per MUG-A
Foundations:	No raised foundation required for townhomes.
Fall Back Zone:	MUG-A



SP ZONING DATA - ZONE 2

Proposed Zoning:	Specific Plan
Acreage:	3.80 AC±
Required Parking:	2 space per unit for townhomes. All other uses shall meet zoning code.
Build-To Zone:	0' - 15'
Rear Setback:	5'
Allowable Height:	4 stories in 60-ft. (No raised foundation required for townhomes). The height shall be measured from the average ground elevation at the front face of the building to the highest point of the building.
Allowable Uses:	All uses of RM20-A in zoning code
Bulk Regulations:	Match regulations for RM20-A in zoning code unless noted otherwise in this SP document.
Fall Back Zone:	RM20A

Proposed SP

SITE CONTEXT AND PLAN DETAILS

The 5.6-acre site is located north of Lucile Street, with frontage along Elmhurst Avenue and the west side of Dickerson Pike. The parcel is currently zoned RS5, RM20-A, and MUG-A. There are approximately 0.75-acres zoned RS5, 3.06-acres zoned RM20-A, and 1.86 -acres zoned MUG-A. The surrounding properties are zoned Commercial Service (CS), RS5, RM20-A, Commercial Limited (CL), Mixed-Use Limited Alternative (MUL-A), and SP. Surrounding land uses are vacant land, commercial, one and two-family residential uses, and multi-family residential. Shwab Elementary School is located north of the subject site along Dickerson Pike.

The proposed SP is a regulatory plan. The primary intent behind the regulatory SP application on this property is to allow for a mixed-use development that incorporates road improvements and accommodates the extension of a future collector street identified by the Major and Collector Street Plan (MCSP). Typically, a regulatory SP will be limited to standards for development, however in this case, the proposed SP includes a development plan outlining infrastructure improvements and zones of development.

The site plan is comprised of two zones. Zone 1 is located on the northeast portion of the site adjacent to Dickerson Pike and encompasses the portion of the subject site that is currently zoned MUG-A. The remaining portion of the site is within the proposed Zone 2. Zone 1 permits all uses of MUG-A and Zone 2 permits all uses of RM20-A. The maximum height in Zone 1 is per MUG-A and a proposed build-to-zone of 0 to 15 feet is proposed. The same build-to-zone applies for Zone 2; however, this zone has a maximum height of 4 stories in 60 feet.

An important component of the proposed SP is to show the proposed public road extension that is consistent with the MCSP and other road improvements to the existing rights-of-way adjacent to the subject property. Elmhurst Avenue, which runs north-south in Zone 2, is only improved beyond the southern portion of the proposed SP. The SP proposes to improve Elmhurst to the north where it intersects what is shown as Road A on the development plan. Past the intersection of Road A, the Elmhurst Avenue extension would continue to the northern boundary of the SP. The extension of Elmhurst Avenue is shown on the MCSP as a future collector road. Road A connects Elmhurst Avenue to Dickerson Pike and is located adjacent to both Zones 1 and 2. Road A is currently unimproved right-of-way. The SP proposes to improve this section of Road A to a local public road standard. For the portion of the property along Dickerson Pike, the SP proposes to dedicate nine feet of right-of-way (to meet the minimum half right-of-way required by the MCSP) and construct a 4-foot-wide planting strip, a 10-foot-wide sidewalk, and new curb and gutter.

Additional standards included in the SP include architectural standards for glazing, entrances, and materials. A full site plan demonstrating compliance with all standards and infrastructure improvements will be required with the Final SP submittal.

ANALYSIS

The subject property lies within the T4 Urban Neighborhood Evolving (T4 NE), Urban Mixed-Use Neighborhood (T4 MU), and the Urban Mixed-Use Corridor (T4 CM) policy areas. The entire parcel is also located within the Dickerson South Supplemental Policy area.

Zone 1 is in the T4 CM policy area. The T4 CM policy is intended to enhance mixed-use corridors by encouraging a greater mix of higher-density residential and mixed-use development. The T4 CM policy supports highly connected street networks, sidewalks, and mass transit. The permitted uses of MUG-A are consistent with the intent of the policy to provide higher density residential and mixed-use developments. The proposed SP also includes improvements to the road network, including the proposed construction of Road A which connects Elmhurst Avenue to Dickerson Pike, and increased sidewalk connections across the road frontages within the entirety of the SP. The Dickerson Pike Supplemental Policy indicates a height of 6 stories is appropriate for Zone 1, fronting along Dickerson Pike. The permitted height in Zone 1 is per MUG-A which would permit 5 stories in 75 feet in the build-to-zone with a required 15-foot setback and a maximum height of 7 stories in 105 feet. While the MUG-A zoning may realize an additional story than the supplemental policy guidance, it is close to the supplemental policy's height guidance and the property is located along a major corridor which may support a slight increase in height.

Zone 2 is within the T4 NE and T4 MU policy areas. These two policies share many common goals including: to maintain mixed-use neighborhoods with a diverse mix of moderate to high density residential, commercial, office, and light industrial land uses; create greater housing choice; and to support high levels of connectivity with complete street networks, sidewalks, bikeways, and existing mass transit. As outlined in the previous section, the SP proposes to improve Elmhurst Avenue, provide a future road connection to the north as shown in the MCSP, and improve Road A, which provides a connection from Dickerson Pike to Elmhurst Avenue. The proposed road improvements in the SP meet the goals of the T4 NE and T4 MU policy to support high levels of vehicular and pedestrian connectivity. Additionally, the applicant has agreed to conditions from WeGo to improve bus stops adjacent to the site and to install a crosswalk across Dickerson Pike.

The supplemental policy indicates that in the plan area shown as Zone 2, a height of 4 stories is supported. The maximum height for Zone 2 is 4 stories in 60 feet, which is consistent with the policy guidance. Zone 2 permits all

uses of RM20 which would permit a density of 20 units per acre. This proposed density is supported by both policies and furthers the goals to provide housing choice and higher density residential development.

The proposed SP meets the goals of the land use policies and the Dickerson South Study; therefore staff recommends approval with conditions.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

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

STORMWATER RECOMMENDATION

Approve

METRO WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Regulatory 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 Capacity Study must take place and the required capacity reserved by confirmation of capacity fee payment prior to Final Site Plan/SP approval.
- Unless and until 100% of capacity charge has been paid, no water/sewer capacity is guaranteed. (See W&S Capacity fee Permit #'s T2024093701 and T2024093706).

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.
- For a final w/ new public roads: Include proposed public roadway construction drawings (profiles, grades, drainage).
- Roadway construction drawings shall comply with NDOT Subdivision Street Design Standards. 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 ROW 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 and/or roadway widening work in public ROW. (cont.)
- Extents to be coordinated in field with NDOT inspector.
- Coordinate w/ NDOT traffic on MMTA and offsite requirements.
- There should be no site vehicular access off Dickerson Pike.
- Vehicular site access should be restricted to new improved public road and/or Elmhurst.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Parking is to meet metro code requirements for all proposed land uses. Townhomes are considered multifamily, so the parking for those will be based on the number of bedrooms per unit.
- No site access/driveways will be allowed on Dickerson Pike; all access must come from Road A and Elmhurst.
- Reference metro code 17.20.140 for Multimodal Transportation Analysis requirements. If this development meets thresholds for a study, coordinate with NDOT (ndotmmtareview@nashville.gov) on scoping and completing a MMTA prior to Final SP submittal.
- MCSP requirements are to be met.

WEGO RECOMMENDATION

Approve with Conditions

- Development must upgrade the existing Dickerson Pike & Marie southbound bus stop to be an in-lane frequent service bench-type bus stop with appurtenances as per Latest WeGo Transit Design Guidelines.
- Development must provide sidewalk along the west side of Dickerson Pike linking to existing sidewalk on Dickerson Pike and to sidewalk on Road "A".

- Development must provide a crosswalk across Dickerson Pike, conveniently linking the development, all bus stops, and all new sidewalks, to the new sidewalk planned by NDOT on the east side of Dickerson Pike.
- All WeGo conditions to be shown on plans prior to final SP approval.
- Development must liaise and reach agreement with WeGo Robert.Johnson@Nashville.gov on all WeGo conditions during MMTA, prior to case approval, again prior to final SP, and again prior to Building Permit issue.
- All WeGo conditions to be complete prior to any occupancy or use of the site.

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)	0.81	5.80 F	7 U	90	9	8

Maximum Uses in Proposed Zoning District: **RM20-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 (221)	3.06	20 D	61 U	331	21	28

Maximum Uses in Existing Zoning District: **MUG-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)	0.94	3 F	123 U	669	42	54

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.47	3 F	61,420 SF	2,319	58	234

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.47	3 F	61,420 SF	6,890	611	600

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)	-	-	118 U	641	40	52

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)	-	-	58,806 SF	2,220	55	225

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)	-	-	58,806 SF	6,597	584	574

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	-	-	76 U	412	26	34

Traffic changes between maximum: **RS5/ /RM20-A/ MUG-A and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-429	-36	-39

METRO SCHOOL BOARD REPORT

Projected student generation existing zoning districts: **47 Elementary 20 Middle 24 High**

Projected student generation proposed SP district: **48 Elementary 21 Middle 25 High**

The proposed SP zoning district is anticipated to generate one additional student than what would be generated under the current zoning districts. Given the mix of permitted uses in the MUG-A zoning district, the resulting unit count is an estimation. Students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood High School. Shwab Elementary is identified as at under capacity, 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 with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to all uses of RM20-A for Zone 2 and all uses of MUG-A for Zone 1 as shown on the preliminary SP development plan.
2. On the corrected copy update the required parking standards for Zones 1 and 2 to say, "Per Metro Code."
3. Prior to submitting the first final site plan, applicant shall coordinate with Planning and NDOT to discuss phasing plan for the development and for roadway construction.
4. If a turnaround at the terminus of the Elmhurst Avenue extension is required for emergency services, it will be required.
5. Right-of-way dedication areas and road improvement details shall be identified on the final site plan consistent with the applicable local and/or MCSP requirements. Any additional areas of dedication not currently identified on the preliminary SP to meet road width standards shall be provided.
6. Any legislation or mandatory referrals needed to process unaccepted rights-of-way shall be determined by Metro at final site plan.
7. Comply with all conditions and requirements of Metro Reviewing Agencies.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with the final site plan application.

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 RM20-A zoning district for Zone 2 and MUG-A zoning district for Zone 1 as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. 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.
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 of any building permits.
14. 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.
15. No master permit/HPR shall be recorded prior to final SP approval.
16. Final plat may be required prior to permitting.

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

Resolution No. RS2024-273

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-056-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

1. Permitted uses shall be limited to all uses of RM20-A for Zone 2 and all uses of MUG-A for Zone 1 as shown on the preliminary SP development plan.
2. On the corrected copy update the required parking standards for Zones 1 and 2 to say, "Per Metro Code."
3. Prior to submitting the first final site plan, applicant shall coordinate with Planning and NDOT to discuss phasing plan for the development and for roadway construction.
4. If a turnaround at the terminus of the Elmhurst Avenue extension is required for emergency services, it will be required.
5. Right-of-way dedication areas and road improvement details shall be identified on the final site plan consistent with the applicable local and/or MCSP requirements. Any additional areas of dedication not currently identified on the preliminary SP to meet road width standards shall be provided.
6. Any legislation or mandatory referrals needed to process unaccepted rights-of-way shall be determined by Metro at final site plan.
7. Comply with all conditions and requirements of Metro Reviewing Agencies.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with the final site plan application.
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 RM20-A zoning district for Zone 2 and MUG-A zoning district for Zone 1 as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
10. 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.
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 of any building permits.

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

**32. 2024CDO-001-001
BL2024-608**

BUENA VISTA NORTH

Council District: 02 (Kyonzté Toombs)

Staff Reviewer: Madalyn Welch

A request to apply a Corridor Design Overlay District for various properties located east of Buena Vista Pike and south of Moormans Arm Road, (3.17 acres), requested by Councilmember Kyonzte Toombs, applicant; various property owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Apply Corridor Design Overlay District.

Corridor Design Overlay

A request to apply a Corridor Design Overlay District to various properties located east of Buena Vista Pike and south of Moormans Arm Road (3.17 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.

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

Proposed Zoning Overlay

Corridor Design Overlay District (CDO) is an overlay intended to provide incremental improvements to the aesthetics of Nashville's commercial districts and corridors. The CDO provides standards for signage, landscaping and materials that are derived from standards of base zoning districts. The CDO does not regulate uses. Uses within a CDO are regulated by the base zoning district.

Note that the existing zoning listed above will remain on the subject properties and the proposed overlay would be added.

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

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

Haynes Trinity Supplemental Policy

The site is within the Haynes Trinity Supplemental Policy which was approved and adopted by the Planning Commission on January 11th, 2018. The site is within the Haynes Trinity Small Area Plan, which was approved and adopted by the Planning Commission on January 11, 2018. The Plan was completed after an extensive community engagement process and resulted in updates to the community character policies for the area, as well as the establishment of supplemental policies to address mobility, parks, and open space. The mobility supplemental policy contains guidance for increasing connectivity in developed areas and establishing a network of proposed street connectivity throughout Haynes Trinity that would provide a strong and cohesive block structure.

ANALYSIS

The CDO would apply to approximately 3.17 acres along Buena Vista Pike. This area consists of numerous properties with the CN and CS zoning districts that are developed with commercial land uses. The CDO does not regulate land use, and with the exception of variations to signage regulations, landscaping regulations, and building materials for primary facades, all other requirements of the base zoning district will apply.

Signage standards for all properties in the CDO will adhere to current signage standards of the Metro Zoning Code for ORI/-NS, ORI-A/-NS, MUG/-NS, MUG-A/-NS, MUI/-NS, and MUI-A/-NS regardless of the base zoning district. Any uses permitted with conditions are allowed one-half the maximum sign area allowed. This would apply only to new signs, and it would not apply to panel changes to existing signs.

The CDO requires that trees be planted along the perimeter of parking lots at a rate of one tree every 30 feet. Current requirements are one tree every 50 feet. This applies to new parking lots and any expansion of an existing parking lot that is expanded by more than 10 spaces.

The CDO applies standards for building materials. The CDO requires that front facades of buildings must be at least 75 percent brick, brick veneer, stone, cast stone, or architecturally treated concrete masonry units. The remaining 25 percent may be any material, with the exception of exposed untreated concrete masonry units. The standards for materials apply to new buildings and additions that are more than 50 percent of the existing building area.

Staff finds the proposed CDO overlay is appropriate at this location. The intent of the CDO is to implement incremental improvements to the aesthetics of Nashville's commercial districts and corridors. This goal is consistent with all land use policies, including the T3 NC policy. The standards of the CDO, which focus on landscaping, signage, and materials, will help implement the goals of the policies to enhance the corridor with quality, pedestrian-friendly development. Staff is recommending approval of the proposed CDO as it is consistent with the goals of the land use policies.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-274

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

33. 2024CDO-002-001

BL2024-611

BUENA VISTA SOUTH

Council District: 02 (Kyonzté Toombs)

Staff Reviewer: Celina Konigstein

A request to apply a Corridor Design Overlay District for various properties located east of Tucker Road and north of Youngs Lane, (1.6 acres), requested by Councilmember Kyonzte Toombs, applicant; various property owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Apply a Corridor Design Overlay District.

Corridor Design Overlay

A request to apply a Corridor Design Overlay District for various properties located east of Tucker Road and north of Youngs Lane (1.6 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.

Commercial Limited (CL) is intended for retail, consumer service, financial, restaurant, and office uses.

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre. *Based on the acreage of the parcel, OR20 would permit a maximum of four units.*

Proposed Zoning Overlay

Corridor Design Overlay District (CDO) is an overlay intended to provide incremental improvements to the aesthetics of Nashville's commercial districts and corridors. The CDO provides standards for signage, landscaping and materials that are derived from standards of base zoning districts. The CDO does not regulate uses. Uses within a CDO are regulated by the base zoning district.

Note that the existing zoning listed above will remain on the subject properties and the proposed overlay would be added.

BORDEAUX – WHITES CREEK – HAYNES TRINITY

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.

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.

Haynes Trinity Supplemental Policy

The site is within the Haynes Trinity Small Area Plan, which was approved and adopted by the Planning Commission on January 11, 2018. The Plan was completed after an extensive community engagement process and resulted in updates to the community character policies for the area, as well as the establishment of supplemental policies to address mobility, parks, and open space. The mobility supplemental policy contains guidance for increasing connectivity in developed areas and establishing a network of proposed street connectivity throughout Haynes Trinity that would provide a strong and cohesive block structure.

ANALYSIS

The Corridor Design Overlay District (CDO) would apply to several parcels, approximately 1.6 acres east of Tucker Road and north of Youngs Lane. This area consists of properties zoned CN, CL, and OR20, with residential and vacant land uses. The CDO provides standards for signage, landscaping, and building materials with the intent to provide a consistent and well-designed commercial corridor. The CDO does not regulate land use, and with the exception of variations to signage regulations and landscaping regulations, all other requirements of the base zone districts will apply.

Signage standards for all properties in the CDO will adhere to current signage standards of the Metro Zoning Code for ORI/-NS, ORI-A/-NS, MUG/-NS, MUG-A/-NS, MUI/-NS and MUI-A/-NS regardless of the base zoning district. This would apply only to new signs, and it would not apply to panel changes to existing signs.

The CDO requires that trees be planted along the perimeter of parking lots at a rate of one tree every 30 feet. Current requirements are one tree every 50 feet. This applies to new parking lots and any expansion of an existing parking lot that is expanded by more than ten spaces.

The CDO applies standards for building materials. The CDO requires that the front façades of buildings must be at least 75 percent brick, brick veneer, stone, cast stone, or architecturally treated concrete masonry units. The remaining 25 percent may be any material with the exception of exposed untreated concrete masonry units. The standards for materials apply to new buildings and additions that are more than 50 percent of the existing building area.

Staff finds that the proposed CDO overlay is appropriate in this location. The intent of the CDO is to implement incremental improvements to the aesthetics of Nashville’s commercial districts and corridors. This goal is consistent with all land use polices, including the T4 NC policy. The standards of the CDO, which focus on landscaping, signage, and materials, will help implement the goals of the policy to enhance the corridor with quality, pedestrian-friendly development. Staff is recommending approval of the proposed CDO as it is consistent with the goals of the land use policies.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-275

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024CDO-002-001 is approved. (7-0)

34. 2024TSO-001-001
BL2024-619
BUENA VISTA 2 STORY OVERLAY
Council District: 02 (Kyonz té Toombs)
Staff Reviewer: Dustin Shane

A request to apply a Two Story Overlay District for various properties located east of Tucker Road and southeast of West Hamilton Avenue (80.06 acres), requested by Councilmember Kyonzte Toombs, applicant; various property owners.

Staff Recommendation: Defer to the December 12, 2024, Planning Commission meeting.

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

35. 2022S-220-001
3862 HUTSON AVENUE
Council District: 05 (Sean Parker)
Staff Reviewer: Dustin Shane

A request for concept plan approval to create 15 residential cluster lots on property located at 3862 Hutson Avenue, approximately 777 feet northeast of Ben Allen Road, zoned RS15, (6.32 acres), requested by 615 Design Group, applicant; 3862 Hutson, LLC, owner.

Staff Recommendation: Defer to the December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2022S-220-001 to the December 12, 2024, Planning Commission meeting. (7-0)

36. 2024S-068-001
EATON'S CREEK RESUB LOT 45
Council District: 01 (Joy Kimbrough)
Staff Reviewer: Jason Swaggart

A request for final plat approval to create 29 residential lots on property located at 4269 Ashland City Hwy., approximately 64 feet east of Hydesdale Lane, zoned SP (14.72 acres), requested by JTA, applicant; Green Trails LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Final plat to create 29 residential lots.

Final Plat

A request for final plat approval to create 29 residential lots on property located at 4269 Ashland City Hwy., approximately 64 feet east of Hydesdale Lane, zoned Specific Plan (SP) (14.72 acres).

CASE HISTORY

The subject site is zoned SP (2018SP-057-001). Metro Council approved the preliminary plan in 2020, (BL2020-418) with 100 lots. A final site plan for phase one, which includes 44 residential lots was approved in 2022 (2018SP-057-002). A final plat was recorded for phase one (2023S-044-001). Phase one is currently under construction. The final site plan (2018SP-057-003) for the subject plat was approved earlier this year and includes 29 lots.

SITE DATA AND CONTEXT

Location: The site is located on the south side of Ashland City Highway.

Approximate Acreage: 14.72

PROPOSAL DETAILS

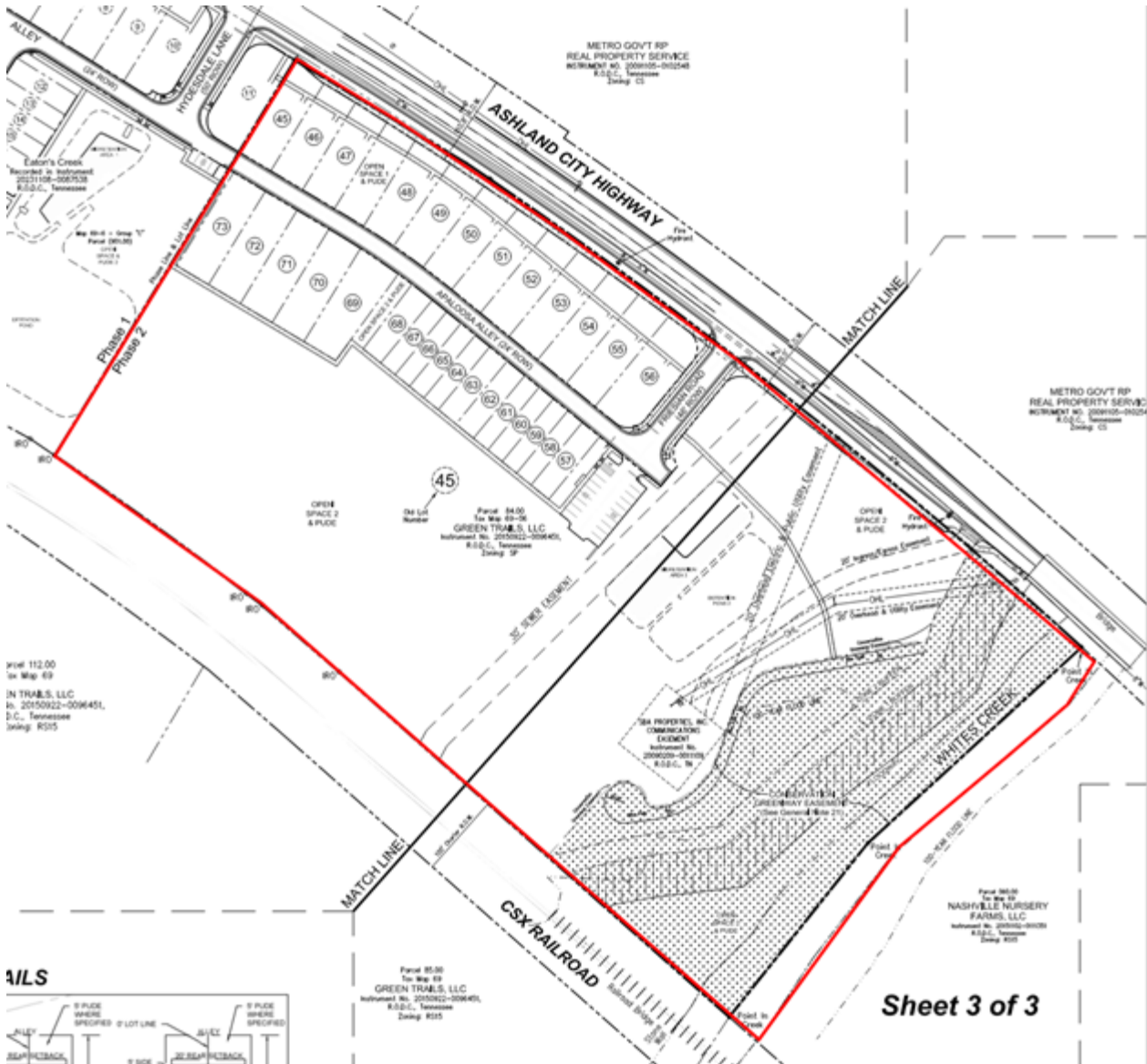
Number of lots: 29

Subdivision Variances or Exceptions Requested: None

UPDATED FINAL PLAT RULES AND PROCEDURES

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

The subject site received preliminary plan approval in 2020, and final site plan approval earlier this year. Approval by the MPC is now required because the plat contains more than 25 lots, requiring consideration by the MPC per amended TCA Sections 13-3-402 and 13-4-302 under Public Chapter 994.



Proposed plat

APPLICABLE SUBDIVISION REGULATIONS

Staff previously determined that this plat is consistent with the Council approved SP plan, the approved final site plan and the Subdivision Regulations.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approval is contingent on construction and completion of MWS Project #'s 23SL0111 and 23WL0050. A bond amount of \$70,000.00 is assigned to 23SL0111, and an amount of \$210,000.00 is assigned to 23WL0050.

METRO GREENWAYS

Approve with conditions

- Greenway trail to be constructed pursuant to approved construction plans (2018SP-057-003) along with the roadway infrastructure for Apaloosa Alley and Friesian Road. No use and occupancy of parcels 45-73 until greenway is inspected and accepted by Greenways.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

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

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-068-001 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 and disapprove without all conditions. (7-0)

Resolution No. RS2024-276

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-068-001 is approved with conditions and disapproved without all conditions. (7-0)

CONDITIONS

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

37. 2024S-130-001
1100 DAVIDSON ROAD
Council District: 23 (Thom Druffel)
Staff Reviewer: Savannah Garland

A request to amend a previously approved plat to reduce setbacks on property located at 1100 Davidson Road, at the corner of Davidson Road and Clematis Drive, zoned RS40 (0.90 acres), requested by Casey & Laura Barnes, applicants and owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for plat amendment to reduce previously platted setbacks.

Plat Amendment

A request to amend a previously approved plat to reduce setbacks on property located at 1100 Davidson Road, at the corner of Davidson Road and Clematis Drive, zoned Single-Family Residential (RS40) (0.90 acres).

SITE DATA AND CONTEXT

Location: The site consists of one lot located at the intersection of Davidson Road and Clematis Drive.

Street Type: The site has frontage on Davidson Road and Clematis Drive, both of which are classified as local streets.

Approximate Acreage: 0.90 acres or approximately 39,330 square feet.

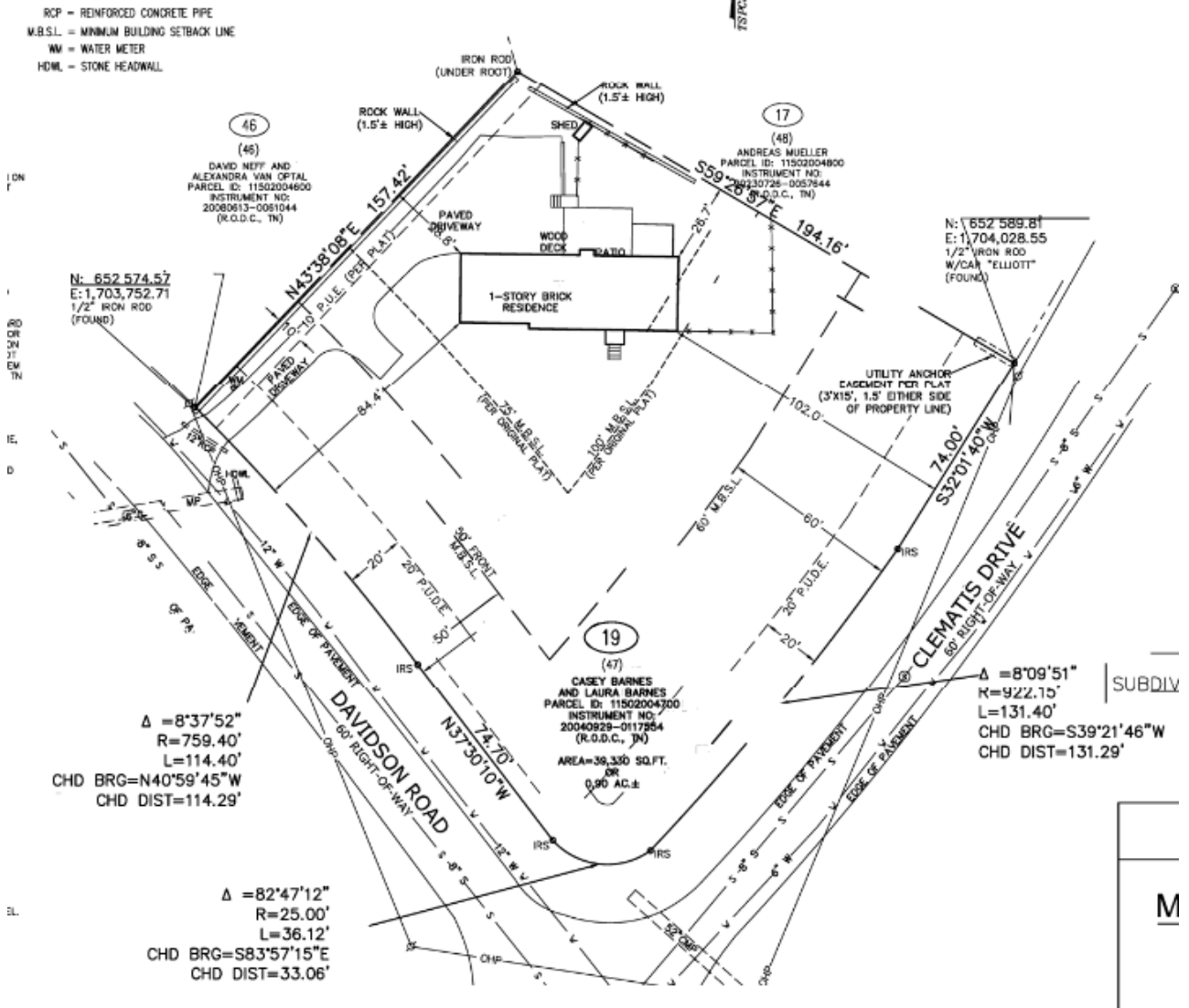
Parcel/Site History: The site consists of part of one existing lot, Lot 19 Section 1 Crest Meade, platted in 1970 (Book 2331, Page 153).

Zoning History: The property has been zoned Single Family Residential (RS40) since 1987. Previously it was zoned One and Two-Family Residential (R40) since 1974.

Existing Land Use: The lot has been developed with a single-family residence.

Surrounding Land Use and Zoning:

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



Proposed Plat Amendment Exhibit

Zoning: Single-Family Residential (RS40)

Min. lot size: 40,000

Max. building coverage: 0.25

Min. rear setback: 20'

Min. side setback: 15'

Max. height: 3 stories

Min. street setback: As plated or contextual per Code, whichever is greater.

PROPOSAL DETAILS

The amendment proposes to reduce the previously platted setbacks. With the original plat, a setback line of 75 feet was shown along Davidson Road and a setback line of 100 feet was shown from Clematis Drive. This amendment would reduce the platted setbacks from 75 feet to 50 feet on Davidson Road and 100 feet to 60 feet on Clematis Drive. The proposed setback on Davidson Road is greater than the 40-foot front setback required by Codes. The proposed setback on Clematis Drive at 60 feet may be less than what Codes would require for a contextual setback. If Codes were to use the standard setback of the Zoning, it would be 40 feet. The determination will be made by Codes at building permit.

PLANNING STAFF COMMENTS

The application for a subdivision plat amendment includes the requirement to provide letters from adjacent property owners indicating their approval of the proposed subdivision amendment. In cases where these letters have not been provided, the applicant may seek approval from the Planning Commission, which is why this applicant is appearing before the Commission. The amendment proposes to reduce the existing setback lines on the plat. Setbacks are typically defined in the bulk standards for each zoning district; however, they can also be identified on the plat when a

subdivision is created. Planning staff finds no issue with the reduction of the platted setback lines as shown on the exhibit. With any future building permits, Metro Codes and other agencies would determine compliance with setbacks and the other Code requirements such as bulk standards, Impervious Surface Ratio (ISR), and any other development standards.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

TRAFFIC AND PARKING RECOMMENDATION

Approve

WATER SERVICES RECOMMENDATION

Approve

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Should this amendment be approved, a corrected copy of the exhibit is to be provided to Planning prior to recording at the Register of Deeds. The exhibit must be recorded by the applicant at the Register of Deeds prior to issuance of building permits.
2. On the corrected copy, update note 1 to refer to a plat amendment – not a plat.
3. On the corrected copy, remove notes 2 through 7 and 11 - 20.
4. On the corrected copy, add the word “proposed” next to the proposed MBSL labels.
5. On the corrected copy, update note 9: Building setbacks per Metro Code or as shown on this exhibit, whichever is greater.
6. This application is for an amendment and does not void and vacate any previous recordings.

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

Resolution No. RS2024-277

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-130-001 is approved with conditions. (7-0)

CONDITIONS

1. Should this amendment be approved, a corrected copy of the exhibit is to be provided to Planning prior to recording at the Register of Deeds. The exhibit must be recorded by the applicant at the Register of Deeds prior to issuance of building permits.
2. On the corrected copy, update note 1 to refer to a plat amendment – not a plat.
3. On the corrected copy, remove notes 2 through 7 and 11 - 20.
4. On the corrected copy, add the word “proposed” next to the proposed MBSL labels.
5. On the corrected copy, update note 9: Building setbacks per Metro Code or as shown on this exhibit, whichever is greater.
6. This application is for an amendment and does not void and vacate any previous recordings.

38. 2024S-139-001
SHULAR CLARKSVILLE HIGHWAY
Council District: 01 (Joy Kimbrough)
Staff Reviewer: Jason Swaggart

A request for concept plan approval to create 82 residential lots utilizing the compact development standards on properties located at Dry Ford Road (unnumbered), Clarksville Pike (unnumbered) and Buena Vista Pike (unnumbered), approximately 575 feet south of Lloyd Road, zoned RS15 (40.21 acres) and located in the Whites Creek at Lloyd Road Urban Design Overlay District, requested by Fulmer Lucas Engineering, applicant; Shular Tennessee Holding Company, LLC, owner.

Staff Recommendation: Defer to the December 12, 2024, Planning Commission meeting.

The Metropolitan Planning Commission deferred 2024S-139-001 to the December 12, 2024, Planning Commission meeting. (7-0)

39. 2024S-160-001
559 WATSONWOOD DRIVE
Council District: 27 (Robert Nash)
Staff Reviewer: Dustin Shane

A request for final plat approval to create two lots on property located at 559 Watsonwood Drive, approximately 270 feet west of Cherrywood Drive, zoned R10 (0.73 acres), requested by Wold Architects and Engineers, applicant; Flooring Guys 2, owner.

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

APPLICANT REQUEST

Request for final plat approval to create two lots.

Final Plat

A request for final plat approval to create two lots on property located at 559 Watsonwood Drive, approximately 270 feet west of Cherrywood Drive, zoned One and Two-Family Residential (R10) (0.73 acres).

SITE DATA AND CONTEXT

Location: The site consists of one parcel located on the southern side of Watsonwood Drive.

Street Type: The site has frontage on Watsonwood Drive which is classified as a local street.

Approximate Acreage: 0.73 acres or approximately 31,693 square feet.

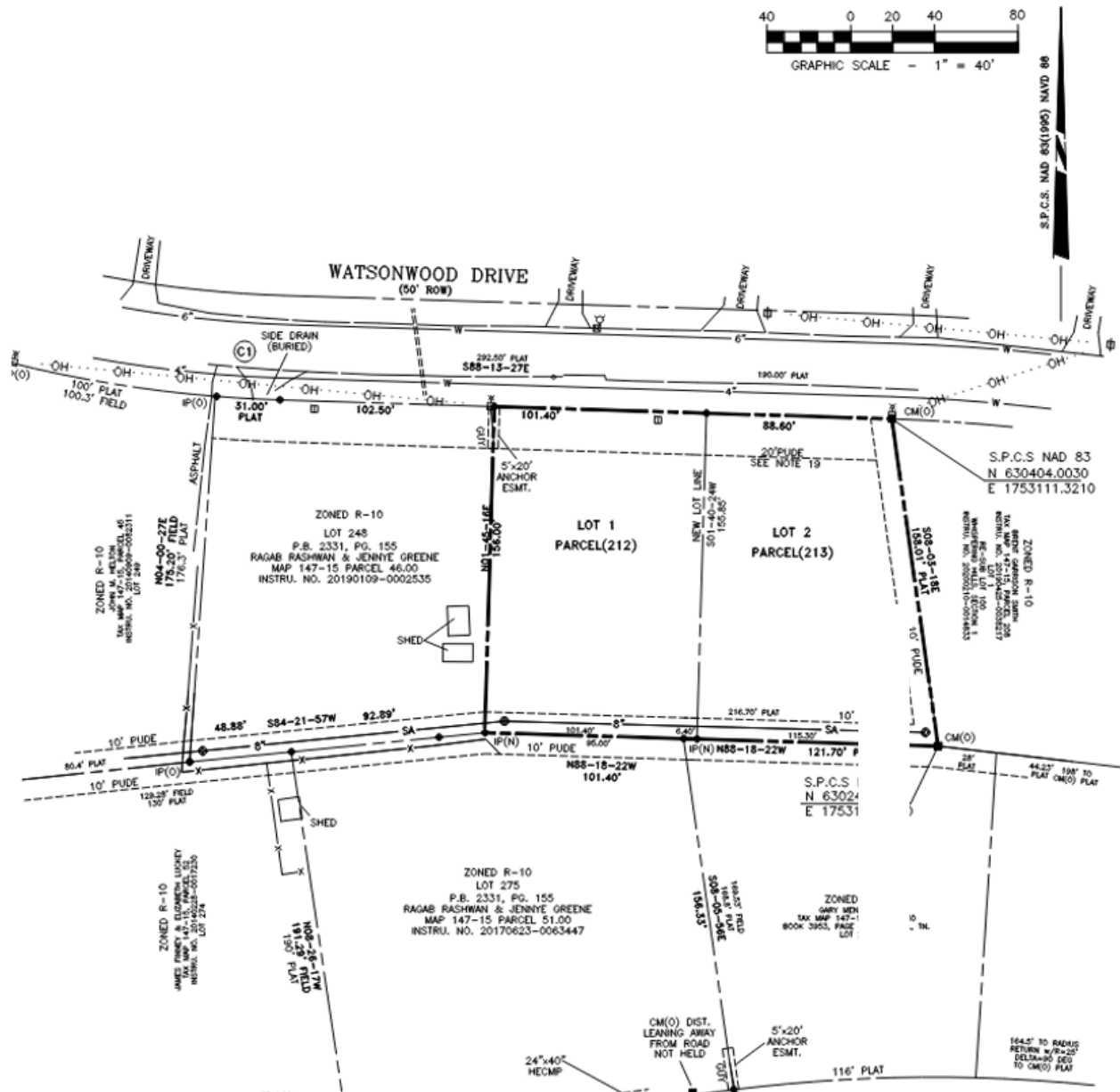
Parcel/Site History: This property was originally platted in 1956 as Lot 247 within the Whispering Hills Section II-B subdivision (Book 2331, Page 155). The subject plat proposes to subdivide this lot into two lots.

Zoning History: The site has been zoned R10 since 1974.

Existing land use and configuration: The property at 559 Watsonwood Drive has one house and an accessory building next to the house.

Surrounding Land Use and Zoning:

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



Proposed Final Plat

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 Codes is approximately 58 feet; platted setback is 70 feet. The greater setback would apply.

PROPOSAL DETAILS

Number of lots: 2

Lot sizes: Proposed Lot 1 is approximately 0.36 acres, or 15,847 square feet and proposed Lot 2 is approximately 0.36 acres or 15,846 square feet.

Access: Both of the proposed lots take access from Watsonwood Drive.

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

APPLICABLE SUBDIVISION REGULATIONS

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

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

3-1 General Requirements

The proposal meets the requirements of 3-1.

3-2 Monument Requirements

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

3-3 Suitability of the Land

There are no known sensitive or environmental features on the site.

3-4 Lot Requirements

The proposed lots comply with the minimum standards of the Zoning Code. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of R10 zoning at the time of building permit. All proposed lots are greater than 10,000 square feet in size and have frontage on a public street, Watsonwood Drive.

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.

d. All minimum standards of the zoning code are met.

Both lots exceed the minimum square footage requirement of the zoning district. Lot 1 is 15,847 square feet and Lot 2 is 15,846 square feet.

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

Both lots have frontage on a public street, Watsonwood Drive.

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

The T3 NM policy that applies to this site does not specifically identify an appropriate density; however, the policy supports the underlying R10 zoning district and its prescribed density.

g. The proposed lots are consistent with the community character of the surrounding parcels as determined below:

- 1. Lot frontage is either equal to or greater than 70% of the average frontage of surrounding parcels or equal to or greater than the surrounding lot with the least amount of frontage, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used.*

Proposed Lot 1 meets the minimum frontage requirement of 88.6 feet with a proposed frontage of 101.4 feet. Proposed Lot 2 meets the minimum frontage requirement of 88.6 feet with a proposed frontage of 88.6 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 the smallest surrounding lot, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used.*

The two lots to the east and five lots to the west were used to measure compatibility. Proposed Lot 1 is 15,847 square feet and does not meet the minimum lot area requirement of 0.42 acres or 18,295 square feet. The proposed Lot 2's size, 15,846 square feet, does not meet the compatibility requirements of the required minimum lot area of 0.42 acres or 18,295 square feet.

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

New structures will be required to meet the contextual setback standards per the Metro Zoning Code or the platted setback, whichever is greater. The approximate contextual setback per Codes is 58 feet. The platted setback is 70 feet. The greater setback would apply.

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

Both proposed lots are oriented toward Watsonwood Drive, consistent with the existing development pattern.

- h. *The current standards of all reviewing agencies are met.*

All agencies have recommended approval or approval with conditions.

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

Section 3-5.2.f. above states that if the compatibility requirements are not met, the Planning Commission may grant an exception by considering other factors including the development pattern of the area. This request requires an exception from 3-5.2.d.2 pertaining to lot area for the proposed Lots 1 and 2. The following section discusses the exception for lot area.

VariANCES/EXCEPTIONS ANALYSIS

In looking at the development pattern of the area, the subject parcel is located near an intersection and across the street from several lots with smaller (0.34-acre) or similar (0.36-acre) lot sizes. The proposed division of the existing lot into two lots results in a form compatible with lots along both sides of the street with regard to frontage and orientation. The lack of approximately 3,000 square feet of lot area to meet compatibility will not be noticeable within the overall context of the street as it currently exists or within the surrounding neighborhood, which features a wider variety of lot sizes.

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

Not applicable to this case.

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

Not applicable to this case.

3-5.5 Infill Subdivision Frontage

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

Not applicable to this case.

3-5.6 Reasonable Conditions

Not applicable to this case.

3-6 Blocks

Not applicable. No new blocks are being created.

3-7 Improvements

No public infrastructure or improvements are required with this subdivision. Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

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

For subdivisions, sidewalks are not required along existing streets. Per a recent court case, the section of the Zoning Code that requires sidewalks along existing streets has been voided.

3-9 Requirements for Streets

Not applicable. No new streets are proposed.

3-10 Requirements for Dedication, Reservations, or Improvements

Sufficient right-of-way exists along Watsonwood Drive (a local street) such that no dedications of property are warranted.

3-11 Inspections During Construction

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

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

Not applicable. No new streets are proposed.

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

Not applicable. No private streets are proposed.

3-14 Drainage and Storm Sewers

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

3-15 Public Water Facilities

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

3-16 Sewerage Facilities

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

3-17 Underground Utilities

There are no new utilities proposed.

PLANNING STAFF COMMENTS

With the exception for minimum lot area, the proposed lots meet the standards of the Metro Subdivision Regulations and Metro Zoning Code. The plat proposes two lots be created out of one larger 0.73-acre or 31,693-square foot lot. Staff recommends approval with conditions based on a finding that the proposal can provide for harmonious development.

POLICY CONSIDERATIONS

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

NashvilleNext includes a Community Character Manual (CCM) which established character areas for each property within Metro Nashville. The community character policy applied to this property is T3 Suburban Neighborhood Maintenance. The intent of T3 NM policy is to maintain the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low- to moderate-density residential development and institutional land uses. The proposed subdivision maintains the residential land use, meets the minimum standards of the zoning district, and has frontage along an existing local street.

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

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

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

- Attached is a copy of the above-referenced subdivision (uploaded by planning on September 23, 2024) on which we recommend approval. W&S Capacity Fees must be paid before issuance of building permits for new lots.

STAFF RECOMMENDATION

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

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.
3. On the corrected copy, show the platted 70-foot setback on the face of the lots.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-160-001 with conditions including an exception to 3-5.2.d.2 for lot area based upon finding that the subdivision complies with the applicable standards of the Metro Subdivision Regulations, Metro Zoning Code, and other applicable laws, ordinances and resolutions as noted in the staff report, subject to all of the staff recommended conditions.

Approve with conditions, including an exception Section 3-5-2. (7-0)

Resolution No. RS2024-278

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-160-001 is approved with conditions, including an exception Section 3-5-2. (7-0)

CONDITIONS

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.
3. On the corrected copy, show the platted 70-foot setback on the face of the lots.

40. 2024S-161-001
229 & 233 SHUTE LANE
Council District: 11 (Jeff Eslick)
Staff Reviewer: Laszlo Marton

A request for final plat approval to create two lots on properties located at 229 and 233 Shute Lane, approximately 354 feet south of Mont Chanin Road, zoned RS30 (1.82 acres), requested by WT Smith Survey, applicant; Tim Watkins Revocable Trust, owner.

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

APPLICANT REQUEST

Request for final plat approval to create two lots.

Final Plat

A request for final plat approval to create two lots on properties located at 229 and 233 Shute Lane, approximately 354 feet south of Mont Chanin Road, zoned Single-Family Residential (RS30) (1.81 acres).

SITE DATA AND CONTEXT

Location: The site consists of two properties located along the north side of Shute Lane.

Street Type: The site has frontage on Shute Lane. The Major and Collector Street Plan (MCSP) classifies this portion of Shute Lane as an Arterial Boulevard.

Approximate Acreage: 1.82 acres or approximately 79,292 square feet.

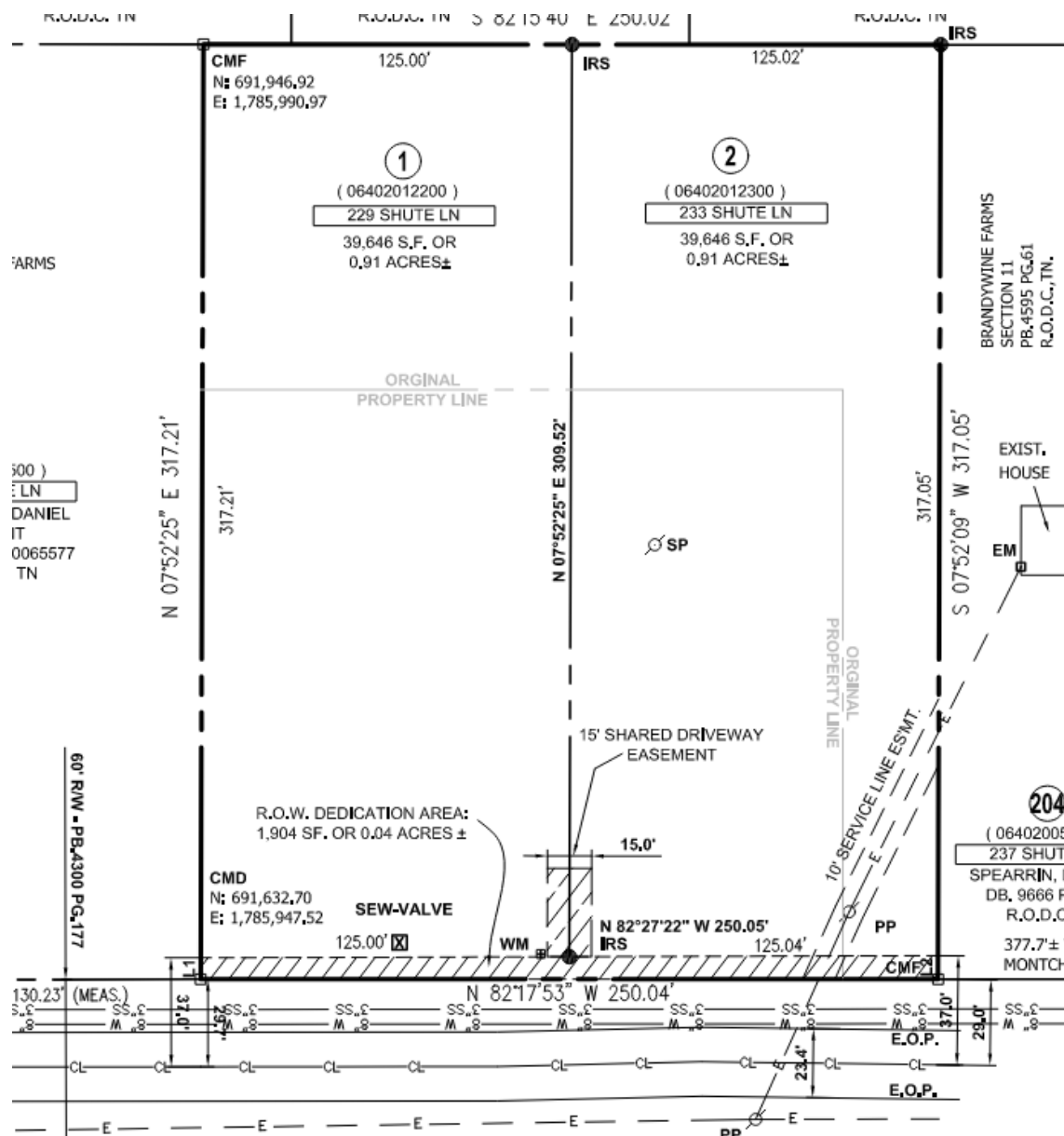
Parcel/Site History: The site consists of two properties. The property at 229 Shute Lane was created by deed in 1941 and the property located at 233 Shute Lane was created by deed in 1964.

Zoning History: Both properties have been zoned Single Family Residential (RS30) since 1998. The Residential Accessory Structure Overlay District was applied to both properties in 2020.

Existing Land Use: The property at 229 Shute Lane currently contains a single-family land use.

Surrounding Land Use and Zoning:

- North: Single Family Residential/RS30
- South: Vacant Residential Land/R20
- East: Single Family Residential/RS30
- West: Single Family Residential/RS30



Proposed Final Plat

Zoning: Single Family Residential (RS30)
Min. lot size: 30,000 square feet
Max. building coverage: 0.30
Min. rear setback: 20'
Min. side setback: 15'
Max. height: 3 stories
Min. street setback: Contextual or 40' along an arterial, per Zoning Code

PROPOSAL DETAILS

Number of lots: 2

Lot sizes: Proposed Lots 1 and 2 have lot sizes of 39,646 square feet.

Access: Both lots are proposed to draw access from Shute Lane through a shared driveway easement that borders the two lots along their frontage. Shared access is required per Section 3-4.4 of the subdivision regulations as the properties are located along an arterial road.

Subdivision Variances or Exceptions Requested: An exception is required for the compatibility criteria for Lots 1 and 2 as the lots do not meet the requirement for minimum lot frontage.

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. Both lots exceed the minimum lot size of the RS30 zoning district. Any development proposed on the resulting lots will be required to meet the bulk standards and all other applicable regulations of RS30 zoning at the time of building permit. A shared access easement is proposed at the front of Lots 1 and 2 that will provide access to both 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 RS30 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* Lots 1 and 2 have frontage onto Shute Lane. The proposed Lot 1 has frontage of 125 feet while the proposed Lot 2 has frontage of 125.04 feet. The required frontage per compatibility standards for surrounding parcels along Shute Lane is 130 feet. Per Section 3-5.2, in cases where lots do not meet the required minimum lot size, the Planning Commission may grant an exception to the compatibility requirement by considering a larger area to evaluate general compatibility. More information is provided in the Variance/Exceptions Analysis section below.
 - 2. *Lot size is either equal to or greater than 70% of the lot size of the average size of surrounding parcels or equal to or larger than smallest surrounding lot, whichever is greater. For a corner lot, only the block face to which the proposed lots are to be oriented shall be used; and*
The required lot size per compatibility standards for surrounding parcels is 38,362 square feet or 0.88 acres. Both Lots 1 and 2 have a proposed area of 39,646 square feet or 0.91 acres, therefore the lot sizes comply with surrounding parcels along Shute Lane.
 - 3. *Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback. When one of the abutting parcels is vacant, the next developed parcel shall be used. For a corner lot, both block faces shall be used; and*
New homes will be required to meet the contextual setback or the 40 foot setback required for arterial streets, per the Metro Zoning Code.
 - 4. *Orientation of proposed lots shall be consistent with the surrounding parcels. For a corner lot, both block faces shall be evaluated.*
Proposed Lots 1 and 2 are oriented to Shute Lane which is in keeping with the lot orientation for surrounding parcels.
- 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).*
Lots 1 and 2 do not meet the compatibility requirement for minimum lot frontage. The Planning Commission may grant an exception to the compatibility criteria by considering a larger area to evaluate general compatibility. The following section discusses the exception for lot frontage.

Variations/Exceptions Analysis

This request requires exceptions from Section 3-5.2 pertaining to lot frontage.

Lot Frontage

When evaluating a larger area to analyze lot frontage, staff considered the parcels along adjacent blocks in the Brandywine Farms subdivision. The larger area contains a pattern of lots that have shorter frontages which range between 100 and 125 feet. East of the subject properties, the Rolling Mill Road block, between Montchanin Terrace and Willow Bough Lane, includes several consecutive lots with frontage widths of 125 feet which is an equal dimension to the frontage of proposed Lots 1 and 2. Two blocks to the north of the subject site, along Barley Mill Road, lot frontages range from 102 feet to 198 feet and several lots have frontages of 113 feet, 102 feet, and 124 feet in width.

While the parcels that were used for compatibility along Shute Lane required a slightly wider frontage, 130 feet, the analysis of surrounding parcels indicate that the proposed Lots 1 and 2 have comparable frontages to other parcels in the larger Brandywine Farms Subdivision.

Staff finds that the proposed lot layout has appropriate lot frontage to provide for harmonious development. Given this information, staff finds the proposed Lots 1 and 2 to be consistent with the larger area and that an exception to compatibility requirements would be appropriate.

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

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

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

3-5.6 Reasonable Conditions
Not applicable to this case.

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

3-7 Improvements
No public infrastructure or improvements are required with this subdivision. Construction plans for any required private improvements (private stormwater, water and sewer lines and connections) will be reviewed at the time of building permit.

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

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
Shute Lane is classified by the MCSP as an arterial boulevard. The plat proposes to dedicate approximately eight feet of right-of-way for a total half right-of-way width of 37 feet.

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

- 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 22, 2024) on which we recommend approval. W&S Capacity Fees must be paid before issuance of building permits for new lots.

STAFF RECOMMENDATION

Staff recommends approval with conditions, including an exception to Section 3-5.2 for lot frontage.

CONDITIONS

1. On the corrected copy, revise the dimension of the shared access easement on the face of the plat to 16' wide to be consistent with Note #16.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-161-001 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.

Mr. Marton presented the staff recommendation to approve with conditions, including an exception to Section 3-5-2.

Tim Watkins, Old Hickory area, spoke in favor of the application.

Sarah Saltz, Old Hickory, spoke in opposition to the application.

Chair Adkins closed the Public Hearing.

Mr. Smith thought this is a standard request with the one variance and said with staff finding this fits in with the neighborhood.

Vice Chair Farr asked how the shared drive factors in.

Mr. Marton answered with new subdivisions that are on collector arterials, it is part of subdivision regulations to explore shared access for any lots that are created on those higher classification roads, to consolidate driveway access along them to reduce conflict points.

Mr. Clifton asked Mr. Marton if he sees it as a positive.

Mr. Marton stated to consolidate a drive on a higher classification roadway, it is safer for vehicles that are traveling at high speeds and makes it easier for the driver. He added that it is consolidating access in the front, but driveways can split off into their own domain.

Mr. Smith moved, and Ms. Allen seconded the motion to approve with conditions, including an exception Section 3-5-2. (7-0)

Resolution No. RS2024-279

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-161-001 is approved with conditions, including an exception Section 3-5-2. (7-0)

CONDITIONS

1. On the corrected copy, revise the dimension of the shared access easement on the face of the plat to 16' wide to be consistent with Note #16.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

41. 2024S-162-001
2823 TWIN LAWN DRIVE
Council District: 15 (Jeff Gregg)
Staff Reviewer: Celina Konigstein

A request to amend a previously approved plat to modify the setbacks on property located at 2823 Twin Lawn Drive, at the southwest corner of Kent Road and Twin Lawn Drive, zoned RS10 (0.27 acres), requested by Chadwell & Morgan Mitchell, applicants and owners.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Request for plat amendment to modify previously platted setbacks.

Plat Amendment

A request to amend a previously approved plat to modify the setbacks on property located at 2823 Twin Lawn Drive, at the southwest corner of Kent Road and Twin Lawn Drive, zoned Single-Family Residential (RS10) (0.27 acres).

SITE DATA AND CONTEXT

Location: The site consists of one lot located at the corner of Twin Lawn Drive and Kent Road.

Street Type: The site has frontage on Twin Lawn Drive and Kent Road, both are local streets.

Approximate Acreage: 0.27 acres or approximately 11,649 square feet.

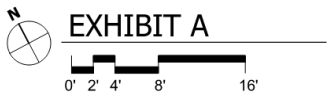
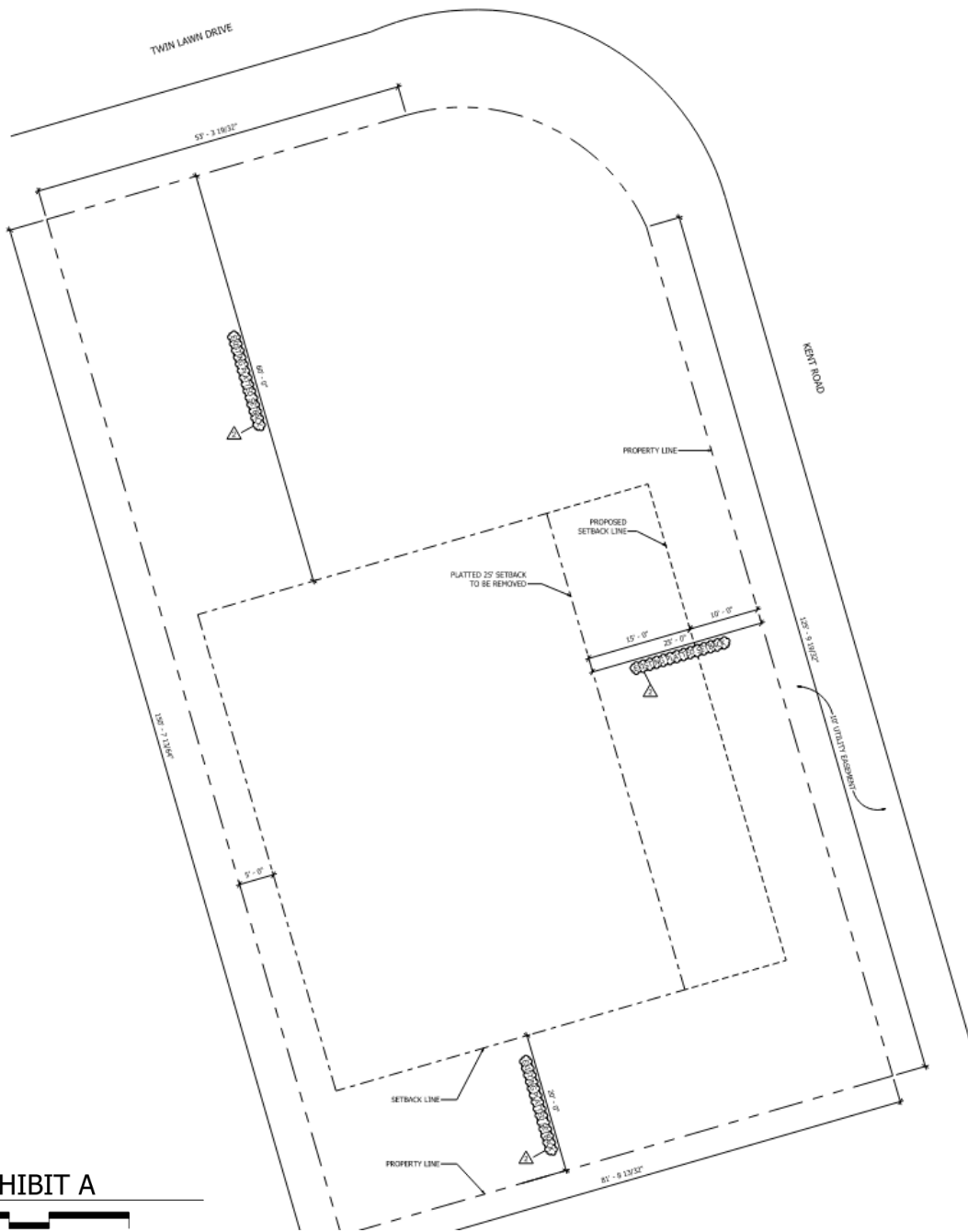
Parcel/Site History: This site consists of one lot, identified as Lot 151 on the Twin Lawn Subdivision (Book 2331, Page 9), platted in 1955.

Zoning History: The property has been zoned RS10 since 1991.

Existing Land Use: The subject property has been developed with one residential unit.

Surrounding Land Use and Zoning:

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



Proposed Plat Amendment Exhibit

Zoning: Single-Family Residential (RS10)

- Min. lot size: 10,000 sq. ft.
- Max. building coverage: 0.40
- Min. rear setback: 20'
- Min. side setback: 5'
- Min. street setback: Per plat along Kent Road and Twin Lawn Drive
- Max. height: 3 stories

PROPOSAL DETAILS

The amendment proposes to modify the previously platted setbacks. With the original plat, setbacks were shown at 60 feet on the northern property line along Twin Lawn Drive, 25 feet on the eastern property line along Kent Road, and 20 feet to the south. This amendment would reduce the eastern platted setback from 25 feet to 10 feet. The proposed 10-foot setback is the setback that would be required by Codes per Section 17.12.030.C.2, which permits a 50% reduction from the 20-foot standard street setback. All other platted setbacks are to remain.

PLANNING STAFF COMMENTS

The application for a subdivision plat amendment includes the requirement to provide letters from adjacent property owners indicating their approval of the proposed subdivision amendment. In cases where these letters have not been provided, the applicant may seek approval from the Planning Commission, which is why this applicant is appearing before the Commission. The amendment proposes to reduce the existing setback lines on the plat. Setbacks are typically defined in the bulk standards for each zoning district; however, they can also be identified on the plat when a subdivision is created. Planning staff finds no issue with the reduction of the platted setback lines as shown on the exhibit. With any future building permits, Metro Codes and other agencies would determine compliance with the setbacks and other Code requirements such as bulk standards, Impervious Surface Ratio (ISR), and any other development standards.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT RECOMMENDATION

Approve

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.

CONDITIONS

1. Should this amendment be approved, a corrected copy of the exhibit is to be provided to Planning prior to recording at the Register of Deeds. The exhibit must be recorded by the applicant at the Register of Deeds prior to issuance of building permits.
2. On the corrected copy, revise the purpose note to state the following "The purpose of this plat amendment is to reduce the previously platted setback from 25' to 10' along Kent Road."
3. On the corrected copy, remove the 5' side setback.

Approve with conditions. (7-0)

Resolution No. RS2024-280

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-162-001 is approved with conditions. (7-0)
CONDITIONS

1. Should this amendment be approved, a corrected copy of the exhibit is to be provided to Planning prior to recording at the Register of Deeds. The exhibit must be recorded by the applicant at the Register of Deeds prior to issuance of building permits.
2. On the corrected copy, revise the purpose note to state the following "The purpose of this plat amendment is to reduce the previously platted setback from 25' to 10' along Kent Road."
3. On the corrected copy, remove the 5' side setback.

42. 2024S-165-001

PENNINGTON MILLS

Council District: 15 (Jeff Gregg)

Staff Reviewer: Dustin Shane

A request for final plat approval to create 42 lots and open space on property located at Pennington Bend Road (unnumbered), at the southern corner of Lock Two Road and Pennington Bend Road, zoned SP (12.41 acres), requested by Wilson & Associates, P.C., applicant; M/I Homes of Nashville, LLC, owner.

Staff Recommendation: Approve with conditions.

APPLICANT REQUEST

Final plat to create 42 lots.

Final Plat

A request for final plat approval to create 42 lots and open space on property located at Pennington Bend Road (unnumbered), at the southern corner of Lock Two Road and Pennington Bend Road, zoned Specific Plan (SP) (12.41 acres).

CASE HISTORY

On August 25, 2022, the Metro Planning Commission recommended approval of a preliminary SP (Case No. 2022SP-047-001) that was subsequently approved by Metro Council on November 15, 2022. The preliminary SP was approved for 42 single-family lots. Various off-site improvements were conditions of approval by NDOT and were shown on the approved final site plan (Case No. 2022SP-047-002), approved May 17, 2024. This plat includes all 42 single-family lots, two open space parcels, conservation greenway and pedestrian access easements, and two new public roads.

SITE DATA AND CONTEXT

Location: The site is located south of Lock Two Road, on the southwestern side of Pennington Bend Road.

Approximate Acreage: 12.41

PROPOSAL DETAILS

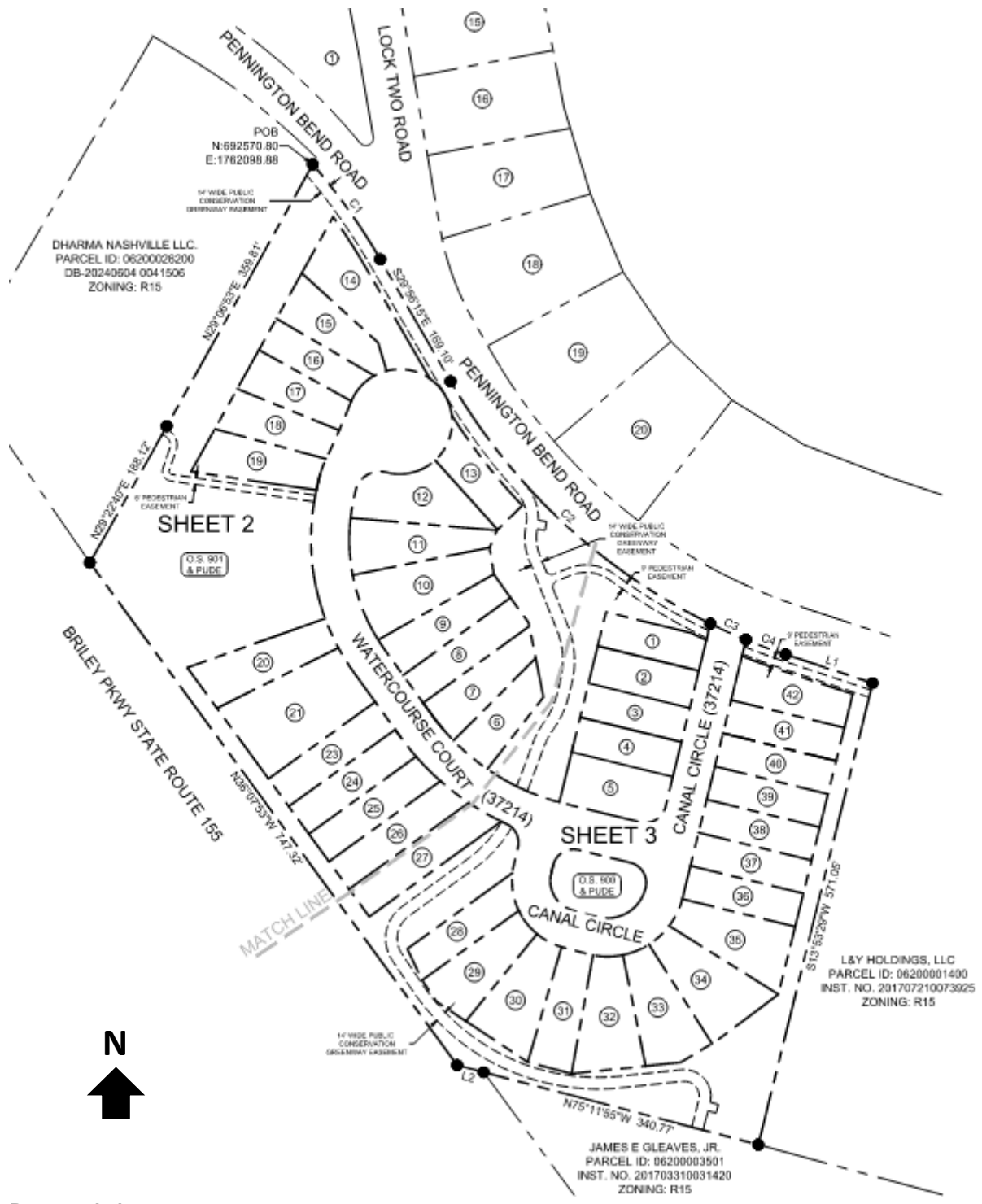
Number of lots: 42

Subdivision Variances or Exceptions Requested: None.

UPDATED FINAL PLAT RULES AND PROCEDURES

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

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



Proposed plat

APPLICABLE SUBDIVISION REGULATIONS

Staff determined that this plat is consistent with the approved preliminary SP plan, the approved final site plan, and the Subdivision Regulations.

COMMENTS FROM OTHER REVIEWING AGENCIES

FIRE MARSHAL RECOMMENDATION

Approve

PARKS AND GREENWAYS RECOMMENDATION

Approve with conditions

- Conditions of 2022SP-047-002 apply.

HISTORIC ZONING RECOMMENDATION

Approve

STORMWATER RECOMMENDATION

Approve

NASHVILLE DOT ROADS RECOMMENDATION

Approve

NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION

Approve

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

WATER SERVICES RECOMMENDATION

Approve with conditions

- Attached is a copy of the above-referenced subdivision (uploaded by Planning on October 1, 2024) on which we have noted our comments and recommend approval. Approval is contingent on construction and completion of MWS Project #'s 22SL0298 and 22WL0147. A bond amount of \$380,000.00 is assigned to 22SL0298, and an amount of \$200,000.00 is assigned to 22WL0147.

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. All public infrastructure shall be constructed and accepted by Metro or infrastructure shall be bonded according to Metro standards.
2. On the corrected plat, add the NES-required 20-foot PUDE along Pennington Bend Road.
3. On the corrected plat, fill in the blank portions of the surveyor's certificate.
4. On the corrected plat, change the Commission Approval certificate to read, "Nashville and Davidson County."
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

RECOMMENDED ACTION

Motion to approve proposed subdivision Case No. 2024S-165-001 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. (6-0-1)

Resolution No. RS2024-281

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024S-165-001 is approved with conditions. (6-0-1)

CONDITIONS

1. All public infrastructure shall be constructed and accepted by Metro or infrastructure shall be bonded according to Metro standards.
2. On the corrected plat, add the NES-required 20-foot PUDE along Pennington Bend Road.
3. On the corrected plat, fill in the blank portions of the surveyor's certificate.

4. On the corrected plat, change the Commission Approval certificate to read, "Nashville and Davidson County."
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. Pursuant to 2-4.7 of the Metro Subdivision Regulations, the approval shall expire if the plat is not recorded with the Register of Deeds within one year of the Planning Commission's approval.

43. 2024Z-101PR-001

Council District: 21 (Brandon Taylor)

Staff Reviewer: Matt Schenk

A request to rezone from RS5 to R6-A zoning for property located at 1741 24th Ave N, at the northwest corner of 24th Ave N and Santi Ave (0.16 acres) and located within a Detached Accessory Dwelling Unit Overlay District, requested by Michael McGinniss, applicant and owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential-Alternative (R6-A) zoning for property located at 1741 24th Avenue North, at the northwest corner of 24th Avenue North and Santi Avenue and within the Detached Accessory Dwelling Unit (DADU) Overlay District (0.16 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.*

Detached Accessory Dwelling Unit (DADU) Overlay permits a detached, self-sufficient dwelling unit accessory to a principal structure. The overlay permits 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.

Proposed Zoning

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

NORTH NASHVILLE PLAN

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

ANALYSIS

The application consists of one, approximately 0.16-acre parcel, located at 1741 24th Avenue North, at the northwest corner of 24th Avenue North and Santi Avenue. The parcel has been zoned Single Family Residential (RS5) since 1998 and contains a single-story single-family residential use. The surrounding parcels are zoned Single-Family Residential (RS5) and are also within the DADU Overlay. Land uses of the surrounding parcels include single-family residential and vacant uses, with two-family residential uses in the surrounding area. The subject parcel has frontage along 24th Avenue North and Santi Avenue, which are classified as local streets, and unimproved Alley #868.

The site is located within an Urban Neighborhood Maintenance (T4 NM) policy area, which intends to maintain the general character of the existing urban residential neighborhood. The T4 NM policy supports moderate- to high-density residential development. The parcel's location on the corner of two local streets and nearby two-family residential uses indicate that additional density may be appropriate at this location. The proposed Alternative (-A) district standards would ensure that future development on the site has an urban form, consistent with the policy guidance. Additionally, the parcel is located within a Detached Accessory Dwelling Unit (DADU) Overlay, which under certain conditions would allow for a second unit on the parcel; however, this site would not meet the requirements for

a DADU due to the parcel's size and location on an unimproved alley. Due to these factors, the proposed R6-A district provides a modest increase in density and is consistent with the general character of the surrounding urban residential neighborhood, aligning with the goals of the T4 NM policy.

FIRE RECOMMENDATION
Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.16	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)	0.16	13.51 F	2 U	28	7	2

*Based on two-family lots

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

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

METRO SCHOOL BOARD REPORT

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

The proposed R6-A zoning is not expected to generate any additional students beyond the existing RS5 zoning. Students would attend Robert Churchwell Elementary School, John Early Middle School, and Pearl-Cohn High School. Robert Churchwell Elementary School is identified as under capacity, while John Early Middle School and Pearl-Cohn High School are identified as exceedingly under capacity. This information is based on the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION
 Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-282

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-101PR-001 is approved. (7-0)

44. 2024Z-113PR-001

Council District: 01 (Joy Kimbrough)
 Staff Reviewer: Dustin Shane

A request to rezone from RS10 to R10 zoning for properties located at 1725 South Hamilton Road and 3195 and 3199 Doak Avenue, at the northwest corner of Doak Avenue and South Hamilton Road (0.95 acres), requested by THSBS Properties, applicant; Daniel J Snyder, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS10 to R10.

Zone Change

A request to rezone from Single-Family Residential (RS10) to One and Two-Family Residential (R10) zoning for properties located at 1725 South Hamilton Road and 3195 and 3199 Doak Avenue, at the northwest corner of Doak Avenue and South Hamilton Road (0.95 acres).

Existing Zoning

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

Proposed Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *Based on acreage only, R10 could permit a maximum of four lots with one duplex lot for a total of five units. Duplex eligibility to be confirmed by Metro Codes.*

BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN

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

ANALYSIS

The application consists of three parcels (Map 080-04, Parcel 076, 117, and 118) totaling 0.95 acres and located at the western corner of the intersection of South Hamilton Road and Doak Avenue. The lots contain one single-family home. Surrounding uses include single-family homes and a few duplexes, variously zoned RS10 and R10.

The application proposes to rezone the properties from RS10 to R10. The requested R10 zoning is supported by the T3 NE policy. The proposed zoning allows for one- or two-family residential uses, which would increase housing choice in the area. Several surrounding parcels have recently been rezoned R10 to support two-family uses. The lots in this application were recently platted, occupy a corner, and are at the intersection of two roads. Pending a duplex eligibility determination from Metro Codes, the proposed R10 zoning district could incorporate additional intensity into the neighborhood in a manner that does not disrupt its one- and two-family suburban character. This would represent a modest increase in intensity, consistent with the surrounding context and goals of the policy. For these reasons, staff recommends approval of the rezoning.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.95	4.35 F	4 U	54	8	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.95	5.67 F	5 U	66	8	6

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 1	+12	+0	+1

METRO SCHOOL BOARD REPORT

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

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

The proposed R10 zoning is expected to generate one more student than the existing RS10 zoning district. Any additional students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. Cumberland Elementary School and Haynes Middle School are identified as being at capacity while Whites Creek High School is 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. RS2024-283

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-113PR-001 is approved. (7-0)

45. 2024Z-124PR-001

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

A request to rezone from RS5 to R6-A zoning for property located at 109 Jay Street, approximately 343 feet east of Foster Avenue (0.17 acres), requested by Frank Miles, applicant; Frank & Jennifer Miles, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from RS5 to R6-A.

Zone Change

A request to rezone from Single-Family Residential (RS5) to One and Two-Family Residential – Alternative (R6-A) zoning for property located at 109 Jay Street, approximately 343 feet east 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. *Based on acreage alone, RS5 would permit a maximum of one single family lot.*

Proposed Zoning

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

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 parcel (Map 119-05, Parcel 226) totaling 0.17 acres, located along the south side of Jay Street. The property has been zoned Single Family Residential (RS5) since 2004 and contains a single-story single-family residence. The surrounding properties are primarily zoned RS5 and some properties nearby were rezoned to R6-A in the last few years. The surrounding land uses are primarily single-family with some two-family land uses in the area. The subject parcel has frontage along Jay Street, which is a local street, located east of Foster Avenue which is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP). The parcel also has vehicular access via an improved alley at the rear of the property.

The property is located within the T4 Urban Neighborhood Maintenance (T4 NM) policy area which intends to maintain the general character of existing urban residential neighborhoods. The T4 NM policy supports moderate to high density residential development. Based on acreage alone, the proposed R6-A zoning could allow up to one duplex lot for a total of two units. The site is located near an Arterial Boulevard, where additional intensity may be appropriate, and is accessed via an improved alley at the rear, which assists in being able to accommodate a slight increase in density. Property in the R6-A district should have access to arterial streets with preference given to locations with mass transit service. The site is within a half mile radius of two WeGo transit stops located along Nolensville Pike. 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 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. As the proposed R6-A district increases density modestly and aligns with the goals of 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)	0.17	8.71 F	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.17	7.26 F	2 U	28	7	2

*Based on two-family lots

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

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

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 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 and Glenclyff High School are identified as at over capacity while Cameron College Prep 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.

Ms. Kempf joined the meeting.

Mr. Commey presented the staff recommendation to approve.

Frank Miles, applicant, Nashville, spoke in favor of the application.

Patricia, no last name given, stated she lives in the district. She spoke in opposition to the application.

Twana Chick, Cane Ridge, spoke in opposition to the application.

Chair Adkins closed the Public Hearing.

Mr. Marshall felt this is a straightforward request and did not see anything major that would give him pause for concern. He said if it meets all the requirements and guidelines, he is in support of an approval.

Mr. Clifton stated this area feels like an R district, as it is close to a major thoroughfare and has fairly small lots and contributes in that way to the mix needed in the city. He said he is inclined to support staff recommendation.

Ms. Blackshear asked how many community meetings took place and what notifications were given.

Ms. Milligan responded she did not know if there was a community meeting, as a community meeting is not required with a rezoning application. She said the Councilmember could hold a community meeting between now and this going to Council. Ms. Milligan explained notices are mailed to all owners, sign notices are posted on the property, and it is noticed on the agenda, which is posted online.

Ms. Blackshear said that no matter what happens at this meeting, there is still ability to have a community meeting to talk through some of the issues before it goes to Council.

Ms. Dorlester said she is responding to Mr. Clifton’s earlier question. She advised this property was zoned R6 from 1974 until 2004.

Vice Chair Farr expressed concern about the whole street being rezoned over the next ten years, which would change the character of an established older neighborhood. She asked, from a design perspective, as there is no change in the setback requirements.

Ms. Milligan explained front setbacks would be consistent. Setbacks for all residential districts are called contextual setbacks, which is based on the buildings that are existing there. Anything new that is built would be built at a consistent setback. She further explained where there is currently a driveway, if redeveloped, there would be no driveway, that would be removed, and all access would be required from the alley.

Ms. Kempf advised this was R zoning for many years and went through a downzoning to a district that is single family.

Vice Chair Farr said she has concerns about a neighborhood that has a lot of elderly renters and homeowners being displaced.

Mr. Smith asked if only 25% of the lots would be duplex eligible if this was blanket zoned R6.

Ms. Milligan stated for all of the properties zoned R, you are only eligible for a two-family unit under certain conditions and explained those conditions.

Vice Chair moved, and Mr. Smith seconded the motion to approve with the request the Councilmember is encouraged to host a community meeting. (7-0)

Resolution No. RS2024-284

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-124PR-001 is approved. (7-0)

46. 2024Z-125PR-001

Council District: 02 (Kyonzté Toombs)
Staff Reviewer: Madalyn Welch

A request to rezone from R6 to RM20-A-NS zoning for properties located at W. Trinity Lane (unnumbered) and Lincoln Street (unnumbered), at the northeast corner of Brownlo Street and W. Trinity Lane (0.6 acres), requested by Swain Property Solutions LLC., applicant and owners.

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

The Metropolitan Planning Commission deferred 2024Z-125PR-001 to the January 9, 2025, Planning Commission meeting. (7-0)

47. 2024Z-128PR-001

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

A request to rezone from R8 to IWD zoning for properties located at 2902 and 2906 Brick Church Pike, approximately 630 feet south of Brick Church Park Drive (7.45 acres), requested by Thomas and Hutton, applicant; Holman Canon Milhous, II, Living Trust, owner.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from R8 to IWD.

Zone Change

A request to rezone from One and Two-Family (R8) to Industrial Warehousing/Distribution (IWD) zoning for properties located at 2902 and 2906 Brick Church Pike, approximately 630 feet south of Brick Church Park Drive (7.45 acres).

Existing Zoning

One and Two-Family Residential District (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of 40 lots including 10 duplex lots for a maximum of 50 units. Duplex eligibility to be confirmed by Metro Codes.*

Proposed Zoning

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

BORDEAUX- WHITES CREEK-TRINITY COMMUNITY PLAN

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

business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

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

ANALYSIS

The application consists of two parcels (Map 060, Parcel 019-020) totaling 7.45 acres, located at the west side of Brick Church Pike. The parcels have been zoned One and Two-Family Residential (R8) since 1974 and is developed with a single structure. The application proposes to rezone the property from R8 to Industrial Warehouse/Distribution (IWD). The surrounding land uses are industrial with vacant land to the west of the subject site, commercial directly south of the subject site, and a middle school and an industrial business park directly to the east. The subject parcels have frontage along Brick Church Pike, which is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP).

The site is located within the District Industrial (D IN) policy and the Conservation (CO) policies. The CO policy shown on this site identifies a potential stream that runs north-south through the east side of the parcels, although the majority of the site is within the D IN policy. D IN policy areas are dominated by one or more activities that are industrial in character. These areas typically have a highly connected internal street network adequate for the movement of freight traffic, which is also connected to external interstate systems and arterial-boulevards. The site is located along an arterial-boulevard with sidewalks across the street and two WeGo bus stops in the vicinity. One WeGo bus stop is approximately 520 feet north and the other bus stop is approximately 490 feet south of the site. The proposed IWD district permits uses supported by the D IN policy, including non-hazardous manufacturing, distribution centers, and mixed business parks containing compatible industrial and nonindustrial uses. The proposed IWD district at the subject site is consistent with the D IN policy goals and fits in with the surrounding developed context. Additionally, the existing R8 zoning is not a zoning district that is supported by the D IN policy. For these reasons staff recommends approval.

FIRE RECOMMENDATION

Approve

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	7.45	5.65 F	50 U	468	35	44

*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	7.45	0.8 F	259,618 SF	456	44	49

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-12	+9	+5

METRO SCHOOL BOARD REPORT

Projected student generation existing R8 districts: 6 Elementary 3 Middle 4 High
 Projected student generation proposed IWD district: 0 Elementary 0 Middle 0 High

The proposed IWD zoning is not expected to generate any additional students than the existing R8 zoning. Students would attend Alex Green Elementary School, Brick Church Middle School, and Whites Creek High School. Alex Green Elementary is exceedingly over capacity while Brick Church Middle School and Whites Creek High School are identified as exceedingly under capacity. 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-285

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-128PR-001 is approved. (7-0)

48. 2024Z-129PR-001

Council District: 15 (Jeff Gregg)
Staff Reviewer: Matt Schenk

A request to rezone from IWD to MUN-A zoning for properties located at 179 and 181 Little Green Street, approximately 65 feet southwest of Edgar Street (0.25 acres), requested by James Fineman, applicant; Aaron & Hang Rosburg, owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change from IWD to MUN-A.

Zone Change

A request to rezone from Industrial Warehouse District (IWD) to Mixed-Use Neighborhood-Alternative (MUN-A) zoning for property located at 179 and 181 Little Green Street, approximately 65 feet southwest of Edgar Street (0.25 acres).

Existing Zoning

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

Proposed Zoning

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

NORTH NASHVILLE PLAN

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

ANALYSIS

The application consists of two parcels with a combined area of approximately 0.25 acres, located at 179 and 181 Little Green Street. The parcels have been zoned Industrial Warehouse/Distribution (IWD) since 1998. 179 Little Green Street has been developed with a single-story single-family residential use, while 181 Little Green Street is vacant. The surrounding parcels to the north, east, and south are zoned IWD, while the adjacent parcel to the west is zoned MUN-A. Additionally, in the broader area along Little Green Street, several parcels are also zoned MUN-A. Land uses of the surrounding parcels include single-family residential and vacant uses, with commercial and two-family residential uses in the surrounding area. The subject parcels have frontage along Little Green Street and Meredith Avenue, both of which are local streets.

The site is located within a T4 Urban Mixed-Use Neighborhood Policy (T4 MU) area, which intends to create urban neighborhoods with high intensity development, increased levels of multi-modal connectivity, and an urban design form. When considering the parcel's location in close proximity to an arterial-boulevard and WeGo bus line, additional

density may be appropriate at this location. Also, the existing IWD zoning does not align with the T4 MU policy, while the proposed MUN-A zoning district is consistent with the goals of the policy in creating urban mixed-use neighborhoods. The proposed Alternative (-A) district standards would ensure that future development on the site has an urban form, consistent with the policy guidance. Due to these factors, the proposed MUN-A district provides a modest increase in density and is consistent with the general character of the surrounding urban residential neighborhood, aligning with the goals of the T4MU policy.

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)	0.25	0.8	8,712 SF	59	1	1

Maximum Uses in Proposed Zoning District: **MUN-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)	0.125	0.6 F	5 U	26	1	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.0625	0.6 F	1,634 SF	62	2	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.0625	0.6 F	1,634 SF	183	16	16

Traffic changes between maximum: **IWD and MUN-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+212	+18	+24

METRO SCHOOL BOARD REPORT

Due to the potential mix of uses, the assumption of student generation is difficult to anticipate. Students would attend McGavock Elementary School, Two Rivers Middle School, and McGavock High School. McGavock Elementary School and McGavock High School are indicated as being at capacity, while Two Rivers Middle School is indicated as being exceedingly under capacity. This information is based on the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-286

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-129PR-001 is approved. (7-0)

49. 2024Z-131PR-001

Council District: 19 (Jacob Kupin)
Staff Reviewer: Eric Hammer

A request to expand the Urban Zoning Overlay District for various properties located south of Interstate 65, west of Interstate 24, and east of the Cumberland River, generally located along Cowan Street from Interstate 65 to Cowan Court, zoned MUI-A and IG, and located within the River North Urban Design Overlay (59.71 acres), requested by Metro Planning, applicant; various property owners.

Staff Recommendation: Approve.

APPLICANT REQUEST

Zone change to apply the Urban Zoning Overlay.

Zone Change

A request to expand the Urban Zoning Overlay District for various properties located south of Interstate 65, west of Interstate 24, and east of the Cumberland River, generally located along Cowan Street from Interstate 65 to Cowan Court, zoned Mixed Use Intensive-Alternative (MUI-A) and Industrial General (IG), and located within the River North Urban Design Overlay (59.71 acres).

Proposed Zoning

Urban Zoning Overlay (UZO) The intent of the UZO district is to preserve and protect existing development patterns that predate the mid-1950s in portions of Metro Nashville that were originally developed before that time and to ensure the compatibility of new development in those older portions of the city. In addition, the UZO district is intended to promote reinvestment in areas of metro Nashville originally developed before the mid-1950s by modifying development standards that could add unnecessary expense without improving the safety or compatibility of resulting development. The UZO is also intended to implement provisions of adopted plans that call for particular areas to evolve to a development pattern characterized predominantly by lot sizes, street patterns, and alley systems commonly used before the mid-1950s.

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.

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.

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.

ANALYSIS

The UZO district was originally adopted in 2000 and was created to improve the way development in older urban areas of Nashville is regulated. The zoning code in place at the time was primarily designed for development with a newer, more suburban development pattern. In many cases, application of the standards to older, existing urban areas of the county resulted in nonconformities or in new development that was inconsistent with the existing urban pattern. The UZO is intended to preserve and enhance urban developed areas, encourage reinvestment, and to

achieve community goals for creating more walkable neighborhoods with good connectivity for vehicles, pedestrians, and transit. All these goals are currently formally established in NashvilleNext and the individual community plans.

Since its adoption in 2000, the UZO has been expanded in some areas, including most recently in 2020, when the UZO was applied to approximately 4,260 contiguous parcels in East Nashville, along both sides of Gallatin Pike. The UZO is an overlay; its application does not change the base zoning or existing entitlements on any property. The standards of the UZO vary by zoning district and, in the case of parking requirements, by use, but generally address the placement and size of buildings, and amount and location of parking.

The current request proposes application of the UZO to thirteen contiguous parcels within the River North Urban Design Overlay (UDO), south of the Interstate loop. This is a contiguous area adjacent to the existing boundary of the UZO to the south, east, and west. Presently, the southern half of the River North UDO is already within the UZO, this proposal would simply apply the UZO to the northern part of the River North UDO to create consistency throughout the River North UDO.

The implications of application of the UZO vary, depending on the existing zoning and the development proposed. However, all the properties within this proposal are currently within the River North UDO. The effects of the UZO on properties within the River North UDO are somewhat limited, as the River North UDO has standards that are much more specific than the UZO. However, a condition of the River North UDO ordinance further specifies that properties within the River North UDO that are zoned IG must rezone to a more conducive zoning district before being able to develop under the standards of the River North UDO. This means that until a rezoning takes place, this proposal would essentially leave these four parcels zoned IG within the UZO with no interaction with the River North UDO.

STAFF RECOMMENDATION

Staff recommends approval.

Approve. (7-0)

Resolution No. RS2024-287

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-131PR-001 is approved. (7-0)

H: OTHER BUSINESS

- 50. Historic Zoning Commission Report
- 51. Board of Parks and Recreation Report
- 52. Executive Committee Report
- 53. Accept the Director's Report and Approve Administrative Items

Resolution No. RS2024-288

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

- 54. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

December 12, 2024

MPC Meeting

4 pm, 700 President Ronald Reagan Way, Howard Office Building, Sonny West Conference Center

January 09, 2025

MPC Meeting

4 pm, 700 President Ronald Reagan Way, Howard Office Building, Sonny West Conference Center

J: ADJOURNMENT

The meeting adjourned at 5:33 p.m.