



# **METROPOLITAN PLANNING COMMISSION**

## **DRAFT MINUTES**

**December 12, 2024**  
**4:00 pm Regular Meeting**

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

### **MISSION STATEMENT**

---

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

Commissioners Present:  
Greg Adkins, Chair  
Jessica Farr, Vice Chair  
Asia Allen  
Stewart Clifton  
Leah Dundon  
Edward Henley  
Kathy Leslie  
Dennie Marshall  
Councilmember Jennifer Gamble

Commissioners Absent:  
Matt Smith

Staff Present:  
Lucy Kempf, Executive Director  
Lisa Milligan, Assistant Director of Land Development  
Tara Ladd, Legal Counsel  
Greg Claxton, Planning Manager II  
Bob Leeman, Planning Manager II  
Abbie Rickoff, Planning Manager I  
Madalyn Welch, Planner II  
Celina Konigstein, Planner I

**Lucy Alden Kempf**  
Secretary and Executive Director, Metro Planning Commission

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

## Notice to Public

---

### Please remember to turn off your cell phones.

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

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

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

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

### Writing to the Commission

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

Mailing Address: Metro Planning Department, 800 President Ronald Reagan Way, P.O. Box 196300, Nashville, TN 37219-6300  
Fax: (615) 862-7130  
E-mail: [planning.commissioners@nashville.gov](mailto: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](mailto: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 4.04 p.m.

## B: ADOPTION OF AGENDA

Mr. Clifton moved, and Ms. Dundon seconded the motion to adopt the Agenda. (8-0)

## C: APPROVAL OF NOVEMBER 14, 2024 MINUTES

Mr. Henley moved, and Councilmember Gamble seconded the motion to approve the meeting minutes of November 14, 2024. (8-0)

## D: RECOGNITION OF COUNCILMEMBERS

Councilmember Webb spoke in favor of Item 1.

Max Caskie spoke on behalf of Councilmember Kupin for Item 23.

## E: ITEMS FOR DEFERRAL / WITHDRAWAL: 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 17, 18, 19, 21, 24, 25, 26, 27, 28

Ms. Allen moved, and Ms. Leslie seconded the motion to approve the Deferred and Withdrawn Items. (8-0)

Vice Chair Farr joined the meeting.

## F: CONSENT AGENDA ITEMS: 38, 39, 44

Mr. Henley moved, and Mr. Marshall seconded the motion to approve the Consent Agenda. (9-0)

Ms. Milligan explained to the Commissioners they changed the process by which they will consider text amendments at the Planning Commission.

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: HOUSING & INFRASTRUCTURE STUDY BRIEFING

Greg Claxton presented an update on the housing and infrastructure study.

## H: ITEMS TO BE CONSIDERED

- 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: Approve.**

### APPLICANT REQUEST

**Amend the Madison Community Plan to change community character policy.**

### Major Plan Amendment

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 Industrial Restrictive (IR) (3.18 acres).

## **MADISON COMMUNITY PLAN**

### **Current Policy**

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.

### **Requested Policy**

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 need 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.

## **BACKGROUND**

The community plan amendment area (site) is in the Madison Community Plan area and consists of 27 parcels totaling 3.18 acres. The site is bounded by Plum Street to the north, an existing industrial site to the east, railroad right-of-way to the south, and First Street to the west. Second Street, an unimproved right-of-way, lies entirely within the site. Most of the site's properties are currently vacant with the few developed properties having single-family residential units on them.

This community plan amendment was initiated by the Metro Planning Department at the request of the District Councilmember to align with Metro Planning Commission case number 2024Z-051PR-001, a request to change zoning from Industrial Restrictive (IR) to Single-Family Residential (RS3.75) for the following properties: Plum Street (unnumbered); 1318 and 1320 Plum Street; Atlantic Avenue (unnumbered); and 400, 407, 409, 411, 413, 415, and 417 Atlantic Avenue. The rezoning application is separate from the community plan amendment request and will be considered by the Planning Commission at a future meeting.

## **COMMUNITY PARTICIPATION**

As part of the community plan amendment review process, Planning staff determined that the proposed community plan amendment qualified as a major amendment, necessitating a community meeting. On Wednesday, October 23, 2024, Community Plans staff held a community meeting at Metro Nashville Police Department's Madison Precinct to discuss the proposed community plan amendment. Notices were mailed to all property owners in a 1,300-foot radius of the plan amendment site. No members of the public were present for the community meeting.

## **ANALYSIS**

In determining the appropriateness of amending the Madison Community Plan to change the community character policy, an analysis was conducted based on the following factors:

### **NashvilleNext Growth and Preservation Concept Map**

The Growth & Preservation Concept Map (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 site as a Center.

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. Areas with this classification signal that there will be efforts made to generate investments and regulations that support development and redevelopment. In addition, having this classification does not automatically endorse zone change requests; rather, the zone change must be considered in conjunction with community character policy, supplemental policy, and overall context of the area.

### **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 Growth and Conservation Concept Map's vision property-by-property. The site lies

within the Madison Community Plan area. The Madison Community Plan uses community character policies that are tailored to the character of its neighborhoods and corridors. The site is in the District Transect category and has District Industrial (D IN) policy applied to its entirety. Areas with this policy are dominated by industrial uses and activities supporting them. D IN policy is appropriate for industrial zoning districts, but it is generally not viewed as being suitable for residential zoning districts. The site was envisioned for industrial use and assigned the D IN policy years ago, but small homes have existed in the area for decades. The industrial uses supported by the D IN policy have never materialized.

A recent zone change in the area and a subsequent zone change application currently under review by Planning staff suggest that there is renewed interest in redeveloping the site with denser residential uses. D IN policy does not support residential zoning or uses on the site. Changing the policy to Urban Neighborhood Evolving (T4 NE) would support higher-density residential zoning, clearing a path for new residential development. Application of T4 NE policy allows residential development that meets NashvilleNext's goals by providing a diverse mixture of new housing options for the site.

#### **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. The site lies east of Myatt Drive, an arterial-boulevard designed to accommodate medium to high volumes of vehicular traffic. The site has access from Myatt Drive via Plum Street. Existing streets within the site are limited in number and narrow in width. There are presently no sidewalks within the site, but there are limited sidewalks along portions of Myatt Drive. There are separated bicycle lanes along both sides of Myatt Drive. Access to local public transit is provided by the WeGo #56 bus route. This bus route provides service along Gallatin Pike with the nearest bus stop being a half-mile away from the site. The WeGo #56 bus route also provides connections for accessing Downtown Nashville, East Nashville, and North Nashville.

#### **Analysis Summary**

The proposed T4 NE policy on the subject site is consistent with the goals and strategies outlined in NashvilleNext. The T4 NE policy would allow for an increase in housing stock and variety in the Madison Community Plan area by supporting a wide range of medium and high-density residential districts, depending on context. Further, T4 NE policy aligns with the existing residential uses on the site, a recent rezoning, and a rezoning application currently under review.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the community plan amendment request to change the applicable policy from District Industrial (D IN) to Urban Neighborhood Evolving (T4 NE).

**Approve. (9-0)**

#### **Resolution No. RS2024-289**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024CP-004-001 is approved. (9-0)

## **2. 2024SP-003-001**

### **BURKITT CORNER**

Council District: 33 (Antoinette Lee)

Staff Reviewer: Celina Konigstein

A request to rezone from AR2A to SP zoning for properties located at 433 and 13240 Old Hickory Boulevard, at the northern corner of Old Hickory Boulevard and Burkitt Road (9.44 acres), to permit 85 multi-family residential units, requested by Dale & Associates, applicant; Paul Tune, Trustee, owner.

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

**The Metropolitan Planning Commission deferred 2024SP-003-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

**3. 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 January 9, 2025, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2024SP-036-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

**4. 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 indefinitely.**

**The Metropolitan Planning Commission deferred 2024SP-037-001 indefinitely.**

**5. 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 January 9, 2025, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2024SP-039-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

**6. 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 January 9, 2025, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2024SP-043-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

**7. 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 January 9, 2025, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2024SP-044-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

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

**APPLICANT REQUEST**

**Preliminary SP to permit 46 residential lots.**

Preliminary SP

A request to rezone from Agricultural and Residential (AR2a) to Specific Plan (SP) zoning for properties located at 4316 Lavergne Couchville Pike and 4144 Maxwell Road, approximately 1,600 feet south of Old Hickory Boulevard, (13.87 acres), to permit 46 single family lots.

**Existing Zoning**

Agricultural/Residential (AR2a) requires a minimum lot size of two acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per two acres.

The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan.

*AR2a would permit a maximum of six lots with one duplex lot for a total of seven 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. This Specific Plan includes only one residential building type.

**SITE CONTEXT AND REQUEST DETAILS**

The approximately 13.87-acre project site consists of two properties. One property has frontage along Maxwell Road and the other has frontage along Lavergne Couchville Pike. The property on Lavergne Couchville Pike is classified as single-family and there is a home on the property. The other property is vacant. The site is relatively flat and includes open areas as well as areas that are densely wooded. The surrounding area includes a mix of vacant land, large single-family lots as well as small single-family lots. Surrounding zoning includes but is not limited to, AR2a, Single-Family Residential (RS10), One and Two-Family Residential (R10) and SP.

Site Plan

The plan includes 46 single-family lots with an overall density of approximately 3.3 dwelling units per acre. The minimum lot size is 5,500 square feet. All lots are proposed along new public streets.

Access is from Maxwell Road. The plan includes two stub streets to the west and one to the east. The plan includes sidewalks consistent with the Major and Collector Street Plan (MCSP) along Maxwell Road and Lavergne Couchville Pike. The plan includes approximately 4.14 acres of open space which makes up approximately 30% of the site.

The open space includes areas for stormwater facilities, buffer yards and common area for outdoor recreation. The plan includes a walking path in one of the open space areas. The plan includes some architectural standards. These standards pertain to, but not limited to orientation, primary entrances, glazing and materials.

## **ANTIOCH – PRIEST LAKE 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**

Staff finds that the proposed SP is consistent with the T3 NE land use policy. The plan calls for single-family lots which is consistent with the surrounding area. The surrounding area immediately north and west of the project site is made up of large single-family lots as well as vacant residential land. It is likely that this area will develop in the future at higher residential densities, consistent with the T3 NE policy. The proposed plan includes stub streets, which will provide for future vehicular and pedestrian connectivity. The plan also provides sidewalks along Maxwell Road and Lavergne Couchville Pike consistent with the MCSP.

### **FIRE MARSHAL RECOMMENDATION**

**Approve**

### **STORMWATER RECOMMENDATION**

**Approve with conditions**

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

### **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an availability study is required before the Final SP can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study. A minimum of 30% W&S Capacity must be paid before issuance of building permits. Unless and until 100% of capacity charge has been paid, no water/sewer capacity is guaranteed.

### **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 frontage improvements per the Major and Collector Street Plan (MCSP). Dedicate ROW to accommodate the MCSP requirements. Dimension ROW pavement widths for clarity. Driveways off public ROW should meet metro code spacing/width requirements. Shared driveways may be required, if spacing cannot be met.
- Per NDOT subdivision standards and specifications, there shall be no public road cross sections constructed over sinkhole (karst features).
- Note: A private hauler will be required for waste/recycle disposal. Contact Metro Water services for waste disposal requirement ([solidwastereview@nashville.gov](mailto: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.
- Comply w/ NDOT traffic comments/conditions.

### **TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- No additional site access points/driveways will be allowed than the street connections shown in the site plan onto Maxwell Road.
- All driveways within the site shall be at least 25 feet apart. Shared driveways may be required to meet the 25-foot separation.
- Stop control should be in place for minor roads.



Maximum Uses in Existing Zoning District: **AR2a**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	13.87	0.5 F	7 U	193	16	17

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	-	-	46 U	509	37	48

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
-	-	-	+39	+316	+21	+31

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed SP district: 11 Elementary 5 Middle 8 High

The proposed SP zoning district is expected to generate 20 more students than the existing AR2a zoning district. Students would attend Mt. View Elementary School, John F. Kennedy Middle School, and Antioch High School. John F. Kennedy Middle School is identified as being at capacity. Mt. View Elementary School and Antioch High School are identified as overcapacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited 46 single-family lots. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
3. The final site plan/building permit site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within any required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of any required sidewalk. Vertical obstructions are only permitted within any required grass strip or frontage zone.
4. With final site plan review, additional ROW may be required along Maxwell Road and/or Lavergne Couchville Pike if deemed necessary to meet the MCSP.
5. Height of "one-half story" shall be defined per Section 17.36.470 of the Metro Code.
6. This approval does not include any signs.
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. Comply with all conditions and requirements of Metro reviewing agencies.
9. 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.
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 building permits.
  12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RS5 zoning district as of the date of the applicable request or application.

**Approve with conditions and disapprove without all conditions. (9-0)**

**Resolution No. RS2024-290**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-045-001 is approved with conditions and disapproved without all conditions. (9-0)

**CONDITIONS**

1. Permitted uses shall be limited 46 single-family lots. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
3. The final site plan/building permit site plan shall depict any required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within any required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of any required sidewalk. Vertical obstructions are only permitted within any required grass strip or frontage zone.
4. With final site plan review, additional ROW may be required along Maxwell Road and/or Lavergne Couchville Pike if deemed necessary to meet the MCSP.
5. Height of "one-half story" shall be defined per Section 17.36.470 of the Metro Code.
6. This approval does not include any signs.
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. Comply with all conditions and requirements of Metro reviewing agencies.
9. 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.
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 building permits.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RS5 zoning district as of the date of the applicable request or application.

**9. 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: 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 Commercial Service (CS) and Single-Family Residential (RS15) to Specific Plan (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.

**Existing Zoning**

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family

dwellings at a density of 2.47 dwelling units per acre. *Approximately 8.7 acres of the site are zoned RS15. RS15 would permit a maximum of 25 single-family lots based on acreage alone. This does not account for compliance with the Metro Subdivision Regulations.*

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

### **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.

### **BORDEAUX – WHITES CREEK – HAYNES TRINITY COMMUNITY PLAN**

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

### **Policy (cont.)**

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

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

### **SITE**

The approximately 10.5-acre site is located southwest of the intersection of Clarksville Pike and Abernathy Road. The subject site has frontage on Abernathy Road, a dead-end road which terminates west of the subject property. The site is within a quarter mile of the nearest bus stops at Clarksville Pike and Abernathy Road. Surrounding zoning districts include Single-Family Residential (RS15), Specific Plan (SP) and Commercial Service (CS) with surrounding land uses including residential, vacant, and commercial land.

The SP (2022SP-028-001) to the south of the site was approved by Metro Council in 2022 for a mixed-use development with a total of 30,000 square feet of non-residential uses and 460 multi-family residential units. There are additional SPs on the eastern side of Clarksville Pike approved for various amounts of multi-family residential units and mixed uses.

### **PLAN DETAILS**

The plan proposes a total of 170 multi-family residential units across the site. Seven structures containing a total of 21 stacked flats are proposed fronting Abernathy Road and five buildings interior to the site contain the remainder of the units on the site. The buildings interior to the site are split between three and four stories stepping up with the grade toward the rear of the site. Vehicular access to the site is through a private drive from Abernathy Road. All units are surface parked. A pool, clubhouse, and play area are proposed toward the entrance of the site.

Buildings along the Abernathy Road frontage are proposed with a maximum height of three stories in 45 feet. The interior buildings are shown as 3-4 story split buildings, with a maximum height of four stories in 60 feet proposed. A minimum of fifteen percent glazing is required on building facades fronting a street. Proposed elevations are included for the front façade of the units fronting Abernathy Road.

Sidewalk connections are provided internally throughout the site from all units and buildings to Abernathy Road. Along Abernathy Road, the plan shows right-of-way dedication consistent with local street standards including a five-foot sidewalk and four-foot planting strip. A stormwater area is proposed on the northwestern corner of the site. As shown on the site plan, a 20' type C landscape buffer is proposed along the western boundary. No landscape buffers are shown on the eastern and southern property lines; however, the site abuts a TVA easement which precludes development in this area, resulting in a buffer.

## **ANALYSIS**

The subject site is located within the Suburban Mixed Use Corridor (T3 CM), Suburban Neighborhood Evolving (T3 NE), and Conservation (CO) policy areas. A small portion of the eastern part of the site is within the T3 CM area while the majority of the site is within T3 NE policy. The CO area on the site has been determined to be a wet-weather conveyance.

The plan meets the policy goals by providing a layout consistent with the intent of the policy to provide greater housing choice in a suburban context with preference given to sites with proximity to evolving centers and corridors. As this area has several approved SPs nearby, the plan contributes to the evolving nature of the area with the addition of 170 multi-family units. Along Abernathy Road, the proposed stacked flats structures serve as a transition from the existing residential structures located west of the site to the nearby Clarksville Pike corridor. Elevations are provided for these detached units along Abernathy. The design of these structures with three stories, pitch roofs, and a reduced building footprint are intended to resemble a detached single-family building form.

The subject site is located uniquely along the border of the T3 CM policy which is located primarily on properties at the intersection of Abernathy Road and Clarksville Pike and extending south to Ashland City Highway, and the T3 NE policy which is located along Abernathy Road before the area transitions to the Suburban Neighborhood Maintenance (T3 NM) policy to the northwest. The SP to the south (2022SP-028-001) is entirely within a T3 CM policy area as it has frontage along two arterial boulevards, Clarksville Pike and Ashland City Highway. With this policy, the SP to the south supports additional intensity as compared to the subject site, which is primarily in the lower intensity, residential T3 NE policy.

The subject site is larger than most parcels in the area, within a five-minute walk to the nearest WeGo bus stop, and is located near Clarksville Pike, an arterial boulevard as identified by the Major and Collector Street Plan (MCSP). Generally, within T3 NE policy areas, height is one to three stories. However, additional height can be considered after evaluating additional factors. For the structures located along Abernathy, these structures are limited to three stories in height and have design criteria which is intended to make them more compatible with the surrounding residential development along Abernathy. Internal to the site, the buildings are designed as three-four story splits. These larger multi-family buildings are oriented to step with the grade and are located interior to the site as to minimize their appearance from the street along Abernathy. As the greater building height is visually minimized, and the site is close to a prominent intersection, where higher density may one day occur, the proposed heights are appropriate. Landscaping buffers proposed along the western property line align with the policy guidance to buffer against lower intensity uses through the retention of new plantings and existing trees.

The proposed development meets the goals of the policy to provide increased residential density with a variety of building types near an evolving, a high-capacity transit corridor, therefore staff recommends approval with conditions and disapproval without all conditions.

## **FIRE MARSHAL RECOMMENDATION**

### **Approve with conditions**

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

## **METRO HISTORIC RECOMMENDATION**

### **Approve with conditions**

- Phase I archaeological survey recommended.

## **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. 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.

## **WEGO RECOMMENDATION**

### **Approve with conditions**

- Provided drawings of farside bus stop on plans.
- See NDOT traffic comments

**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 half-sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called out per NDOT detail standards and specs. 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. (cont.) Extents to be coordinated in field with NDOT inspector. At final, maintain proposed roadway half section pavement widening improvements (20' minimum width) Eastbound up to Clarksville Pike.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Off-site improvements as identified in the finalized MMTA are to be completed by this development. Include all off-site improvement designs in the building permit plan set.
- Note that two off-site improvements are being applied for funding through the CHIP program including a sidewalk gap connection from the property frontage to Clarksville Pike and also an enhanced pedestrian crossing across Clarksville Pike per FHWA guidelines. If funding is not granted for one or both of these improvements, coordinate with NDOT, Planning and WeGo to have a discussion about this.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	1.0	0.6 F	26,136 SF	987	24	100

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	9.56	2.46 F	23 U	269	21	25

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)	-	-	170 U	925	58	74

Traffic changes between maximum: **CS/RS15 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-331	+13	-50

**METRO SCHOOL BOARD REPORT**

Projected student generation existing \*RS15 district: 3 Elementary 1 Middle 2 High

Projected student generation proposed SP-R district: 46 Elementary 16 Middle 19 High

The proposed SP-R zoning is expected to generate 75 additional students than the existing RS15. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. Cumberland Elementary School is identified as being at under capacity, Haynes Middle School is 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.

*\* Please note that this calculation was based on the approximate acreage of the site zoned RS15 as the portion of the site zoned CS would not be eligible for residential development under existing zoning.*

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

#### **CONDITIONS**

1. Permitted uses shall be limited to a maximum of 170 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, on page 13, revise the number of units in Note 1: "170 multi-family residential units."
3. On the corrected copy, on page 12, remove the "and stories" from Note 1.
4. With the submittal of the final site plan, the trash location at the northwest corner of the site shall be relocated to a less visible location from the public right-of-way.
5. 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.
6. With the submittal of the final site plan, for all structures along Abernathy Road, a primary pedestrian entrance shall be located along the front façade.
7. With the submittal of the final site plan, street trees in accordance with note 11 on page 12 of the plan shall be provided and shown on the landscaping plan.
8. With the submittal of the final site plan, remove proposed surface parking spaces along entrance drive.
9. Any changes to the preliminary grading plan shall be reviewed and subject to staff approval with the final SP, including any changes that result in the removal of the existing tree canopy along the western boundary where grading is not currently identified to occur.
10. A basement (4th) level may be provided internally to the development, as identified on the preliminary SP plan, where topography allows for additional sub-level development. Basements shall not be deemed a story per the Story definition of the Metro Zoning Code. No basement (4th) level is permitted on the detached units. By way of an example, Buildings B, C, D, E and F are identified on the preliminary plan as 3 stories with a basement (4th) level
11. Existing tree canopy areas located outside of areas identified for stormwater detention and grading shall be preserved to the greatest extent practicable.
12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
13. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
15. Comply with all conditions and requirements of Metro reviewing agencies.
16. 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-NS zoning district, as of the date of the applicable request or application.
17. 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.
18. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
19. No master permit/HPR shall be recorded prior to final SP approval.
20. Final plat may be required prior to permitting.

Ms. Konigstein presented the staff presentation to approve with conditions and disapprove without all conditions.

Applicant, no name given, spoke in favor of the application.

Margaret Johnson, Abernathy Road, spoke in opposition to the application.

Terrence Fizer, Abernathy Road, spoke in opposition to the application.

Samantha Cova, Abernathy Road, spoke in opposition to the application.

Tyler Shaw, Abernathy Road, spoke in opposition to the application.

John Johnson, no area given, spoke in opposition to the application.

Applicant, no name given, spoke in rebuttal.

**Chair Adkins closed the Public Hearing.**

Vice Chair Farr thought getting more low-income housing is important and said this seems to be a good location. She recognized the neighbors' concerns and asked if there was a traffic study conducted.

Ms. Konigstein responded there has been a multimodal transportation analysis done.

Vice Chair Farr asked if there have been any findings from the analysis.

Ms. Milligan answered there are conditions listed in the staff report regarding required improvements. She stated the applicant intends to file for CHIP, which is a program for a sidewalk gap connection from the property frontage to Clarksville Pike and an enhanced pedestrian crossing.

Vice Chair Farr said that in many ways this is located exactly where they want to see housing opportunities developed. She asked if there were sidewalks on Clarksville Pike.

Ms. Milligan stated there are sidewalks on the opposite side of Clarksville Pike that have been installed as part of some new developments and new improvement projects, which includes an enhanced pedestrian crossing on Clarksville Pike.

Applicant, no name given, stated there was a new sidewalk project in the last three years that provides sidewalks on the western side.

Vice Chair Farr reiterated that she understands the neighbors' concerns but believes more affordable, attainable housing is needed.

Mr. Marshall said he knows this area very well and the neighbors' concerns are right, especially regarding the very narrow street. He asked if there are any options to come off Abernathy Street back to Ashland City Highway and then stated he sees the Developer nodding 'no'. Mr. Marshall thought this looks like a great project that would fit into the area and said he is inclined to support staff recommendation.

Chair Adkins asked for the Developer to answer Mr. Marshall's question regarding the connection to Ashland City Highway.

Developer, no name given, stated they are transitioning about 100 feet of topo grade and just the transition over the top of the hill would be cumbersome, so they have not explored anything to the south for making that connection.

Mr. Marshall indicated this property is close to the shopping center and behind the auto place. He thought that is another interest and if it is cut that way, it would go on Clarksville Highway and Ashland City Highway, if there was a back entrance from this project.

Applicant, no name given, explained there is a residential property between that area, and the area just to the south is approved plan for additional housing with limited commercial, as well.

Developer, no name given, further explained there is an SP that separates this SP and that commercial corner that Mr. Marshall is referencing.

Mr. Marshall asked if there is a possibility of another out for this building going more towards Ashland City Highway.

Applicant, no name given, responded they looked at that, but the topography change between the two sites is significant and it would not be feasible to build a road, as it would not meet Metro standards.

Ms. Allen said she is also very familiar with this area and empathizes with the community members' concerns. She asked if there was any information regarding amenities or mixed-use developments that have been approved for this area that would support additional density like this.

Ms. Milligan showed the presentation screen labeled 'SPs in the area' and explained the subject site is outlined in green where this is proposed and the other SPs that have been approved in the area. She pointed out that immediately to the south is an SP that was approved for multi-family and 30,000 square feet of mixed use. Ms. Milligan further explained mixed use will generally permit things like retail and restaurants. The SPs are permissive in that they give a certain square footage and a list of uses that might fit into that square footage.

Ms. Konigstein gave information of the various stages of approval regarding final site plan and the process of actual development.

Ms. Allen stated her concern is the traffic issues and it would help if there was more of a transition from the single-family housing that is already existing to higher density. She felt this is a big contrast and it does not belong on this road where the other houses are located. Ms. Allen said she understands staff recommendation as this aligns with the policy of higher density.

Ms. Leslie asked about the widening of Abernathy Road.

Developer, no name given, stated there are some pinch points closer to Clarksville Pike that are 15 feet and they have been instructed by NDOT to make it a minimum of 20 feet all the way to Clarksville Pike. He said they are also adding a streetscape along the entire frontage and potentially a connection with the sidewalk.

Ms. Leslie asked if they knew what the exterior of the buildings will look like.

Applicant, no name given, stated the architecture is still undetermined but they provided character imagery in the packet that showed the potential architectural style, which is more traditional.

Ms. Milligan added they included a standard material condition for building materials. Ms. Milligan explained the CHIP program and clarified the condition around connecting the sidewalk to Clarksville Pike from NDOT.

Vice Chair Farr asked if there is any way to coordinate enhanced pedestrian improvements somewhere on Clarksville Pike between the three projects that are going on there.

Ms. Milligan advised each of the three projects have their own MMTA with required improvements.

Vice Chair Farr said there needs to be a comprehensive way of thinking about the infrastructure needs for this.

**Vice Chair Farr moved, and Mr. Marshall seconded the motion to approve with conditions and disapprove without all conditions, including updated condition in memo. (9-0)**

#### **Resolution No. RS2024-291**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-052-001 is approved with conditions and disapproved without all conditions, including updated condition in memo. (9-0)

#### **CONDITIONS**

1. Permitted uses shall be limited to a maximum of 170 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, on page 13, revise the number of units in Note 1: "170 multi-family residential units."
3. On the corrected copy, on page 12, remove the "and stories" from Note 1.
4. With the submittal of the final site plan, the trash location at the northwest corner of the site shall be relocated to a less visible location from the public right-of-way.
5. 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.
6. With the submittal of the final site plan, for all structures along Abernathy Road, a primary pedestrian entrance shall be located along the front façade.
7. With the submittal of the final site plan, street trees in accordance with note 11 on page 12 of the plan shall be provided and shown on the landscaping plan.
8. With the submittal of the final site plan, remove proposed surface parking spaces along entrance drive.
9. Any changes to the preliminary grading plan shall be reviewed and subject to staff approval with the final SP, including any changes that result in the removal of the existing tree canopy along the western boundary where grading is not currently identified to occur.
10. A basement (4th) level may be provided internally to the development, as identified on the preliminary SP plan, where topography allows for additional sub-level development. Basements shall not be deemed a story per the Story definition of the Metro Zoning Code. No basement (4th) level is permitted on the detached units. By way of an example, Buildings B, C, D, E and F are identified on the preliminary plan as 3 stories with a basement (4th) level.
11. Existing tree canopy areas located outside of areas identified for stormwater detention and grading shall be preserved to the greatest extent practicable.
12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
13. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
15. Comply with all conditions and requirements of Metro reviewing agencies.
16. 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-NS zoning district, as of the date of the applicable request or application.



17. 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.
18. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
19. No master permit/HPR shall be recorded prior to final SP approval.
20. Final plat may be required prior to permitting.

**10. 2024TSO-001-001  
BUENA VISTA 2 STORY OVERLAY  
BL2024-619**

Council District: 02 (Kyonzté 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: Disapprove as submitted and approve with a substitute ordinance.**

**APPLICANT REQUEST  
Apply a Two-Story Overlay District.**

Two-Story Residential Overlay District

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).

**Existing Zoning**

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

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.

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.

Single-Family Residential (RS10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

Multi-Family Residential (RM4) is intended for single-family, duplex, and multi-family dwellings at a density of four dwelling units per acre.

**Proposed Overlay**

Two-story Residential Overlay District (TSO) provides appropriate building height standards in residential areas necessary to maintain and reinforce the established form and character of residential development in a particular area. *The base zoning of properties would still apply and the overlay would be applied in addition to the base zoning.*

**BORDEAUX - WHITES CREEK - HAYNES TRINITY PLAN**

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

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.

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.

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.

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.

### **REQUEST DETAILS**

The proposed application of the Two-Story Residential Overlay District (TSO) as filed would be applied to 113 parcels totaling approximately 80 acres in the Taigan's Court, Shawnwood, and Tosha's Court subdivisions in Bordeaux, along with many larger properties along Buena Vista Pike between West Trinity Lane and West Hamilton Avenue, including parcels along Youngs Lane. The TSO is a relatively new overlay district, having been approved by Metro Council on February 21, 2023. The purpose of the TSO is to support the existing form and character of a neighborhood by employing building height limitations. In the TSO district, the maximum height of a principal structure is two stories in 35 feet as measured from finished grade. The maximum height of an accessory structure is one story or 16 feet—whichever is less—as measured from finished grade. The TSO district may be applied in any area with underlying R, R-A, RS, or RS-A zoning. The standards are established by the Metro Code and cannot be modified.

### **SITE AND CONTEXT**

The Taigan's Court, Shawnwood, and Tosha's Court subdivisions (the established neighborhoods on the northwestern side of Buena Vista Pike) were platted in multiple phases in the 1980s and 1990s. The neighborhoods have been developed with a mix of single-story and split-level ranch and New Traditional homes. Most houses in the area were constructed in the 1980s and 1990s, though a few newer houses are scattered throughout the area, along with several churches. Front setbacks of 30 feet or less are most common, and garages are usually front facing when present. Lots are typically under a quarter acre in size. The images below show typical building styles and building heights in the subject neighborhoods.

### **PROPOSED SUBSTITUTE**

Staff is proposing a substitute to the originally filed legislation. The proposed substitute would be comprised of four changes:

- The first change would remove a portion of Map 070-02, Parcel 11, as the property is partially zoned RM4 (and within a Planned Unit Development Overlay). The TSO overlay is only applicable to R/RS-zoned properties.
- The second change removes the R10 zoned properties adjacent to and across Buena Vista Pike from Parcel 11 (Map 070-02, Parcel 10, and Map 059-14, Parcels 51, 52, and 53). With the removal of the RM4 zoned portion of Parcel 11, these other parcels are no longer contiguous to the proposed rezoning area and are therefore ineligible, per the Code requirement that the properties must be contiguous.
- The third change removes three parcels on the eastern side of Buena Vista Pike, Map 070-02, Parcels 30, 31, and 32, because these lie within the path of a planned collector road per the Major and Collector Street Plan (MCSP). Removing these properties allows opportunities for the future road alignment of the planned collector street as it intersects with Buena Vista Pike.
- The fourth change removes all the parcels in the originally filed bill that are within the Urban Residential Corridor (T4 RC) and Urban Neighborhood Center (T4 NC) policies along Buena Vista Pike, Youngs Lane, and West

Trinity Lane in the southern portion of the proposed rezoning area (Map 070-06, Parcels 11-14, 15, 16, 17, 18, 19, 20, 22, 23, 32, 84, and 85, and Map 070-06-0-B, Parcels 01, 02, and 900). The T4 RC and T4 NC policies call for additional intensity and height that may be limited by a two-story height restriction.

#### **ANALYSIS**

With the removal of the RM4 zoned portion of Parcel 11, all other properties are zoned R6-A, R8, R10, and RS10, which permit heights of up to three stories. If the TSO district is applied, these districts would continue as the underlying zoning districts, and lots would be subject to all underlying bulk regulations except height. The TSO district's height limitation of two stories in 35 feet would supersede the base zone height standards.

Additionally, with the removal of the RM4 zoned portion of Parcel 11, the R10 zoned properties adjacent to and across Buena Vista Pike from Parcel 11 (Map 070-02, Parcel 10, and Map 059-14, Parcels 51, 52, and 53) are no longer contiguous to the proposed rezoning area and are therefore ineligible.

With the removal of Map 070-02, Parcels 30-32 from the request, the goals of the Major and Collector Street Plan (MCSP) are supported, which shows a future collector street on these parcels. The intent of the collector road is to connect Buena Vista Pike to Old Buena Vista Pike to the east. Applying a TSO to these parcels might limit the development potential of these parcels.

Lastly, staff recommends removing all parcels within the T4 Neighborhood Center (T4 NC) and T4 Residential Corridor (T4 RC) policies (Map 070-06, Parcels 11-14, 84, 15, 16, 17, 18, 19, 20, 32, 22, 23, 85, and Map 070-06-0-B, Parcels 01, 02, and 900). These parcels are located along Buena Vista Pike near its intersection with Youngs Lane and W. Trinity Lane and extend along Buena Vista Pike and Youngs Lane, along the southern portion of the proposed TSO boundary. Staff recommends removal of these properties due to their location in higher intensity policy areas, which supports heights of up to three stories, with greater height being possible along major corridors and at key intersections—locational characteristics that these properties share. Additionally, the T4 NC policy supports nonresidential development; application of the TSO, which is intended for residential areas, in a policy area which supports nonresidential development may be inappropriate.

With the removal of the properties as outlined above, the properties that remain within the proposed substitute bill are located within the T3 NM and T3 NE policy areas, with small pockets of conservation policy covering areas of natural features. The T3 NM policy is intended to maintain the general character of suburban neighborhoods as characterized by their development pattern, building form, land use, and associated public realm. The T3 NE policy is intended to enhance suburban neighborhoods with the best qualities of classic suburban neighborhoods, including greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques.

Existing houses in the established subdivisions of the subject area have heights of one to two stories with single-story and split-level houses being most prominent, though there are examples of newer homes that feature three stories outside of these subdivisions. The TSO district would ensure that new structures maintain the overall existing height pattern in the area by limiting the height of principal structures to two stories in 35 feet and accessory structures to one story or 16 feet, whichever is less. Because the proposed application of the TSO district is consistent with the T3 NM and T3 NE policies, staff recommends approval of the substitute.

#### **Substitute Ordinance Bill No. 2024-619**

Staff recommends disapproval as submitted and approval with a substitute to remove the following parcels from the downzoning (31.24 acres are proposed to be removed from an original total of 80.06 acres, leaving 48.82 acres to be rezoned with the substitute. The proposed parcels for removal as outlined in the recommended substitute are shown in purple below).

Parcels to be removed:

Map 059-14, Parcels 51, 52, and 53

Map 070-02, Parcel 10, Part of Parcel 11, and Parcels 30, 31, and 32

Map 070-06, Parcels 11-14, 15, 16, 17, 18, 19, 20, 22, 23, 32, 84, and 85

Map 070-06-0-B, Parcels 01, 02, and 900

#### **STAFF RECOMMENDATION**

Staff recommends disapproval as submitted and approval of a substitute.

**Disapprove as submitted and approve with a substitute ordinance. (9-0)**

#### **Resolution No. RS2024-292**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024TSO-001-001 is disapproved as submitted and approved with a substitute ordinance. (9-0)

- 11. 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 properties 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 January 9, 2025, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2022S-220-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

- 12. 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 February 13, 2025, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2024S-115-001 to the February 13, 2025, Planning Commission meeting. (8-0)**

- 13. 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 January 9, 2025, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2024S-134-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

- 14. 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 January 9, 2025, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2024S-139-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

15. **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 January 9, 2025, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2024S-142-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

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: Approve with conditions.**

**APPLICANT REQUEST**  
**PUD Amendment to modify permitted uses.**

PUD Amendment

A request to amend a Planned Unit Development Overlay District (PUD) on property located at 3620 Anderson Road, at the northwest corner of Smith Springs Road and Anderson Road, zoned One and Two-Family Residential (R10) (0.84 acres), and within a Planned Unit Development Overlay District, to modify the permitted uses.

**Existing Zoning**

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *The uses permitted under the commercial PUD overlay apply. Residential is not a permitted use of the subject PUD.*

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

**ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

T3 Suburban Neighborhood Center (T3 NC) is intended to enhance and create suburban neighborhood centers that serve suburban neighborhoods generally within a five-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.

**SITE CONTEXT AND PLAN DETAILS**

The subject site consists of one 0.84-acre parcel at the northwest corner of the intersection of Anderson Road and Smith Springs Road in the Antioch – Priest Lake area. The property contains a one-story car wash facility. The PUD includes the subject parcel and several neighboring parcels to the south and west which are either vacant or have commercial uses. Properties within the PUD are zoned Agricultural/Residential (AR2a), One and Two-Family Residential (R10), and Shopping Center Neighborhood (SCN). Surrounding parcels outside of the PUD are primarily zoned R10 or AR2a and have been developed with single and multi-family residential uses.

The preliminary PUD was originally approved by Council in March 1987 for a 1,908 square foot retail/service station facility at this site. The preliminary PUD plan was amended several times to permit a 5,400 square foot convenience market/gas structure, add dry cleaning as an approved use, and to permit a 2,860 square foot car wash. The adjacent parcel to the west was approved for a two-story 2,400 square foot office structure. In 2001, the final site plan was approved for the 2,860 square foot, six-bay car wash facility, which exists on the property today but is no longer in operation.

The proposed amendment to the preliminary PUD plan includes the demolition of the existing structure and construction of a one story, 7,590-square-foot building. The application also proposes the inclusion of retail, personal care services, and restaurant uses as permitted uses. Access to the site is proposed from two drives, one from Anderson Road on the eastern boundary of the property and the other from Smith Springs Road on the southern boundary of the property. The plan includes surface parking to the north and west of the building. There are sidewalks internal to the site. Class C landscape buffers are provided along the northern and western property lines to buffer the proposed development from the existing residential development.

As this is an amendment to the preliminary PUD plan, a subsequent final site plan would be required and evaluated against the preliminary plan, if approved.

### **ANALYSIS**

The proposed plan does not increase beyond the maximum amount of square footage originally approved in the PUD. The proposed structure maintains a similar street setback as the previously approved plan. The additional uses proposed with this application – retail, personal care services, and restaurant uses – align with the Suburban Neighborhood Center (T3 NC) policy guidance which encourages a mix of land uses to serve surrounding suburban neighborhoods.

Since the proposed amendment includes additional uses that are not currently permitted by the PUD, this proposal is classified as an amendment to the currently approved plan and requires Council approval. The Planning Commission may approve changes to an approved PUD without Council approval if they do not go beyond the standards outlined below in Section 17.40.120.G of the Zoning Code, which specifies what types of changes to a PUD must be approved by Council.

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

- those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
  - l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
  - m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.

Section 17.40.120.G.2.k of the Code states that if the PUD was limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial, or industrial activities, unless such activities are permitted by the base zoning district. No industrial uses are proposed, but the proposed additional uses fall within an expansion of commercial uses not originally approved with the preliminary PUD plan. This expansion of uses classifies the application as an amendment, as the requested uses would not be permitted by the underlying zoning district (R10) or the approved PUD. The request must be referred back to Metro Council for approval as a PUD amendment.

**FIRE MARSHAL RECOMMENDATION**

**Approve**

**STORMWATER RECOMMENDATION**

**Approve with conditions**

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

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

- MWS AWC as a Preliminary SP/PUD 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% Water and Sanitary Sewer Capacity Fees must be paid before issuance of building permits. Unless and until 100% of Capacity Charge has been paid, No Water/Sanitary Sewer Capacity is guaranteed.

**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.
- In general, with a final: Any proposed roadway sections, ramps, sidewalks, curb & gutter, etc. shall be designed and called outed per NDOT detail standards. There shall be no vertical obstructions in new public sidewalks and removal or relocation of utilities will be required to accommodate new public sidewalks.
- Note: A private hauler will be required for waste/recycle disposal. Contact Metro Water services for waste disposal requirement ([solidwastereview@nashville.gov](mailto:solidwastereview@nashville.gov)).
- Additional 1-1/2' mill and overlay may be required to cover full extents of utility and/or any road widening work in the public ROW. (cont.) Extents to be coordinated in field with NDOT inspector.
- Comply w/ traffic comments and conditions.

**TRAFFIC & PARKING RECOMMENDATION**

**Approve with conditions**

- An 8' sidewalk is to be provided along the development's frontage on Anderson Road down to Smith Springs Road. A pedestrian curb ramp with ADA warning mat shall also be provided at the corner.
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Automobile Car Center (942)	-	-	2,860 SF	6	5	6

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	-	-	7,590 SF	287	7	29

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+281	+2	+23

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

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

**Approve with conditions. (9-0)**

**Resolution No. RS2024-293**

"BE IT RESOLVED by The Metropolitan Planning Commission that 109-71P-001 is approved with conditions. (9-0)

**CONDITIONS**

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



- 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 January 9, 2025, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2024DTC-014-002 to the January 9, 2025, Planning Commission meeting. (8-0)**

- 18. 2024Z-069PR-001**

Council District: 24 (Brenda Gadd)  
Staff Reviewer: Celina Konigstein

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

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

**The Metropolitan Planning Commission deferred 2024Z-069PR-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

- 19. 2024CP-012-001**  
**SOUTHEAST COMMUNITY PLAN AMMENDMENT**  
Council District: 31 (John Rutherford)  
Staff Reviewer: Andrea Barbour

A request to amend the Southeast Community Plan by changing community character policy from Urban Neighborhood Evolving (T4 NE) to Suburban Community Center (T3 CC) and Suburban Neighborhood Evolving (T3 NE) with Conservation (CO) policy to remain, for properties located at 5960 and 5966 Nolensville Pike, zoned Agricultural (AR2a) (8.09 acres), requested by Dale & Associates, applicant; Balasundaram Srinivasan and Vidyapriya Balasundaram, owners.

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

**The Metropolitan Planning Commission deferred 2024CP-012-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

- 20. 2024Z-022TX-001**  
**BL2024-594**

Council District: Countywide  
Staff Reviewer: Bob Leeman

A request to amend Section 17.04.060 of the Metropolitan Code, Zoning Regulations to add a definition for “bar or nightclub” and amend the definition of “beer and cigarette market”.

**Staff Recommendation: Disapprove as submitted and approve with a substitute.**

**APPLICANT REQUEST**

**Amend the Zoning Code to add definition for “Bar or nightclub” and create a new definition for “Beer and cigarette market.”**

**PROPOSED AMENDMENTS TO TITLE 17**

The bill as filed would amend Section 17.04.060 of the Metropolitan Code of Laws to add a definition for “Bar or nightclub” and to amend the definition of “Beer and cigarette market.”

[The changes are shown with *x*new text underlined; existing text with a strikethrough.]

Section 17.04.060 of the Metropolitan Code is proposed to be amended by adding a definition for “Bar or nightclub” and amending the definition for “Beer and cigarette market” as follows:

“Bar or nightclub” means any establishment primarily in the business of the sale of alcoholic beverages for on-premises consumption and possessing the appropriate licenses for such and where the sale of prepared food-stuffs accounts for 49% or less of the establishment’s sales. These classes are referenced:

1. Bar or nightclub – Small: An establishment with a maximum occupancy capacity of 100 persons or fewer.
2. Bar or nightclub – Large: An establishment with a maximum occupancy capacity greater than 100 persons.

“Beer and cigarette market” means a retail establishment that advertises itself on the exterior of the premises as a tobacco and/or beer market, and whose inventory consists primarily of alcoholic beverages and tobacco products where the majority of the inventory available for purchase is alcoholic beverages with an alcoholic content of eight percent alcohol by weight or less and/or any product containing or used for consuming nicotine, cannabidiol (CBD), tetrahydrocannabinol (THC), or other similar substances.

## **BACKGROUND**

Currently, the Zoning Code does not include a definition for “Bar or nightclub,” even though it is a use listed in the District Land Use table in the Code. The Zoning Administrator has indicated that it would be beneficial to include a definition in the Code. In 2022, there was a text amendment (2021Z-018TX-001/BL2021-922) introduced by Councilman Taylor that created a definition for “Bar or nightclub” and amended the code to add minimum distance requirements from certain uses and to require establishments to be limited to 2,500 square feet of gross floor area per establishment. This ordinance was seeking “to distinguish establishments between being classified as a restaurant or a bar/nightclub.”

Since Planning Staff was still in the beginning stages of the Independent Music Venue (IMV) study in July of 2022, staff recommended that the text amendment be deferred so that the study could be completed to better understand how the proposed text amendment may affect these venues since small independent music venues often are included in bar and nightclub establishments where live music is performed. That proposed bill was withdrawn at the end of the previous council term.

## **ANALYSIS**

The proposal defines “Bar or nightclub,” and also includes a distinction between “small” (capacity of 100 and fewer occupancy) and “large” (capacity of greater than 100 capacity) establishments.

The Code does not include any regulations that distinguish between small or large establishments of this type and none are proposed with this amendment. Therefore, staff recommends that this portion of the proposed amendment be removed.

While the primary definition can remain, staff recommends that the following language be removed from the amendment:

*“These classes are referenced:*

- 1. Bar or nightclub – Small: An establishment with a maximum occupancy capacity of 100 persons or fewer.*
- 2. Bar or nightclub – Large: An establishment with a maximum occupancy capacity greater than 100 persons.”*

Staff also notes that the Zoning Administrator indicated that the Codes Department does not have the ability to track or verify the amount of food versus alcohol products sold in an establishment. However, this is likely something the State can track. Staff recommends that the definition be revised so that it can be more easily enforced.

Staff does not see any immediate issues with the amended definition for “Beer and cigarette” market, as it is addressing more recent merchandise that has become prevalent in these establishments, such as vape, CBD and THC products. The amendment also clarifies that an establishment need not sell both beer and cigarette products to be classified as such.

## **ZONING ADMINISTRATOR RECOMMENDATION**

No exception taken.

## **FISCAL IMPACT RECOMMENDATION**

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

## **TEXT AMENDMENT REVIEW PROCESS**

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. Since there is only one meeting in December, staff recommends this be deferred to the January 9, 2025, Planning Commission meeting.

The ordinance was introduced on First Reading at Council on November 7, 2024, and the public hearing was deferred on December 3<sup>rd</sup> to January 21, 2025, to allow for Planning Commission consideration. This will allow the Planning Commission to consider it and make a recommendation at the January 9, 2025, Planning Commission meeting.

### **MPC RULES AND PROCEDURES**

This item will automatically be deferred to the January 9, 2025, Planning Commission meeting per MPC Rules and Procedures, following a public hearing at the Planning Commission.

### **STAFF RECOMMENDATION**

*Disapprove as submitted and approve with a substitute.*

---

### SUBSTITUTE ORDINANCE NO. BL2024-594

An ordinance amending Section 17.04.060 of the Metropolitan Code, Zoning Regulations to add a definition for “Bar or nightclub” and amend the definition of “Beer and cigarette market” (Proposal No. 2024Z-022TX-001).

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

Section 1. That Section 17.04.060 of the Metropolitan Code is hereby amended by adding a definition for “Bar or nightclub” in alphabetical order as follows:

“Bar or nightclub” means any establishment primarily in the business of the sale of alcoholic beverages for on-premises consumption and possessing the appropriate licenses for such ~~and where the sale of prepared food stuffs accounts for 49% or less of the establishment’s sales. These classes are referenced:~~

~~1. Bar or nightclub — Small: An establishment with a maximum occupancy capacity of 100 persons or fewer.~~

~~2. Bar or nightclub — Large: An establishment with a maximum occupancy capacity greater than 100 persons.~~

Section 2. That Section 17.04.060 of the Metropolitan Code is hereby amended by deleting the definition for “Beer and cigarette market” in its entirety and replacing it with the following:

“Beer and cigarette market” means a retail establishment where the majority of the inventory available for purchase is alcoholic beverages with an alcoholic content of eight percent alcohol by weight or less and/or any product containing or used for consuming nicotine, cannabidiol (CBD), tetrahydrocannabinol (THC), or other similar substances.

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.

Mr. Leeman presented the staff recommendation to disapprove as submitted and approve with a substitute.

Ms. Leslie asked how it is determined a bar is primarily in the business of selling alcohol.

Mr. Leeman responded it depends on the State license they have been issued, a Restaurant license or Limited-Service license. He explained Limited Service Restaurant does not typically have a kitchen or full menu and over time, those have been established as operating as bars or night clubs. He further explained there is a different definition in the Code for a Full-Service Restaurant.

Ms. Dundon asked why they need to know the difference between Full-Service Restaurant and Limited-Service Restaurant.

Ms. Milligan answered that their definition does not include Restaurant and Limited-Service Restaurant. She advised the Zoning Code includes various uses, Full Service Restaurant, Takeout Restaurant and Bar and Night Club. Full Service and Takeout are defined, and Bar and Night club is not defined. Ms. Milligan said it is helpful to have a definition of Bar and Night Club that differentiates it from a Full-Service Restaurant.

Councilmember Gamble asked if the Councilmembers have been in contact regarding why they feel the need for the distinction between the two.

Mr. Leeman said he has been in contact with Councilmember Taylor over the year regarding this, but feels the reasons are for those that have already been stated; to establish a clear distinction in the Code between the two uses, Restaurant from Bar and Night Club, which makes it easier to address complaints.

Chair Adkins opened the Item for Public Hearing.

**Chair Adkins closed the Public Hearing, as nobody in the audience wished to speak.**

**Vice Chair Farr moved, and Mr. Henley seconded the motion to defer to the January 9, 2025, Planning Commission Meeting. (8-0-1) Chair Adkins recused himself.**

**21. 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 ac), to permit six detached multi-family residential units, requested by Dale & Associates, applicant; Vincent & Sarah Biegel, owners.

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

**The Metropolitan Planning Commission deferred 2024SP-049-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

**22. 2024SP-050-001**

**361 HERRON DRIVE**

Council District: 16 (Ginny Welsch)

Staff Reviewer: Matt Schenk

A request to rezone from IWD to SP zoning for property located at 361 Herron Drive, approximately 172 feet east of Nolensville Pike (4.09 acres), to permit 350 multi-family residential units, requested by Kimley-Horn, applicant; Mohammad & Zary Rahimi, owners.

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

**APPLICANT REQUEST**

**Preliminary SP to permit a multi-family residential development.**

Preliminary SP

A request to rezone from Industrial Warehouse/Distribution (IWD) to Specific Plan (SP) zoning for property located at 361 Herron Drive, approximately 172 feet east of Nolensville Pike (4.09 acres) to permit 350 multi-family residential units.

**Existing Zoning**

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

**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.*

**SOUTH NASHVILLE COMMUNITY PLAN**

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

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 PLAN DETAILS**

The site consists of a single parcel, approximately 4.09 acres, located on the southern side of Herron Drive, approximately 172 feet east of Nolensville Pike. The site is currently used for automobile parking. The surrounding parcels are zoned IWD, Industrial Restrictive (IR), and Mixed Use Limited-Alternative (MUL-A). Neighboring uses include a mix of multi-family residential and industrial uses.

The site plan consists of a single building, with varying heights between five and seven stories containing up to 350 multi-family residential units. The building would be oriented towards Herron Drive, with the tallest portion of the building closest to the street. The SP plan includes requirements for building materials, glazing, and parking garage screening. Vehicular access to the site is provided by a driveway from Herron Drive into a structured parking garage, which is screened from the public right-of-way. On the southern elevation, the parking garage is screened from the neighboring property through both an architectural design and a landscaping buffer. An additional gated driveway for fire access off Herron Drive is also included in the plan. The site proposes pedestrian improvements along all street frontages in the form of sidewalks and planting strip consistent with the MCSP standards.

#### **ANALYSIS**

The proposed SP is located within the T4 Urban Mixed Use Neighborhood Policy (T4 MU). The T4 MU policy intends to create urban neighborhoods with high intensity development, increased levels of multi-modal connectivity and an urban design form. The Conservation (CO) policy on the site is located in areas of steep slopes, primarily in areas along the northern and western edge of the site. The proposed plan generally avoids these areas of steep slopes by placing the building towards the southern and eastern portion of the site. The proposed SP provides land uses and building form consistent with the urban design form of the T4 MU policy. The proposed SP exceeds the general height guidance of T4 MU, which allows up to five stories, but allows for increases in heights under specific criteria. This includes proximity to other policy areas and topographic features unique to the site.

The proposed plan provides details that would support additional height at this location. The site has a unique topographic feature, with the flat portion of the property being elevated above the elevation of the street and a steep downward slope towards a rail line along the northern and western property boundaries. The neighboring property to the east also has this topographic feature, in that the finish grade for this site is located approximately nineteen feet above the street, a similar height to the subject site. Instead of incorporating a retaining wall along the street frontage as the neighboring property has developed, the subject site proposes a seventh story at the Herron Drive frontage with active amenity uses at the street level. This additional level also contributes to lining the parking structure from the street. As the building transitions further from the street, the number of stories steps down from seven to five, consistent with the recommended heights in the T4 MU policy. Based on the proposal's uses and the unique topographic features of the site, the proposed development would be consistent with the goals of T4 MU policy.

#### **FIRE MARSHAL RECOMMENDATION**

##### **Approve with conditions**

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

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

#### **NASHVILLE DOT RECOMMENDATION**

##### **Approve with conditions**

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

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

**TRAFFIC & PARKING RECOMMENDATION**

**Approve with conditions**

- Per the submitted MMTA, there are multi-modal improvements that have been identified at the intersection of Nolensville Pike and Woodcrest Ave, however there is already a NDOT Vision Zero project that is occurring at this location that will be installing those improvements. Therefore, the applicant shall provide a proportional contribution towards the Vision Zero Project at this intersection, the exact amount shall be determined prior to Final SP approval. Further coordination with NDOT will be required.
- The applicant shall comply with the MCSP.
- This development shall provide parking per Metro Code.
- The secondary access is to be gated for emergency only.
- Any temporary parking signs installed along the frontage for the will require approval from the traffic and parking commission prior to U&O.
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

**METRO HISTORIC RECOMMENDATION**

**Approve**

- Phase I archaeological survey recommended.

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)	4.09	0.8	142,528 SF	271	25	27

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)	-	-	350 U	1,906	116	148

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1,635	+91	+121

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed SP-R district: 53 Elementary 20 Middle 29 High

The proposed SP zoning is expected to generate 102 additional students than the existing IWD zoning district. Students would attend John B. Whitsitt Elementary School, Cameron College Preparatory Middle School, and Glenclyff High School. John B. Whitsitt Elementary School and Glenclyff High School have been identified as overcapacity, while Cameron College Preparatory Middle School is identified as under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

## CONDITIONS

1. Permitted uses shall be limited to 350 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
3. Building elevations submitted with the final SP shall have building design -- including massing, heights, glazing, and façade articulation -- that is substantially similar to the conceptual elevations included with the preliminary SP.
4. On the corrected copy, remove the maximum height note on sheet 6 and replace with the following: Building height shall be measured from the average elevation of the four most exterior corners to the midpoint of the primary roof pitch or to the top of the parapet for a flat roof.
5. Parking garage screening details shall be reviewed with the final SP for consistency with the preliminary SP standards.
6. Basement shall be defined per the definition of "story" in the Metro Code.
7. A landscaping plan submitted with the final SP shall be consistent with the landscaping plan in the preliminary SP.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
10. No master permit/HPR shall be recorded prior to final SP approval.
11. Final plat may be required prior to permitting.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
13. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
14. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
15. 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.
16. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

## Approve with conditions and disapprove without all conditions. (9-0)

### **Resolution No. RS2024-294**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-050-001 is approved with conditions and disapproved without all conditions. (9-0)

## CONDITIONS

1. Permitted uses shall be limited to 350 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
3. Building elevations submitted with the final SP shall have building design -- including massing, heights, glazing, and façade articulation -- that is substantially similar to the conceptual elevations included with the preliminary SP.
4. On the corrected copy, remove the maximum height note on sheet 6 and replace with the following: Building height shall be measured from the average elevation of the four most exterior corners to the midpoint of the primary roof pitch or to the top of the parapet for a flat roof.
5. Parking garage screening details shall be reviewed with the final SP for consistency with the preliminary SP standards.
6. Basement shall be defined per the definition of "story" in the Metro Code.
7. A landscaping plan submitted with the final SP shall be consistent with the landscaping plan in the preliminary SP.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.

10. No master permit/HPR shall be recorded prior to final SP approval.
11. Final plat may be required prior to permitting.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
13. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
14. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
15. 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.
16. 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.

**23. 2024SP-054-001  
3RD AND MADISON SP**

Council District: 19 (Jacob Kupin)  
Staff Reviewer: Dustin Shane

A request to rezone from IR to SP zoning for properties located at 1205 and 1223 3rd Avenue North, at the northwest corner of 3rd Avenue North and Madison Street (1.67 acres), to permit a mixed-use development, requested by Barge Civil Associates, applicant; William L. Taylor Jr. Living Trust, owner.

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

**APPLICANT REQUEST**

**Preliminary SP to permit a mixed-use development.**

Zone Change

A request to rezone from Industrial Restrictive (IR) to Specific Plan (SP) zoning for properties located at 1205 and 1223 3rd Avenue North, at the northwest corner of 3rd Avenue North and Madison Street (1.67 acres), to permit a mixed-use development.

**Existing Zoning**

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

**Proposed Zoning**

Specific Plan-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.

**NORTH NASHVILLE COMMUNITY PLAN**

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

**SITE CONTEXT AND PLAN DETAILS**

The 1.67-acre site is located at the northwestern corner of the intersection of Madison Street and 3<sup>rd</sup> Avenue North. The site is developed with a single-story wholesale outlet building and parking lot. The site has frontage along both Madison Street and 3<sup>rd</sup> Avenue North. Alley 201 abuts the western property line. The surrounding area is primarily comprised of industrial, commercial, multi-family, and mixed-use developments. A majority of the multi-family and mixed-use developments were permitted as Specific Plans (SP). Other surrounding zoning districts within and around the site include Mixed-Use Neighborhood (MUN) and IR. A similar mixed-use SP is immediately adjacent to the north (Case No. 2021SP-018-001), approved in 2021.



The proposed SP would permit a maximum of 47 multi-family residential units and a maximum of 1,200 square feet of nonresidential uses. The nonresidential uses are identified as an option on the ground floor of the corner units in building #6. The proposed development consists of six rows of attached units. The units adjacent to 3<sup>rd</sup> Avenue North and Madison Street front both streets and provide pedestrian connections directly to the right-of-way (ROW). The majority of the units, however, face inwardly toward open spaces that feature sidewalk connections to 3<sup>rd</sup> Avenue North to the east (the northernmost row faces the common area for the multi-family units in the adjacent SP, which includes a pedestrian access easement for the proposed units within this SP). Vehicular access is solely from the alley, with drive aisles extending from the alley along the western boundary units and providing access to internal garages. Two of the townhouse rows feature larger setbacks from the alley to accommodate extra aerial fire apparatus access space and solid waste containers. This space also creates a central focal point internal to the development conducive to interaction between neighbors.

Areas of ROW dedication are proposed to be being dedicated along all public-facing frontages, and the Major and Collector Street Plan (MCSP) and local street cross-sections are shown along 3<sup>rd</sup> Avenue North and Madison Street, respectively. Dedication of ROW along the adjacent alley is also proposed. All buildings are limited in height to three stories in 45 feet. Additional architectural standards for building materials and glazing are provided within the architectural standards in the proposed SP, including standards for those buildings facing the adjacent SP to the north. Elevations meeting these architectural standards have also been provided and are shown below. Visibility of drive aisles is minimized along 3<sup>rd</sup> Avenue North by buildings which take up much of the façade plane. Pedestrian access to 3<sup>rd</sup> Avenue North will feature plantings between buildings.

#### **ANALYSIS**

The proposed SP is consistent with the intent of the policy to maintain, enhance, and create urban, mixed-use neighborhoods with a diverse mix of moderate to high density residential, commercial, office, and light industrial land uses. The T4 MU policy guidance for built form and site design identifies a moderate to high lot coverage, orienting large buildings to frame the corridor, placing the building near the sidewalk, providing pedestrian entrances along street frontages, and allowing up to five stories in height.

The proposed plan would permit residential and nonresidential uses as identified by the goals of the policy. The visibility of the access drives is minimized by the buildings located along 3<sup>rd</sup> Avenue North, where the units expand along the frontage to shield views into the vehicular access areas, enhancing the pedestrian experience. A potential mixed-use structure identified at the corner of 3<sup>rd</sup> Avenue North and Madison Street is included within the scope of the requested approval, and the build-to zone of 0 to 15 feet will place any such building closely behind the sidewalk. The maximum height of the buildings is three stories, which is appropriate for an urban townhome development. Additionally, the proposed plan meets the goals of the policy to enhance pedestrian infrastructure and limits curb cuts to the alley, thus providing a safer pedestrian environment.

#### **FIRE MARSHAL RECOMMENDATION**

##### **Approve with conditions**

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

#### **HISTORIC ZONING RECOMMENDATION**

##### **Approve**

- Phase I archaeological survey strongly 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.

#### **WEGO 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 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.

#### **NASHVILLE DOT ROADS RECOMMENDATION**

##### **Approve with conditions**

- Final construction plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. 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](mailto: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.

**NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Dual curb ramps at the NW Corner of 3rd Avenue & Madison Street are to be provided. This may require restriping the adjacent crosswalks at the intersection; coordinate with NDOT at Final SP.
- Additional striping and signage may be required for the installation of the bike lane on 3rd Avenue. Coordinate with NDOT at Final SP.
- Comply with NDOT Roads comments.
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	1.67	0.6 F	43,647 SF	115	8	8

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)	-	-	47 U	254	16	21

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.382	1.0 F	1,200 SF	45	1	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+168	+9	+17

**METRO SCHOOL BOARD REPORT**

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

Projected student generation proposed SP-MU district: 2 Elementary 1 Middle 1 High

The proposed SP-MU zone district is anticipated to generate four more students than the existing IR zoning. Students would attend Jones Elementary School, John Early Middle School, and Pearl-Cohn High School. Jones Elementary School is identified as being under capacity while John Early Middle School and Pearl-Cohn High School are identified as being exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to 47 multi-family residential units and a maximum of 1,200 square feet of nonresidential uses. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. Nonresidential uses are limited to those permitted within MUN-A-NS zoning.
3. On the corrected copy, correct the Max Allowable Residential Density count to reflect the actual density being requested with 47 units.
4. On the corrected copy, update pedestrian entrance locations on site plan to be consistent with locations shown on conceptual elevations on the preliminary SP.
5. Nonresidential uses shall be limited to the ground floor of the residential units if SP is developed with the maximum number of residential units.
6. Additional glazing shall be provided on the ground level of the corner unit at 3<sup>rd</sup> Avenue North and Madison Street along the Madison Street façade, if developed without nonresidential uses.
7. For ground floor nonresidential uses, a minimum of 40% glazing shall be provided. A separate pedestrian entrance for nonresidential uses shall be provided. Architectural details to be reviewed at the time of final site plan.
8. 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.
9. With submittal of the final site plan, provide landscape plan with planting details for the open space areas. Trees or other taller vegetation shall be provided in the open space areas adjacent to 3<sup>rd</sup> Avenue North.
10. No master permit/HPR shall be recorded prior to final SP approval.
11. Final plat may be required prior to permitting.
12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
13. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
15. Comply with all conditions and requirements of Metro reviewing agencies.
16. 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 MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
17. 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.
18. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Max Caskey stated he is speaking on behalf of Councilmember Kupin. He said Councilmember Kupin wanted to make his appreciation known for this project. Mr. Caskey spoke in favor of the application.

**Mr. Henley moved, and Ms. Clifton seconded the motion to place Item 23 back onto the Consent Agenda. (9-0)**

**Resolution No. RS2024-295**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-054-001 is approved with conditions and disapproved without all conditions. (9-0)

**CONDITIONS**

1. Permitted uses shall be limited to 47 multi-family residential units and a maximum of 1,200 square feet of nonresidential uses. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.
2. Nonresidential uses are limited to those permitted within MUN-A-NS zoning.
3. On the corrected copy, correct the Max Allowable Residential Density count to reflect the actual density being requested with 47 units.
4. On the corrected copy, update pedestrian entrance locations on site plan to be consistent with locations shown on conceptual elevations on the preliminary SP.
5. Nonresidential uses shall be limited to the ground floor of the residential units if SP is developed with the maximum number of residential units.

6. Additional glazing shall be provided on the ground level of the corner unit at 3<sup>rd</sup> Avenue North and Madison Street along the Madison Street façade, if developed without nonresidential uses.
7. For ground floor nonresidential uses, a minimum of 40% glazing shall be provided. A separate pedestrian entrance for nonresidential uses shall be provided. Architectural details to be reviewed at the time of final site plan.
8. 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.
9. With submittal of the final site plan, provide landscape plan with planting details for the open space areas. Trees or other taller vegetation shall be provided in the open space areas adjacent to 3<sup>rd</sup> Avenue North.
10. No master permit/HPR shall be recorded prior to final SP approval.
11. Final plat may be required prior to permitting.
12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
13. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
15. Comply with all conditions and requirements of Metro reviewing agencies.
16. 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 MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
17. 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.
18. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

**24. 2024SP-057-001**

**2908 12TH AVE. S.**

Council District: 18 (Tom Cash)

Staff Reviewer: Matt Schenk

A request to rezone from CS to SP zoning for property located at 2908 12th Avenue South, at the northeast corner of Kirkwood Avenue and 12th Avenue South, (0.33 acres), to permit non-residential uses, requested by Centric Architecture, applicant; 2908 12th S. Partners, LLC, owner.

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

**The Metropolitan Planning Commission deferred 2024SP-057-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

**25. 2024SP-060-001**

**1609 4TH AVE. N.**

Council District: 19 (Jacob Kupin)

Staff Reviewer: Matt Schenk

A request to rezone from R6-A to SP zoning for property located at 1609 4th Avenue North, approximately 182 feet north of Hume Street, (0.53 acres), to permit 21 multi-family residential units, requested by Catalyst Design Group, applicant; M & J Partnership owner.

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

**The Metropolitan Planning Commission deferred 2024SP-060-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

**26. 2024SP-063-001**  
**866 YOUNGS LN**  
Council District: 02 (Kyonzté Toombs)  
Staff Reviewer: Celina Konigstein

A request to rezone from R8 to SP zoning for property located at 866 Youngs Lane, approximately 430 feet southeast of Roy Street, (7.96 acres), to permit 159 multi-family residential units, requested by Fulmer Lucas Engineering, applicant; Nicholas Holt Jr., Richard Holt and Mary Sykes, owners.

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

**The Metropolitan Planning Commission deferred 2024SP-063-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

**27. 2024S-186-001**  
**CHANDLER RESERVE PHASE 5**  
Council District: 11 (Jeff Eslick)  
Staff Reviewer: Dustin Shane

A request for final plat approval to create 39 residential cluster lots and open space on a portion of property located at Chandler Road (unnumbered) and Hidden Hill Drive (unnumbered), approximately 530 feet east of Debbie Drive, zoned R10 (16.31 acres), requested by Wilson & Associates, P.C., applicant; Meritage Homes of Tennessee Inc., owner.

**Staff Recommendation: Approve with conditions.**

**The Metropolitan Planning Commission deferred 2024S-186-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

**28. 2024S-187-001**  
**CHANDLER RESERVE PHASE 6**  
Council District: 11 (Jeff Eslick)  
Staff Reviewer: Dustin Shane

A request for final plat approval to create 54 cluster lots and open spaces on a portion of property located at Chandler Road (unnumbered) and Hidden Hill Drive (unnumbered), approximately 530 feet east of Debbie Drive, zoned R10 (11.92 acres), requested by Wilson & Associates, P.C., applicant; Meritage Homes of Tennessee Inc., owner.

**Staff Recommendation: Approve with conditions.**

**The Metropolitan Planning Commission deferred 2024S-187-001 to the January 9, 2025, Planning Commission meeting. (8-0)**

**29. 46-83P-006**  
**METROPOLITAN AIRPORT CENTER (REVISION AND FINAL)**  
Council District: 15 (Jeff Gregg)  
Staff Reviewer: Savannah Garland

A request to revise the preliminary plan and for final site plan approval for a portion of a Planned Unit Development Overlay District (PUD) on properties located at 2953 & 2953B Elm Hill Pike, approximately 66 feet south of McCrory Creek Road, zoned CS, to modify uses (9.45 acres), requested by Kimley-Horn & Associates, applicant; Quality Nashville, LLC, owner.

**Staff Recommendation: Approve with conditions.**

**APPLICANT REQUEST**  
**Revise preliminary plan and final site plan approval for a portion of a Planned Unit Development.**

Revise Preliminary PUD and Final Site Plan  
A request to revise the preliminary plan and for final site plan approval for a portion of a Planned Unit Development Overlay District (PUD) on properties located at 2953 & 2953B Elm Hill Pike, approximately 66 feet south of McCrory Creek Road, zoned Commercial Service (CS), to modify uses (9.45 acres).

## **Existing Zoning**

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

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

## **SITE CONTEXT AND PLAN DETAILS**

The site includes an existing one-story brick building, on the south side of Elm Hill Pike. The site is approximately 9.45 acres and is a part of a larger commercial PUD. The PUD boundary spans properties along Elm Hill Pike, from Donelson Pike to the west to I-40 to the south. The subject parcels are on the eastern edge of the PUD boundary and are currently developed. A preliminary plan for the subject properties was approved in 1996, to allow two buildings totaling 94,578 square feet for office, warehouse, and distribution uses. In 2001, the Planning Commission approved a revision and final site plan for an 87,230 square foot office building on this site, to replace the previously approved office/warehouse/distribution uses. Since a final site plan for the previous office, warehouse, industrial uses never received final site plan approval, this application is formalizing the additional uses requested.

### Site Plan

The proposed revised plan includes additional uses beyond what was previously approved by the Planning Commission in 2001. There are no proposed changes to the existing site layout or exterior of the building. The proposed additional uses include warehouse, distributive business/wholesale, light manufacturing, business service, custom assembly, medical or scientific lab, and research service. The underlying zoning of this PUD is Commercial Service (CS) and all of the proposed uses are allowed in the CS zoning district.

## **ANALYSIS**

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

- G. Status of Earlier Planned Unit Developments (PUDs). The following provisions shall apply to a planned unit development (PUD) approved under the authority of a previous Zoning Code and remaining a part of the official zoning map upon the enactment of this title.
1. The planned unit development (PUD) shall be recognized by this title according to the master development plan and its associated conditions specified in the PUD ordinance last approved by the metropolitan council prior to the effective date of the ordinance codified in this title.
  2. The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code:
    - a. In the judgment of the commission, the change does not alter the basic development concept of the PUD;
    - b. The boundary of the planned unit development overlay district is not expanded;
    - c. There is no change in general PUD classification (e.g. residential to any classification of commercial or industrial PUD; any change in general classification of a commercial PUD; or any change in general classification of an industrial PUD);
    - d. There is no deviation from special performance criteria, design standards, or other specific requirements made part of the enacting ordinance by the council;
    - e. There is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access;
    - f. There is no increase in the total number of residential dwelling units originally authorized by the enacting ordinance;
    - g. There is no change from a PUD approved exclusively for single-family units to another residential structure type;
    - h. The total floor area of a commercial or industrial classification of PUD shall not be increased more than ten percent beyond the total floor area last approved by the council;

- i. If originally limited to office activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- j. If originally limited to office, retail and other general commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to include industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- k. If originally limited to commercial activities, the range of permitted uses in a commercial PUD shall not be expanded to broader classifications of retail, commercial or industrial activities, unless such activities are otherwise permitted by the underlying base zone district. The permitted uses within the planned unit development shall be those specifically authorized by the council through the adopted master development plan, or by the existing base zone district beneath the overlay, whichever is more permissive.
- l. In the determination of the commission, the nature of the change will have no greater adverse impact on those environmentally sensitive features identified in Chapter 17.28 of this code than would have occurred had the development proceeded in conformance with the previous approval.
- m. In the judgment of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a.  
 Since the proposed plan is consistent with range of uses previously approved, Section 17.40.120.G classifies this request as a revision that does not require Council approval. No changes are proposed to the basic development concept, the acreage within the PUD, or the underlying zoning. The uses are also permitted by the underlying zoning district.

**FIRE MARSHAL RECOMMENDATION**  
**Approve**

**STORMWATER RECOMMENDATION**  
**Approve**

**WATER SERVICES RECOMMENDATION**  
**Approve**

**NASHVILLE DOT RECOMMENDATION**  
**Approve with conditions**

- Coordinate w/ traffic on uses and trip gen.

**TRAFFIC & PARKING RECOMMENDATION**  
**Approve with conditions**

- Due to the proposed change in use, a MMTA will not be required.
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions.

**CONDITIONS**

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. This approval is for the following additional uses only: warehouse, distributive business/wholesale, light manufacturing, business service, custom assembly, medical or scientific lab, and research service.
3. Update the use distribution to "distributive business/wholesale".
4. Add the case number: 46-83P-006.
5. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
8. Prior to the issuance of any permits, confirmation of the final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metro Nashville DOT for all improvements within public rights of way.

9. Prior to issuance of any permits, provide one scaled digital copy (PDF) of the approved final site plan, reflecting all corrections as conditioned above. Building permits will not be issued until the digital copy has been accepted and approved by Planning.
10. The final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.

**Approve with conditions. (9-0)**

**Resolution No. RS2024-296**

“BE IT RESOLVED by The Metropolitan Planning Commission that 46-83P-006 is approved with conditions. (9-0)  
**CONDITIONS**

1. Comply with all conditions and requirements of Metro reviewing agencies.
2. This approval is for the following additional uses only: warehouse, distributive business/wholesale, light manufacturing, business service, custom assembly, medical or scientific lab, and research service.
3. Update the use distribution to “distributive business/wholesale”.
4. Add the case number: 46-83P-006.
5. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
6. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
8. Prior to the issuance of any permits, confirmation of the final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metro Nashville DOT for all improvements within public rights of way.
9. Prior to issuance of any permits, provide one scaled digital copy (PDF) of the approved final site plan, reflecting all corrections as conditioned above. Building permits will not be issued until the digital copy has been accepted and approved by Planning.
10. The final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.

**30. 2024Z-110PR-001**

Council District: 16 (Ginny Welsch)  
 Staff Reviewer: Madalyn Welch

A request to rezone from RS7.5 to R6-A zoning for property located at 412 McIver Street, approximately 270 feet east of Meade Avenue (0.18 acres), requested by Mesut Keklik, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS7.5 to R6-A.**

Zone Change

A request to rezone from Single-Family Residential (RS7.5) to One and Two-Family Residential-Alternative (R6-A) zoning for property located at 412 McIver Street, approximately 270 feet east of Meade Avenue (0.18 acres).

**Existing Zoning**

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

**Proposed Zoning**

One and Two-Family Residential - Alternative (R6-A) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre, including 25 percent duplex lots, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *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 119-13, Parcel 259) totaling 0.18 acres, located along the north side of McIver Street. The property has been zoned Single-Family Residential (RS7.5) since 2003 and is currently developed with a single-family residence. The application proposes to rezone the property from RS7.5 to R6-A. The surrounding land uses are primarily single and two-family residential. The subject parcel has frontage along McIver Street, which is a local street. An improved alley right-of-way runs behind the subject site.

The property is located within the Urban Neighborhood Maintenance (T4 NM) policy and is also within the Urban Zoning Overlay. The T4 NM policy focuses on preserving the existing residential character, while accommodating new growth that fits within the character. The Urban Zoning Overlay preserves and protects existing development patterns while implementing provisions in evolving areas as it relates to lot size, street patterns and alley systems. The proposed Alternative (-A) standards would ensure that future development on the site has an urban form, consistent with the policy guidance and would require access to be taken from the rear alley for any future development. While the subject site is located mid-block, it is 389 feet, a 3-minute walk, to the Nolensville Pike corridor which is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP). Given the site's close proximity to Nolensville Pike, a slight increase in density may be appropriate. Based on acreage alone, the proposed R6-A zoning could allow up to one duplex lot for a total of two units. Two properties directly to the north of the subject site, located within the Urban Neighborhood Evolving (T4 NE) policy, also developed with alley access, were recently rezoned from RS7.5 to R8-A in 2020 and 2023. In 2003, the subject site was downzoned from R8 to RS7.5 as part of a larger area downzone, which is why there is a mixed pattern of single- and two-family residences existing in the area. Given the subject site was previously zoned R8, and is in close proximity to the T4-NE policy, staff recommends approval of the proposed R6-A district as it increases density modestly and aligns with goals of T4 NM policy.

**FIRE RECOMMENDATION**

**Approve**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.18	5.80 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)	0.18	12.81 F	2 U	28	7	2

\*Based on two-family lots

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

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

**METRO SCHOOL BOARD REPORT**

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

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

The proposed R6-A zoning is not expected to generate any additional students than the existing RS7.5 zoning. Students would attend Glenclyff Elementary School, Wright Middle School, and Glenclyff High School. Glenclyff Elementary is identified as at capacity. Wright Middle School is identified as under capacity, and Glenclyff High School is identified as over capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (9-0)**

**Resolution No. RS2024-297**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-110PR-001 is approved. (9-0)

**31. 2024Z-116PR-001**

Council District: 02 (Kyonzté Toombs)

Staff Reviewer: Madalyn Welch

A request to rezone from RS5 to RM20-A zoning for property located at 34 Lucile Street, approximately 100 feet west of Elmhurst Avenue (0.24 acres), requested by Lucille, LLC, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS5 to RM20-A.**

Zone Change

A request to rezone from Single-Family Residential (RS5) to Multi-Family Residential-Alternative (RM20-A) zoning for property located at 34 Lucile Street, approximately 100 feet west of Elmhurst Avenue (0.24 acres).

**Existing Zoning**

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

**Proposed Zoning**

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. *Based on acreage alone, RM20-A would permit a maximum of five units.*

**EAST NASHVILLE COMMUNITY PLAN**

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

Supplemental Policy Area

The site is within the Dickerson South Corridor Study (DSS) and a supplemental policy on the site (08-T4-MU-01) provides specific guidance for the site as it relates to the development of the Dickerson corridor. The DSS includes a building regulated plan as well as a mobility policy. In the SPA, the following policy applies.

*“Building Form and Site Design – Height*

To maintain compatibility with scale of the surrounding area, buildings at this site are limited to 4 stories in height.”

**ANALYSIS**

The application consists of one parcel (Map 071-14, Parcel 290) totaling 0.24 acres, located at 34 Lucile Street, approximately 100 feet west of Elmhurst Avenue. The property has been zoned Single-Family Residential (RS5) since 2004 and is currently developed with a single-family residence. The surrounding properties are primarily zoned RM20-A with properties to the north zoned RS5 and Specific Plan (SP). The surrounding sites are developed with a mixture of single, two-family, and multi-family residential uses. The property is located within the T4 Urban Neighborhood Evolving policy (NE), which intends to create and enhance neighborhoods with greater housing choice, improved connectivity, and more creative, innovated development techniques.

The application proposes to rezone the property from RS5 to RM20-A. The subject site is located on Lucile Street which is classified as a collector avenue in the Major and Collector Street Plan (MCSP) and is also within a two-minute walking distance to the Dickerson Pike corridor, which is classified as an arterial boulevard in the MCSP. When considering the parcel's location just off the Dickerson Pike corridor, which is envisioned to develop into a multi-modal corridor with the adoption of the DSS, the additional density of RM20-A may be appropriate at this site. Surrounding properties are largely zoned for multi-family residential uses and are also within the T4 NE Policy, providing for consistent development goals around the site. The proposed zoning district is also consistent with the building regulating plan in the DSS. The building regulating plan on this site indicates a building height of up to four stories as being appropriate. For the proposed RM20-A zoning district, the maximum building height is 45 feet. The proposed Alternative (-A) standards would provide additional standards for the location of a building and its associated parking, encouraging transit and walkability for residents. Overall, the proposed RM20-A zoning designation aligns with the goals of the T4 NE policy at this location, allowing for a mixture of density for residential development, which is appropriate given the site's adjacency to similar residential density and high level of connectivity to Dickerson Pike. For these reasons 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)	0.24	8.71 F	2 U	28	7	2

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)	0.24	20 D	5 U	26	1	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-2	-6	+1

**METRO SCHOOL BOARD REPORT**

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

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

The proposed RM20-A zoning is expected to generate one additional students beyond what is generated under the existing RS5 zoning. Students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood High School. Shwab Elementary is identified as under capacity, while Jere Baxter Middle School and Maplewood High School are identified as at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval.

Approve. (9-0)

**Resolution No. RS2024-298**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-116PR-001 is approved. (9-0)

**32. 2024Z-123PR-001**

Council District: 09 (Tonya Hancock)  
Staff Reviewer: Jeremiah Commey

A request to rezone from RS7.5 to R8 zoning for properties located at 354, 358, 362 and 366 Rio Vista Drive, approximately 400 feet southeast of Anderson Lane (0.73 acres), requested by K & B Investments Partners LLC, applicant; K & B Investments Partners LLC and Jason Kleve & Dewayne Beard, owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from RS7.5 to R8.**

Zone Change

A request to rezone from Single family Residential (RS7.5) to One and Two-Family Residential (R8) zoning for properties located at 354, 358, 362 and 366 Rio Vista Drive, approximately 400 feet southeast of Anderson Lane (0.73 acres).

**Existing Zoning**

Single-Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. *RS7.5 may permit a maximum of four single-family lots based on acreage alone. Application of Metro's Subdivision Regulations may result in fewer lots at this site.*

**Proposed 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. *Staff has been provided a survey which indicates the total site acreage is 0.75 acres. Based on this surveyed acreage, R8 may permit a maximum of four lots, including one duplex lot, for a total of five units. Metro Codes provides final determinations on duplex eligibility. Application of Metro's Subdivision Regulations may result in fewer lots at this site.*

**MADISON COMMUNITY PLAN**

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

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

**ANALYSIS**

The application consists of four parcels (Map 043-07, Parcels 101-104) totaling approximately 0.75 acres in size located on the east side of Rio Vista Drive, opposite the Rio Vista Apartments. The properties are currently vacant. Surrounding properties are zoned RS7.5 with some recent rezonings to R8. Surrounding uses include other vacant residential land to the north and south and a multi-family development to the west, across the street. The eastern boundary of the site is a bluff over the Cumberland River.

The proposed R8 zoning is consistent with the T3 Suburban Neighborhood Maintenance (T3 NM) policy at this location. The Community Character Manual describes T3 NM areas as being characterized by low- to moderate-density residential uses, with a focus on retention of the current neighborhood form and character. A majority of the surrounding parcels on the east side of Rio Vista Drive are currently vacant, resulting in less of a focus on retention of the existing character and more focus on opportunities for additional housing. The proposed rezoning could allow for opportunities for additional residential development, which may result in an area with a mix of single-family and two-

family land uses. The CO policy identified on the eastern portion of the site consists of floodway, floodplain, and steep slopes associated with the Cumberland River, but there is space outside of these areas upon which to develop on the subject properties.

The proposed zoning allows for one- or two-family residential uses, which would increase density modestly from the existing zoning and also contribute to establishing the developing character of the neighborhood. Staff finds this zoning district is appropriate with the site context, given the surrounding land uses and intent of the policy to provide additional opportunities for housing. As the proposed request aligns with the goals of T3 NM policy, staff recommends approval.

**FIRE RECOMMENDATION**

**Approve**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.75	5.80 F	4 U	54	8	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.75	6.81 F	5 U	66	8	6

\*Based on two-family lots

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

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 RS7.5 districts: 0 Elementary 0 Middle 0 High

Projected student generation proposed R8 district: 1 Elementary 0 Middle 0 High

The proposed R8 zoning is expected to generate one additional student than the existing RS7.5 zoning district. Students would attend Amqui Elementary School, Neely’s Bend College Prep Middle School, and Hunters Lane High School. All three schools are identified as at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (9-0)**

**Resolution No. RS2024-299**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-123PR-001 is approved. (9-0)

### 33. 2024Z-127PR-001

Council District: 07 (Emily Benedict)  
Staff Reviewer: Jeremiah Commey

A request to rezone from RS7.5 to R8-A zoning for property located at 800 Gwynn Drive, at the southeast corner of Patapsco Street and Gwynn Drive (0.32 acres), requested by Mark McKiernan & Jeff Sibilio, applicant and owners.  
**Staff Recommendation: Approve.**

#### APPLICANT REQUEST

**Zone change RS7.5 to R8-A.**

#### Zone Change

A request to rezone from Single Family Residential (RS7.5) to One and Two-Family Residential-Alternative (R8-A) zoning for property located at 800 Gwynn Drive, at the southeast corner of Patapsco Street and Gwynn Drive (0.32 acres).

#### **Existing Zoning**

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

#### **Proposed Zoning**

One and Two-Family Residential-Alternative (R8-A) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre, including 25 percent duplex lots, and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. *Based on acreage alone, R8-A would permit a maximum of one duplex lot for a total of two units. Duplex eligibility to be confirmed by Metro Codes.*

#### **EAST NASHVILLE COMMUNITY PLAN**

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

#### **ANALYSIS**

The application consists of one parcel (Map 061-07, Parcel 139) totaling 0.32 acres, located at the southeast corner of Patapsco Street and Gwynn Drive. The property has been zoned Single Family Residential (RS7.5) since 1998 and contains a single-story home. Surrounding properties are zoned RS7.5, while surrounding uses are single family residential and two-family residential.

The application proposes to rezone the property from RS7.5 to R8-A. The property is located within the T4 Urban Neighborhood Maintenance (T4 NM) policy area which intends to maintain the general character of urban residential neighborhoods. The proposed R8-A zoning could allow up to one duplex lot for a total of two units which is a moderate increase in intensity from the existing RS7.5 district which would permit one unit. The property is larger than adjacent properties and is uniquely situated on the corner of the block, with frontage on both Patapsco Street and Gwynn Drive.

Properties zoned R8-A should have good access to arterial streets with preference given to locations with mass transit service. This site is within a half mile radius of three WeGo transit stops, and it is also located within 0.3 miles of Gallatin Pike and Broadmoor Drive, which are classified as an arterial boulevard and a collector avenue, respectively, on the Major and Collector Street Plan (MCSP). The -A designation provides additional guidelines for access and driveways, garages, and includes a minimum raised foundation requirement, to be in line with urban development standards as called for in the urban policy. The proposed R8-A district increases density modestly at a scale that is supported by the T4 NM policy. As the proposed request is in keeping with the general character of the area and aligns with the goals of the T4 NM policy, staff recommends approval.

#### **FIRE RECOMMENDATION**

**Approve**

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)	0.32	5.80 F	1 U	15	5	1

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.32	8.57 F	2 U	28	7	2

\*Based on two-family lots

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

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

**METRO SCHOOL BOARD REPORT**

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

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

The proposed R8-A zoning is not expected to generate any additional students than the existing RS7.5 zoning. Students would attend Hattie Cotton Elementary School, Jere Baxter Middle School, and Maplewood High School. Hattie Cotton Elementary School is identified as undercapacity while Jere Baxter Middle School, and Maplewood High School are identified as at capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (9-0)**

**Resolution No. RS2024-300**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-127PR-001 is approved. (9-0)

**34. 2024Z-130PR-001**

Council District: 13 (Russ Bradford)

Staff Reviewer: Laszlo Marton

A request to rezone from R20 to IR zoning for property located at Reynolds Road (unnumbered), approximately 1,780 feet southwest of Couchville Pike (9.82 acres), requested by Fulmer Lucas Engineering, applicant; Jerry R. & Jacqueline A. Bellar Charitable Remainder Trust, owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R20 to IR.**

Zone Change

A request to rezone from One and Two-Family Residential (R20) to Industrial Restrictive (IR) zoning for property located at Reynolds Road (unnumbered), approximately 1,780 feet southwest of Couchville Pike (9.82 acres).

**Existing Zoning**

One and Two-Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of 18 lots with four duplex lots for a total of 22 units. Duplex eligibility would be reviewed by Metro Codes. This does not account for compliance with the Metro Subdivision Regulations.*

**Proposed Zoning**

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

**ANTIOCH - PRIEST LAKE 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 one parcel (Map 121, Parcel 136) totaling 9.82 acres, located on the west side of Reynolds Road and southwest of Couchville Pike. The property has been zoned One and Two-Family Residential (R20) since 1974 and is currently vacant. Surrounding properties are zoned Industrial Restrictive (IR), Industrial Warehousing/Distribution (IWD), and R20, while surrounding uses include distribution warehouse, business center, single family residential, and vacant land.

The application proposes to rezone the property from R20 to IR. The site is located within the District Industrial (D IN) and Conservation (CO) policy areas. At the November 14, 2024, Metro Planning Commission meeting, a community plan amendment (2024CP-013-002) was approved to change the community character policy on the subject property from T3 Suburban Neighborhood Evolving (T3 NE) to D IN policy. The D IN policy is intended to maintain, enhance, and create industrial districts in appropriate locations. Conservation policy is associated with steep slopes in the center of the site.

The subject property is located in the center of a larger area of D IN policy that includes properties along Reynolds Road and Couchville Pike with various warehousing, distribution, and light manufacturing uses. The area has nearby access to arterial boulevards, Interstate 40, and is proximate to Nashville International Airport. The requested IR zoning in this location would align with the goals of the D IN policy, as it would permit uses such as warehousing, distribution, and other light industrial uses that are supported by the policy. As adjacent properties to the southeast are zoned IR and have existing warehousing and distribution uses, rezoning the subject property would provide continuity of uses and could allow further expansion of industrial development on the site. While some areas of the property contain steep slopes, at 9.82 acres, the property is large enough to support a development footprint in areas where these features are not present.

**FIRE RECOMMENDATION**

**Approve**

Maximum Uses in Existing Zoning District: **R20**

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)	9.82	2.31 F	22 U	258	20	24

\*Based on two-family lots



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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	9.82	0.6 F	256,656 SF	451	44	49

Traffic changes between maximum: **R20 and IR**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+193	+24	+25

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R20 districts: 5 Elementary 2 Middle 4 High

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

The proposed IR zoning is not expected to generate any additional students than the existing R20 zoning district as IR does not permit residential land uses. Students would attend Una Elementary School, Margaret Allen Middle School, and Antioch High School. Una Elementary School and Antioch High School are identified as overcapacity while Margaret Allen Middle School is identified as exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (9-0)**

**Resolution No. RS2024-301**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-130PR-001 is approved. (9-0)

**35. 2024Z-132PR-001**

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

A request to rezone from R10 to RM9-A-NS zoning for properties located at 3309 and 3313 Curtis Street, approximately 150 feet west of Courtney Avenue (0.92 acres), requested by Matthew Miller, applicant; Matthew & Katherine Miller, owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R10 to RM9-A-NS.**

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Multi-Family Residential-Alternative-No STRP (RM9-A-NS) zoning for properties located at 3309 and 3313 Curtis Street, approximately 150 feet west of Courtney Avenue (0.92 acres).

**Existing Zoning**

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

**Proposed Zoning**

Multi-Family Residential-Alternative-No STRP (RM9-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre and is designed to create walkable neighborhoods through the

use of appropriate building placement and bulk standards. *Based on acreage alone, RM9-A-NS would permit a maximum of eight multi-family residential units. The -NS designation prohibits Short-Term Rental Property – Owner Occupied and Short-Term Rental Property - Not Owner Occupied uses from the district.*

**BORDEAUX – WHITES CREEK- HAYNES TRINITY 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 two parcels (Map 069-12, Parcels 061-062) totaling 0.92 acres, located along the south side of Curtis Street, and 150 feet west of Courtney Avenue. These properties have been zoned One and Two-Family Residential (R10) since 1974 and each contains a single-story structure. The properties are located within the Suburban Neighborhood Evolving (T3 NE) policy, which intends for greater housing choice and moderate-density development patterns with improved connectivity. The development pattern along the north side of Curtis Street includes smaller lots zoned R10. There is also an approved preliminary SP for attached units, located directly opposite the site. The development pattern on the south side of Curtis Street and along Courtney Avenue is lower density, primarily single-family uses on smaller lots.

The surrounding land uses are primarily single-family residential with some one- and two-family uses south and east of Courtney Avenue and Courtney Court. The subject parcels have frontage along Curtis Street, which is a local street. There are a few Specific Plan (SP) zoned properties to the north and west of the subject site where multi-family developments have been approved. Directly across Curtis Street from the subject property is an approved SP (2023SP-035-001) with 28 townhome units. Across Curtis Street and to the north is an approved SP (2021SP-041-001) with 300 multi-family units. The road network of this property will connect to another approved SP (2019SP-066-001) to the west, off Clarksville Pike with up to 500 multi-family residential units and 100,000 square feet of non-residential uses. This development includes a new public street, Lawrence Avenue, that will intersect with an extension of Bellefield Avenue. The road network proposed in these two SPs creates a new street connection from Clarksville Pike to Curtis Street.

The T3 NE policy supports opportunities for more housing choice in a suburban context. The proposed RM9-A-NS could permit up to eight multi-family residential units on the subject parcels, which would be a moderate increase in intensity. Given the infrastructure provided by the adjacent SPs, the area is developing a stronger road network with improved connectivity and opportunities for increased development as exhibited by this proposal.

The T3 NE policy guidance states that these policy areas are to have a mix of housing types at a suburban scale, however development should still be cohesive in relation to adjacent developments. The proposed zoning district would have a maximum building height of 35 feet, which is appropriate given the lower density R10 properties to the south of the site and the current context of these properties which are largely one or two stories in height. The height permitted by the requested zoning district provides a transition to the structures to the south. Additionally, the property will be required to provide a B-level landscape buffer, ranging from 10 feet to 20 feet against properties zoned R10. This provides additional sensitivity between properties increasing in density and the lower density neighboring properties.

Staff finds that the RM9-A-NS rezoning request is consistent with the goals of the T3 NE policy to provide more housing opportunities at a suburban scale. The standards for height and the required landscape buffer provide context sensitivity with the established R10 neighborhood.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.92	5.00 F	5 U	66	8	6

\*Based on two-family lots

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential (221)	0.92	9 D	8 U	42	3	4

Traffic changes between maximum: **R10 and RM9-A-NS**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 3 U	-24	-5	-2

**METRO SCHOOL BOARD REPORT**

Projected student generation existing R10 district: 1 Elementary 0 Middle 0 High  
 Projected student generation proposed RM9-A-NS district: 2 Elementary 1 Middle 1 High

The proposed RM9-A-NS zoning is expected to generate three more students than the existing R10 zoning. Students would attend Cumberland Elementary School, Hynes Middle School, and Whites Creek High School. Cumberland Elementary and Haynes Middle School as at capacity, and Whites Creek High School is identified as exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Ms. Dundon moved, and Councilmember Gamble seconded the motion to place Item 35 back onto the Consent Agenda. (9-0)**

**Resolution No. RS2024-302**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-132PR-001 is approved. (9-0)

**36. 2024Z-133PR-001**

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

A request to rezone from SP to MUG-A-NS zoning for property located at 2400 Clarksville Pike, at the northwest corner of 24th Avenue North and Clarksville Pike (2.39 acres), requested by 2400 Clarksville Owner LLC, applicant and owner.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from SP to MUG-A-NS.**

Zone Change

A request to rezone from Specific Plan (SP) to Mixed Use General-Alternative-No Short-Term Rentals (MUG-A-NS) zoning for property located at 2400 Clarksville Pike, at the northwest corner of 24<sup>th</sup> Avenue North and Clarksville Pike (2.39 acres).

**Existing Zoning**

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

**Proposed Zoning**

Mixed Use General-Alternative-No Short-Term Rentals (MUG-A-NS) 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. *The -NS designation prohibits Short-Term Rental Property – Owner Occupied and Short-Term Rental Property - Not Owner Occupied uses from the district.*

**NORTH 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.

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 one parcel (Map 081-06, Parcel 486) totaling 2.39 acres in size and located at the northwest corner of 24<sup>th</sup> Avenue North and Clarksville Pike. The property is currently zoned SP and is developed with a Save A Lot grocery store. Adjacent uses to the north and east consist of multi-family homes zoned Office/Residential (OR20-NS) and Multi-Family Residential-Alternative-No STRP (RM15-A-NS). To the south across Clarksville Pike are multi-family homes zoned Multi-Family Residential (RM40) and an auto repair shop zoned Commercial Service (CS). To the west across 25<sup>th</sup> Avenue North is Lewis & Wright Funeral home, zoned Commercial Service (CS). Additional properties to the west, along Clarksville Pike, are zoned for non-residential uses.

The Conservation (CO) policy on the site is due to steep slopes on the northeastern portion of the site. While this pocket of CO is identified as potential steep slopes, it is likely due to previous disturbance as there is currently a retaining wall where the slopes meet the parking lot located behind the building. The CO policy indicates that naturally occurring features should be preserved, but in instances of man-made features, the preservation is not critical.

The application proposes to rezone the property from SP to MUG-A-NS. The property is within the T4 Mixed Use Corridor (T4 CM) policy area. The T4 CM policy is intended to create mixed use and higher intensity corridors. The property is also located within the Urban Zoning Overlay District (UZO). The subject site is located directly on Clarksville Pike, which is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP). The proposed Alternative (-A) standard would ensure that future development on the site has an urban form, consistent with the policy guidance. The North Nashville Transit Center is 0.1 miles west of the subject site, a three-minute walk, which would support additional density at this site. The proposed MUG-A-NS zoning district would permit the subject property to develop with a wide range of uses suitable to the site including a mixture of residential and nonresidential along Clarksville Pike. Allowing a more intense mix of uses and/or residential density at this location would support the adopted policy goals for the site and support existing transit provided nearby. The -NS designation restricts short term rental properties from the district, which is appropriate given the site’s adjacency to the Urban Neighborhood Maintenance policy (T4 NM) area to the east and also to support long term housing goals. Staff finds that the proposed MUG-A-NS zoning district is consistent with the T4 CM land use policy and the proposed zoning district permits development at an intensity that is appropriate at this location and meets the policy goals of encouraging transit and walkable communities.

**FIRE RECOMMENDATION**

**Approve**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Supermarket (850)	-	-	15,498 SF	2,311	60	194

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	1.195	3 F	156 U	848	53	67

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	0.598	3 F	781,147 SF	29,488	734	2,977

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	0.598	3 F	781,147 SF	87,629	7,765	7,632

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+115,654	+8,492	+10,482

**METRO SCHOOL BOARD REPORT**

Given the mix of uses permitted by the MUG-A-NS zoning district, the number of residential units ultimately built on this site may vary and an assumption as to the impact at this point is premature. Students would attend Robert Churchwell Elementary, John Early Middle School, and Pearl-Cohn Magnet High School. Robert Churchwell Elementary is identified to be under capacity, while John Early Middle School and Pearl-Cohn Magnet High School are 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.

**Councilmember Gamble moved, and Mr. Marshall seconded the motion to place Item 36 back onto the Consent Agenda. (9-0)**

**Resolution No. RS2024-303**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-133PR-001 is approved. (9-0)

**37. 2024Z-134PR-001**

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

A request to rezone from RS5 to R6-A zoning for property located at 2319 Foster Avenue, approximately 105 feet north of Peachtree Street (0.17 acres), requested by Sam Walton, applicant; Sam & Becky Walton, 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 2319 Foster Avenue, approximately 105 feet north of Peachtree Street (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 119-01, Parcel 476) totaling 0.17 acres, located along the west side of Foster Avenue, and 105 feet north of Peachtree Street. The property has been zoned Single Family Residential (RS5) since 2004 and contains a single-story, single-family residence. The application proposes to rezone the property from RS5 to R6-A.

The surrounding properties are primarily zoned RS5 and there are a couple of properties that 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 as well as some civic uses. This parcel has frontage along Foster Avenue, which is classified as an Arterial Boulevard in the Major and Collector Street Plan (MCSP). The parcel also has vehicular access via 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. The site is located along an arterial boulevard, where additional intensity may be appropriate based on policy guidance. The subject property is accessed via an improved alley at the rear, which also assists in being able to accommodate a slight increase in density as it limits additional access being taken from Foster Avenue. Properties zoned R6-A should have good access to arterial streets with preference given to locations with mass transit service. This site is within a half mile radius of four WeGo transit stops along Nolensville Pike. The Alternative (-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 T4 NM policy. The -A district standards would ensure that future development on the site has an urban form, consistent with the policy guidance. 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	13.14 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 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. (9-0)

**Resolution No. RS2024-304**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-134PR-001 is approved. (9-0)

**I: OTHER BUSINESS**

38. Contract Amendment for David Kline

**Resolution No. RS2024-305**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Contract Amendment for David Kline has been approved. (9-0)

39. Contract Amendment for Laszlo Marton

**Resolution No. RS2024-306**

"BE IT RESOLVED by The Metropolitan Planning Commission that the Contract Amendment for Laszlo Marton has been approved. (9-0)

40. Determination on Public Hearing for Belle Meade Highlands Technical Study  
**Ms. Dundon moved, and Mr. Henley seconded the motion to approve Item 40 for Public Hearing on January 9, 2025. (9-0)**

41. Historic Zoning Commission Report

42. Board of Parks and Recreation Report

43. Executive Committee Report

44. Accept the Director's Report and Approve Administrative Items

**Resolution No. RS2024-307**

"BE IT RESOLVED by The Metropolitan Planning Commission that the director's report is approved. (9-0)

45. Legislative Update

## **J: MPC CALENDAR OF UPCOMING EVENTS**

**January 09, 2025**

MPC Meeting

4 pm, 700 President Ronald Reagan Way, Howard Office Building, Sonny West Conference Center

**February 13, 2025**

MPC Meeting

4 pm, 700 President Ronald Reagan Way, Howard Office Building, Sonny West Conference Center

**February 27, 2025**

MPC Meeting

4 pm, 700 President Ronald Reagan Way, Howard Office Building, Sonny West Conference Center

## **K: ADJOURNMENT**

The meeting was adjourned at 5:55 p.m.