



# METROPOLITAN PLANNING COMMISSION

## DRAFT MINUTES

**March 14, 2024**  
**4:00 pm Regular Meeting**

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

### MISSION STATEMENT

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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:**

Stewart Clifton  
Leah Dundon  
Edward Henley  
Kathy Leslie  
Dennie Marshall  
Matt Smith  
Brian Tibbs

**Staff Present:**

Todd Okolichany, Deputy Executive Director  
Lisa Milligan, Assistant Director of Land Development  
Andi Dorlester, Land Development Manager  
Abbie Rickoff, Plan Review Manager  
Amelia Lewis, Planner III  
Celina Konigstein, Planner I  
Tara Ladd, Legal

**Commissioners Absent:**

Greg Adkins, Chair  
Jessica Farr, Vice Chair  
Councilmember Jennifer Gamble

**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

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### 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 each month at 4:00 pm, in the Sonny West Conference Center on the ground floor of the Howard Office Building at 700 President Ronald Reagan Way. Only one meeting may be held in December. Special meetings, cancellations, and location changes are advertised on the [Planning Department's main webpage](#).

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

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

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

### Writing to the Commission

Comments on any agenda item can be mailed, hand-delivered, faxed, or emailed to the Planning Department by 3pm on the Tuesday prior to the meeting. 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.**

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

# MEETING AGENDA

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## A: CALL TO ORDER

The meeting was called to order at 4:09 p.m.

Ms. Ladd advised the Chair and Vice Chair were not in attendance and there needed to be a motion to appoint a Chair for this meeting.

Mr. Smith moved and Ms. Dundon seconded the motion for Mr. Henley to serve as the Chair for this meeting. (6-0)

## B: ADOPTION OF AGENDA

Mr. Tibbs moved and Ms. Leslie seconded the motion to adopt the agenda. (6-0)

## C: APPROVAL OF FEBRUARY 22, 2024 MINUTES

Mr. Tibbs moved and Mr. Marshall seconded the motion to approve the meeting minutes of February 22, 2024. (6-0)

## D: RECOGNITION OF COUNCILMEMBERS

Councilmember Druffel spoke in favor of Items 8a and 8b.

## E: ITEMS FOR DEFERRAL / WITHDRAWAL 1, 2, 3, 5, 6, 7, 9, 12, 13, 14

Mr. Clifton joined the meeting.

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

## F: CONSENT AGENDA ITEMS 19, 23

Ms. Dundon moved and Mr. Marshall seconded the motion to approve the Consent Agenda. (7-0)

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

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

## G: ITEMS TO BE CONSIDERED

### 1. 2023CP-003-005

#### **BORDEAUX-WHITES CREEK- HAYNES TRINITY COMMUNITY PLAN AMEND**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Cory Clark

A request to amend the Bordeaux-Whites Creek-Haynes Trinity Community Plan by studying the existing community character policy applied to properties along Buena Vista Drive to determine if a change in policy is warranted based on the current evolving residential development pattern of the immediate surrounding area for various properties located at the southeast corner of Cliff Drive and Buena Vista Pike, zoned R8 (5.55 acres), requested by the Metro Planning Department, applicant; Fed Development, LLC, owner.

**Staff Recommendation: Defer to the March 28, 2024, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023CP-003-005 to the March 28, 2024, Planning Commission meeting. (7-0)**

**2. 2014SP-050-002**

**4214 CENTRAL PIKE (AMENDMENT)**

Council District 12 (Erin Evans)

Staff Reviewer: Laszlo Marton

A request to amend a Specific Plan for property located at 4214 Central Pike, at the southwest corner of N. New Hope Road and Central Pike, zoned SP (14.02 acres), to permit 320 multi-family residential units, requested by Kimley-Horn, applicant; NHC/OP, LP, owner.

**Staff Recommendation: Defer to the March 28, 2024, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2014SP-050-002 to the March 28, 2024, Planning Commission meeting. (7-0)**

**3. 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 Blvd., at the northern corner of Old Hickory Blvd. 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 April 25, 2024, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2024SP-003-001 to the April 25, 2024, Planning Commission meeting. (7-0)**

**4. 2024SP-006-001**

**BUENA VISTA PIKE**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Laszlo Marton

A request to rezone from RS10 to SP zoning for properties located at 2840 and 2842 Buena Vista Pike, approximately 58 feet east of Mike Shields Court, (3.53 acres) to permit 46 multi-family residential units, requested by SWS Engineering, applicant; Mickey Marston, Vickie Morris, Rickie & Barry Morris and R Squared Construction, LLC, owners.

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

**APPLICANT REQUEST**

**Preliminary SP to permit 46 multi-family residential units.**

Preliminary SP

A request to rezone from Single Family Residential (RS10) to Specific Plan (SP) zoning for properties located at 2840 and 2842 Buena Vista Pike, approximately 58 feet east of Mike Shields Court, to permit 46 multi-family residential units (3.53 acres).

**Existing Zoning**

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 15 lots based on acreage alone. Compliance with the Subdivision Regulations may result in fewer lots.*

**Proposed Zoning**

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes 46 attached multi-family residential units.*

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

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

#### Mobility Supplemental Policy

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

#### **SITE CONTEXT AND PLAN DETAILS**

The 3.53-acre site includes three parcels and is located on the eastern side of Buena Vista Pike, just south of the intersection with Stokers Lane. The site currently contains two single-family homes and surrounding uses includes single-family residential and two-family residential. A Specific Plan (2021SP-029-001) borders the site to the east and is approved for 193 multi-family residential units.

The plan proposes 46 multi-family residential units that are accessed by a private drive off Buena Vista Pike. All units are shown as attached townhome units. Units 1-8 and 35-37 are oriented to Buena Vista Pike while the remaining units are oriented internally and face common open spaces. Several areas on the plan are shown as stormwater management areas and the side and rear yards include a 20-foot landscape buffer.

The plan proposes to dedicate right-of-way along Buena Vista Pike in accordance with the Major and Collector Street Plan (MCSP) and includes a 6-foot planting strip and a 6-foot sidewalk. The internal sidewalk network provides internal connectivity to guest parking areas and connects with the streetscape improvements along the Buena Vista Pike frontage. An existing 50' ingress/egress easement is shown on the plan that allows for access to the property located behind the site at 2838 Buena Vista Pike.

#### **ANALYSIS**

The site is located within the T3 Suburban Neighborhood Evolving Policy (T3 NE) area which is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle, and vehicular connectivity. The plan provides additional housing choice in an area that is primarily single-family residential and is within a 5-minute walk of a bus stop on WeGo Route 22. The T3 NE policy supports allowing for higher density residential uses in relation to transit corridors. Additionally, the plan generally meets the design characteristics of the T3 NE policy by orienting buildings to Buena Vista Pike and open spaces and providing moderate lot coverage and consistent setbacks.

While the site is within the Haynes Trinity Small Area Plan, there are no proposed mobility improvements within the plan's boundaries. A Planned Collector Avenue is located just south of the subject property, where a section is provided by the adjacent development at 1107 W Trinity Lane (2021SP-029-001).

Overall, the proposed plan increases density through infill redevelopment, aligns with the design characteristics of T3 NE policy, and furthers NashvilleNext by providing a mixture of housing choices along transit corridors.

#### **FIRE RECOMMENDATION**

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

- Fire department access roads shall comply with the current adopted fire code. Buildings greater than 30' in height shall meet aerial apparatus access requirements. Any building/unit that is unable to meet the aerial apparatus access requirements shall be limited to a maximum of 30' in height. Required fire flow shall be determined using NFPA 1 and any local amendment, based on gross square footage of each structure.

#### **WEGO RECOMMENDATION**

##### **Approve**

#### **STORMWATER RECOMMENDATION**

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

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

**WATER SERVICES RECOMMENDATION**

**Approve with conditions**

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

**NASHVILLE DOT RECOMMENDATION**

**Approve with conditions**

- Final construction plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. In general, with a final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Note: A private hauler will be required for waste/recycle disposal. 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. Maintain existing edge of pavement (22 ft. minimum total width; w/o gutter pan included). Half section shall meet ST-252, with additional ROW dedication to maintain minimum pavement aforementioned. Provide sidewalk, curb/gutter per ST-210, -200. Comply with NDOT traffic comments.

**TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- Parking shall be per Metro code
- The applicant shall comply with the MCSP requirements along Buena Vista Pike.
- 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: **RS10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	3.53	4.35 D	15 U	185	16	16

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	3.53	13.03 D	46 U	249	16	21

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+31	+64	0	+5

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS10 districts: 2 Elementary 1 Middle 1 High  
Projected student generation proposed SP district: 12 Elementary 4 Middle 5 High**

The proposed SP zoning is expected to generate 17 more students than the existing RS10 zoning. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. Cumberland Elementary and Haynes Middle School are identified as at capacity while Whites Creek High School is identified at exceedingly under capacity. This information is based upon the 2022-2023 MNPS School Enrollment Utilization Report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 46 multi-family residential units. Short Term Rental Property (STRP) owner occupied and not owner-occupied shall be prohibited.
2. With the final site plan submittal applicant shall submit a proposed phasing plan to show how access will be provided to the existing residence at Map: 070-02 Parcel: 33 throughout the construction period.
3. Setbacks shown on page three of the plan set are considered a part of the survey document but are not to be used in place of the setbacks shown on the cover sheet.
4. On corrected copy, update maximum height to "3 stories within 45 feet." Maximum height shall apply to all units across the site.
5. Height shall be measured from average elevation (average of four most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch or to the top of the parapet.
6. Comply with all conditions and requirements of Metro Reviewing Agencies.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with the final site plan application.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. 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.
10. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
11. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Property Owners' Association.
12. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
13. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.
14. No master permit/HPR shall be recorded prior to final SP approval.
15. Final plat may be required prior to permitting.

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

**Resolution No. RS2024-43**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-006-001 is approved with conditions and disapproved without all conditions. (7-0)

**CONDITIONS**

1. Permitted uses shall be limited to a maximum of 46 multi-family residential units. Short Term Rental Property (STRP) owner occupied and not owner-occupied shall be prohibited.
2. With the final site plan submittal applicant shall submit a proposed phasing plan to show how access will be provided to the existing residence at Map: 070-02 Parcel: 33 throughout the construction period.
3. Setbacks shown on page three of the plan set are considered a part of the survey document but are not to be used in place of the setbacks shown on the cover sheet.
4. On corrected copy, update maximum height to "3 stories within 45 feet." Maximum height shall apply to all units across the site.

5. Height shall be measured from average elevation (average of four most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch or to the top of the parapet.
6. Comply with all conditions and requirements of Metro Reviewing Agencies.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with the final site plan application.
8. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
9. 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.
10. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
11. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Property Owners' Association.
12. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
13. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.
14. No master permit/HPR shall be recorded prior to final SP approval.
15. Final plat may be required prior to permitting.

**5. 2023S-197-001**

**VAUGHN SUBDIVISION**

Council District 11 (Jeff Eslick)  
 Staff Reviewer: Donald Anthony

A request for final plat approval to create two lots on properties located at 100 McArthur Drive and 114 Teresa Drive, approximately 175 feet southwest of Park Circle, zoned R15 and RS15 (11.74 acres), requested by Delle Land Surveying, applicant; Paul M. & Ruby Vaughn and Adrian T. & Robbie M. Dukes, Trs., owners.

**Staff Recommendation: Defer to the March 28, 2024, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023S-197-001 to the March 28, 2024, Planning Commission meeting. (7-0)**

**6. 2024S-025-001**

**MADISON STATION**

Council District 09 (Tonya Hancock)  
 Staff Reviewer: Laszlo Marton

A request for concept plan approval to create ten lots on property located at 721 Madison Square, approximately 135 feet south of Neelys Bend Road, zoned MUG-A (31.72 acres), and located within a Corridor Design Overlay District, requested by BCA Civil, applicant; 721 Madison Square LLC, owner.

**Staff Recommendation: Defer to the March 28, 2024, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2024S-025-001 to the March 28, 2024, Planning Commission meeting. (7-0)**



**7. 2024Z-001PR-001**

BL2023-128/Joy Styles  
Council District 32 (Joy Styles)  
Staff Reviewer: Dustin Shane

A request to rezone from MUL to AR2A zoning for property located at Mt. View Road (unnumbered) at the southeastern intersection of Mt. View Rd. and Crossings Blvd. (2.13 acres), requested by Councilmember Joy Styles, applicant; Rajendra Bhakta, owner.

**Staff Recommendation: Withdrawal.**

**The Metropolitan Planning Commission withdrew 2024Z-001PR-001. (7-0)**

**8a. 2024CP-006-001**

**BELLEVUE COMMUNITY PLAN AMENDMENT**

Council District 23 (Thom Druffel)  
Staff Reviewer: Cory Clark

A request to amend the Bellevue Community Plan to change the policy from T3 NM to T3 NC policy for property located 6842 Highway 70 S., approximately 1,600 feet west of Harding Pike, zoned R40 and RM4 (11.77 acres), requested by Dale & Associates, applicant; Stacie Flood-Popp, owner. (See associated case #2023SP-084-001).

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

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

Major Plan Amendment

A request to amend the Bellevue Community Plan to change the policy from Suburban Neighborhood Maintenance (T3 NM) to Suburban Neighborhood Center (T3 NC) policy for property located at 6842 Highway 70 S., approximately 1,600 feet west of Harding Pike, zoned One and Two-Family Residential (R40) and Multi-Family Residential (RM4) (11.77 acres).

**BELLEVUE COMMUNITY PLAN**

**Current Policy**

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

Conservation (CO) is intended to preserve, remediate, and enhance environmentally sensitive land within the T2 Rural, T3 Suburban, T4 Urban, and District Transect Categories. CO policy identifies land with sensitive environmental features, including, but not limited to, stream corridors, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils.

**Proposed Policy**

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 by well-connected street networks, sidewalks, and transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

**NOTE: Only a small front portion (0.97 acres) of the 11.77-acre property is being requested to change from T3 NM to T3 NC policy. This area is identified by the blue dashed line on the above policy exhibit. The existing CO and T3 NM policies applied to other areas of the property will not change and remain in place.**

**BACKGROUND**

An application to amend the Bellevue Community Plan to change the community character policy from Suburban Neighborhood Maintenance (T3 NM) to Suburban Neighborhood Center (T3 NC) for a portion (0.97 acre) of the

property at 6842 Highway 70 S was submitted to the Metro Nashville Planning Department on December 27, 2023. Prior to the filing of the Community Plan amendment, an application to rezone the entire 11.77-acre property from R40 and RM4 to SP, case 2023SP-084-001, was filed with Planning. The associated SP proposes a mixed-use development that would serve as a retreat center and campus for artists in a wooded, natural setting. The SP plan is envisioned to preserve most of the property's woodlands and hills and includes a small event center, parking lot, outdoor performance stage, glass house, mediation platforms, artist lodging for occasional overnight stays, and a walking trail. The community plan amendment is located on the front portion of the site where the event center and parking lot are proposed.

The community plan amendment site (site) is located on Highway 70 S in the Bellevue Community Plan area. The site is approximately three miles from Interstate 40. Today, the site contains a single-family house. Apartment complexes are located to the east and west of the site. Wooded areas are located to the south, across Highway 70 S (owned by Metro), and north of the site.

### **COMMUNITY PARTICIPATION**

A community meeting was held on Tuesday, February 27, 2024, at the Bellevue Regional Community Center. The meeting was attended by 26 people which included residents, District Councilmember Thom Druffel, members of the applicant team, and Community Plans staff. Community Plans staff discussed the details of the proposed community plan amendment, and the applicant team discussed details of the proposed development project. The consensus was positive with several attendees providing testimony in support of the development project.

### **ANALYSIS**

#### **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. The Concept Map identifies the site as Green Network. This classification identifies natural and rural areas that provide natural resources, ecological services, wildlife habitat, and recreation opportunities. The Green Network also includes sensitive natural features that can be disturbed or destroyed by development or that pose a health or safety risk when they are developed. The site has steep slopes on the west, north, and east sides of the property. The proposed SP plan will incorporate development techniques to make use of existing topography and woodlands to create a campus that honors and preserves the natural state of the property. The site will remain in the Green Network.

#### **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. The Bellevue Community Plan uses community character policies that are tailored to rural and suburban character, honoring the diversity of its neighborhoods. The site is in the T3 Suburban Transect category where existing open space is commonly seen in the form of regional public parks, or space that is offered in conjunction with schools or libraries. Over time as vacant properties develop, they should be carefully interwoven into the fabric of neighborhoods, creating spaces to be accessed by pedestrians and to serve the needs of the neighborhood. The associated SP proposes a retreat center that will develop as an artistic campus interwoven into the natural state of the property to create a parklike environment, providing access to artistic activities for the surrounding suburban neighborhoods and other areas of Nashville. The requested T3 NC policy fits within the context of this area.

#### **Transportation 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 is located along Highway 70, a prominent corridor classified as an arterial boulevard, which travels into Downtown Nashville and other parts of Bellevue and provides access to various destinations along its path for users. There is a bike lane that runs in front of the site along both sides of Highway 70. Access to public transit is provided by WeGo #3 bus route with bus stops, along both sides of Highway 70 across from one another, located approximately 600 feet from the site.

### **STAFF RECOMMENDATION**

Staff recommends approval of amending the policy for a portion of the property (0.97 acres) at 6842 Highway 70 S, from Suburban Neighborhood Maintenance (T3 NM) to Suburban Neighborhood Center (T3 NC) policy, as shown on the policy exhibit.

**Approve. (7-0)**

#### **Resolution No. RS2024-44**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024CP-006-001 is approved. (7-0)

## 8b. 2023SP-084-001

### THE RADICLE

Council District 23 (Thom Druffel)

Staff Reviewer: Donald Anthony

A request to rezone from R40 and RM4 to SP zoning for property located at 6842 Highway 70 S, approximately 1,600 feet west of Harding Pike, (11.77 acres), to permit a mixed-use development, requested by Dale & Associates, applicant; Stacie Flood-Popp, owner. (See associated case #2024CP-006-001).

**Staff Recommendation: Approve with conditions and disapprove without all conditions if the associated plan amendment is approved. Disapprove if the associated plan amendment is not approved.**

### APPLICANT REQUEST

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

#### Preliminary SP

A request to rezone from One and Two-Family Residential (R40) and Multi-Family Residential (RM4) to Specific Plan (SP) for property located at 6842 Highway 70 South, approximately 1,600 feet west of Harding Pike (11.77 acres), to permit a mixed use development.

#### **Existing Zoning**

One and Two-Family Residential (R40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25 percent duplex lots. *R40 would permit a maximum of 12 lots with 3 duplex lots for a total of 15 residential units, based on acreage only.*

Multi-Family Residential (RM4) is intended for single-family, duplex, and multi-family dwellings at a density of four dwelling units per acre. *RM4 would permit a maximum of 11 residential units, based on acreage only.*

#### **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 multi-family residential and nonresidential uses.*

### BELLEVUE COMMUNITY PLAN

#### *Existing Policies*

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. *The Conservation policy applies to steep slopes throughout the site, some of which exceed 25 percent.*

*Proposed Policy (Note: CO and T3 NM policies to remain on portions of subject property)*

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

#### **SITE CONTEXT**

The subject property consists of an 11.77-acre parcel located at 6842 U.S. Highway 70 South. The majority of the property is currently zoned R40, while a small portion of remainder of the property around the northern and western property boundaries is zoned RM4. The property is currently vacant. The property has approximately 430 feet of frontage on U.S. Highway 70 South. Adjacent properties on the north, east, and west are zoned R40 and PUD and are used for multi-family residential. A cemetery lies on an adjacent parcel on the southwest. The property lying directly across U.S. Highway 70 South from the subject property is zoned R40 and is currently vacant. The subject property is heavily-wooded and is covered by hillsides, many of which have slopes exceeding 25 percent.

## PLAN DETAILS

The preliminary SP application is for a mixed use development. The proposed development would serve as a retreat center and would consist of an event center, an amphitheater, five clustered short-term rental units, a detached residential short-term rental unit, and various other small, retreat-oriented structures.

The proposed event center would be located on the southern portion of the property near the U.S. Highway 70 South frontage. The proposed amphitheater would be located near the center of the property. The proposed detached residence would be located near the event center on the southeastern portion of the property, and the proposed short-term rental units would be located near the northeastern corner of the property. Other structures and outdoor uses (labeled as *glass house*, *meditation platform*, and *creativity hideaway* on the plan) would be situated near the eastern and western edges of the property.

Parking would be provided in a surface lot behind the proposed event building and would be accessed via a single existing driveway situated near the southwestern corner of the subject property. As a condition of approval, the applicant would be required to provide a parking study with the final SP submittal. An internal trail would connect the event center and parking lot to the other structures and amenities on the site. A 20-foot Standard C landscape buffer is shown along the northern, eastern, and western property boundaries. Because U.S. Highway 70 South is classified as a scenic corridor in the Major and Collector Street Plan (MCSP), the plan includes a 15-foot Standard A landscape buffer along the U.S. Highway 70 South frontage. No sidewalk will be required along the U.S. Highway 70 S frontage in order to minimize additional disturbance at the front of the site and because there is no surrounding sidewalk network with which to connect. An existing bike lane runs along both sides of the corridor, including along the frontage of this site.

Proposed bulk standards include minimum 20-foot setbacks on all sides and maximum height of three stories in 50 feet. The proposed maximum impervious surface ratio (ISR) is 0.70, and the proposed maximum floor area ratio (FAR) is 0.60.

## ANALYSIS

The subject property currently lies in the T3 Suburban Neighborhood Maintenance (T3 NM) and Conservation (CO) policy areas. An accompanying application (2024CP-006-001) would amend the Bellevue Community Plan for a portion of the property; if the amendment is approved, the applicable policy for the portion of the property containing the proposed event building would become T3 Suburban Neighborhood Center (T3 NC). The T3 NM and CO policies would continue to apply to the remainder of the property.

### *Consistency with T3 NC Policy*

The T3 NC policy is intended to create and enhance suburban neighborhood centers that are compatible with the general character of suburban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. T3 NC areas support: mixed use, commercial, office, residential, and institutional land uses; buildings built to the back edge of the sidewalk; moderate to high levels of connectivity; parking behind or beside buildings or provided on-street; and a mix of building types including low and mid-rise flats and townhouses, low and mid-rise mixed use buildings, and low-rise commercial buildings. Building height is generally restricted to one to three stories with additional height possible in limited circumstances.

The proposed event building and associated parking lot would be located in the T3 NC policy amendment area. The event center is not intended for large scale events that generate significant traffic. The proposed building use, parking lot location, and building type are consistent with the T3 NC policy. The SP limits building height to three stories in 50 feet, which is also consistent with the T3 NC policy. The proposed event building varies from the T3 NC policy in two areas: building location in relation to the sidewalk and connectivity. With regard to building location, U.S. Highway 70 South is a scenic arterial, necessitating a buffer between the street and the building. The plan shows the required buffer and places the event building in a location where disturbances to existing trees and hillsides would be minimal. With regard to connectivity, existing slopes severely limit opportunities for new connections to adjacent properties on the north, west, and east; additionally, these adjacent properties are already developed, further limiting any new connections.

### *Consistency with T3 NM Policy*

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. T3 NM areas support: low to moderate-density residential development; moderate to deep setbacks and moderate spacing between buildings; moderate levels of connectivity; and mix of building types including houses, detached accessory dwelling units, and low and mid-rise flats and townhouses. Building height is generally limited to one to three stories with additional height possible in limited circumstances.

The proposed short-term rental units (labeled as *Artist Residency* on the plan) on the northeastern portion of the property lie within the T3 NM policy area. These units appear to satisfy the massing, bulk, and building type guidelines established in the T3 NM policy. A 20-foot Standard C landscape buffer would be placed along the

northern and western property boundaries between the rental units and adjacent properties. The maximum height for the rental units would be three stories in 50 feet, which is consistent with the T3 NM policy.

#### *Consistency with the CO Policy*

The CO policy applies to steep slopes located throughout the property. Development within the CO policy should be limited to portions of the property where slopes are less than 20 percent. Buildings should be designed to fit the natural contours of the site, and building footprints should remain small in relation to the lot size.

Steep slopes are prominent on the subject property. For a large portion of the property, slopes exceed 25 percent, creating practical difficulties for any type of development. The proposed buildings (event building, detached residential short term unit, and clustered short-term rental units) and parking lot are generally situated on portions of the property where slopes are the least steep. Other planned features including the proposed amphitheater and creativity hideaways are situated within the more heavily-sloped areas; however, these are outdoor-oriented amenities intended to work with the contours of the site and have minimal impacts on hillsides. Further, the use of a trail—rather than driveways—to access internal features will support conservation of hillsides and trees on the site.

Because the proposed preliminary SP is consistent with the T3 NC, T3 NM, and CO policies, staff recommends approval with conditions.

#### **FIRE MARSHAL RECOMMENDATION**

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

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

#### **HISTORIC ZONING RECOMMENDATION**

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

- Gaddes Cemetery located on adjacent parcel 13100003100 (0 Hwy 70 S). State law prohibits ground disturbance within 10 feet of graves (TCA 46-8). Recommendations to support the preservation and protection of the cemetery include: 1) Establish 10 ft buffer line around cemetery perimeter (greater than 10 ft is highly recommended); 2) Construction fence at the buffer line (10 ft or greater) during site work and construction; 3) Driveway improvements should occur along the south of the drive, away from the cemetery boundary and toward Highway 70 S. Also recommend, if not already present, a metal sign, not to exceed 6 square feet, noting the name and date of the cemetery at the cemetery entrance, and a 5' wide public access easement.
- Parties should proceed with caution when conducting any site preparation activity near the cemetery.
- All state cemetery laws regarding human remains shall apply (i.e., stop work if encountered and notify standard parties).

#### **STORMWATER RECOMMENDATION**

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

- Must comply with all regulations in the Stormwater Management Manual at the time of final submittal.

#### **METRO WATER SERVICES RECOMMENDATION**

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

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

#### **NASHVILLE DOT RECOMMENDATION**

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

- With final provide commercial ramp off ROW, per ST-324 and provide a sight distance exhibit at ramp. Additional grading and vegetation may need to be removed and maintained to provide adequate line-of-sight.

#### **TRAFFIC & PARKING RECOMMENDATION**

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

- Prior to Final SP submittal, the applicant shall coordinate with NDOT on submitting a stamped parking study to determine the appropriate parking count for the proposed uses.
- Comply with NDOT Roads comments on the sight distance exhibit.
- 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: **R40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	10.40	1..27 D	15 U	182	16	16

\*Based on two-family lots

Maximum Uses in Existing Zoning District: **RM4**

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)	2.98	4 D	11 U	58	4	5

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential 3-10 (221)	-	-	6 U	31	3	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office (710)	-	-	25,000 SF	396	10	40

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)	-	-	10,500 SF	3,938	98	398

Traffic changes between maximum: **R40/RM4 and SP**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+4,125	+91	+420

**\*Note that that trip generation numbers are preliminary only. A parking study will be provided with the final SP to determine the appropriate parking count for the proposed uses.**

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions if the associated plan amendment is approved. Staff recommends disapproval if the associated plan amendment is not approved.

**CONDITIONS**

1. Permitted uses shall be limited to uses as identified on the plan and 6 short term rental units.
2. The amphitheater shall be limited to 150 seats.

3. The extents of structures on the site shall not exceed those shown on the preliminary SP. Areas of disturbance shall be in keeping with the preliminary SP plan layout.
4. On final SP, the event center and parking lot shall be situated within the boundaries of the T3 NC policy area. The applicant shall submit a site layout sheet with overlay of policy boundaries with final SP submittal.
5. On the corrected copy, revise maximum height on development summary to the following: 3 stories in 50 feet as measured from the average elevation (average of 4 most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (the vertical distance from eave to midpoint) or to the top of the parapet for a flat roof.
6. On the corrected copy, replace Architectural Note A with the following: Building facades shall be constructed of brick, brick veneer, stone, case stone, cementitious siding, and glass, or materials substantially similar in form and function, unless otherwise approved on detailed elevations included with the preliminary SP.
7. On the corrected copy, label 15' landscape buffer along the corridor as Scenic Easement per the MCSP.
8. Parking requirements shall be determined with final SP and shall comply with Metro Zoning Code standards. Parking lot(s) generally shall be located in areas with slopes less than 20 percent as depicted in the preliminary SP.
9. A tree survey, tree preservation plan, and detailed landscape plan shall be submitted with the final SP.
10. On the corrected copy, remove Standard SP Note #11 on the cover sheet. Note #15 shall be retained.
11. No master permit/HPR shall be recorded prior to final SP approval.
12. Final plat may be required prior to permitting.
13. Comply with all conditions and requirements of Metro reviewing agencies.
14. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
15. 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 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
16. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the property owner.
17. 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.
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. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

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

**Resolution No. RS2024-45**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-084-001 is approved with conditions and disapproved without all conditions. (7-0)

**CONDITIONS**

1. Permitted uses shall be limited to uses as identified on the plan and 6 short term rental units.
2. The amphitheater shall be limited to 150 seats.
3. The extents of structures on the site shall not exceed those shown on the preliminary SP. Areas of disturbance shall be in keeping with the preliminary SP plan layout.
4. On final SP, the event center and parking lot shall be situated within the boundaries of the T3 NC policy area. The applicant shall submit a site layout sheet with overlay of policy boundaries with final SP submittal.
5. On the corrected copy, revise maximum height on development summary to the following: 3 stories in 50 feet as measured from the average elevation (average of 4 most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (the vertical distance from eave to midpoint) or to the top of the parapet for a flat roof.
6. On the corrected copy, replace Architectural Note A with the following: Building facades shall be constructed of brick, brick veneer, stone, case stone, cementitious siding, and glass, or materials substantially similar in form and function, unless otherwise approved on detailed elevations included with the preliminary SP.
7. On the corrected copy, label 15' landscape buffer along the corridor as Scenic Easement per the MCSP.
8. Parking requirements shall be determined with final SP and shall comply with Metro Zoning Code standards. Parking lot(s) generally shall be located in areas with slopes less than 20 percent as depicted in the preliminary SP.
9. A tree survey, tree preservation plan, and detailed landscape plan shall be submitted with the final SP.
10. On the corrected copy, remove Standard SP Note #11 on the cover sheet. Note #15 shall be retained.
11. No master permit/HPR shall be recorded prior to final SP approval.
12. Final plat may be required prior to permitting.
13. Comply with all conditions and requirements of Metro reviewing agencies.

14. A corrected copy of the Preliminary SP plan, incorporating the conditions of approval by Metro Council, shall be provided to the Planning Department prior to or with final site plan application.
15. 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 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
16. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the property owner.
17. 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.
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. 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.

**9. 2009SP-005-003**  
**10TH AVENUE SOUTH SP (AMENDMENT)**

Council District 18 (Tom Cash)  
 Staff Reviewer: Celina Konigstein

A request to amend a Specific Plan (SP) on property located at 2225 10th Avenue South, approximately 50 feet north of Waldkirch Avenue (0.6 acres), and located within the Waverly Belmont Neighborhood Conservation Overlay District, to permit short-term rental properties – not owner occupied, requested by Law Office of Jamie Hollin, applicant; JEM 10th Avenue Venture, LLC, owner.

**Staff Recommendation: Defer to the March 28, 2024, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2009SP-005-003 to the March 28, 2024, Planning Commission meeting. (7-0)**

**10. 2023SP-067-001**

**1631 16TH AVE. N.**  
 Council District 21 (Brandon Taylor)  
 Staff Reviewer: Dustin Shane

A request to rezone from RS5 to SP zoning for property located at 1631 16th Avenue North, at the southwest corner of 16th Avenue North and Wheless Street and located within the Detached Accessory Dwelling Unit (DADU) Overlay District, (0.21 acres), to permit two detached residential units, requested by 1631 16th Ave. N. LLC., applicant and owner.

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

**APPLICANT REQUEST**  
**Preliminary SP to permit two detached residential units.**

Zone Change

A request to rezone from Single-Family Residential (RS5) to Specific Plan (SP) zoning for property located at 1631 16th Avenue North, at the southwest corner of 16th Avenue North and Wheless Street and located within the Detached Accessory Dwelling Unit (DADU) Overlay District (0.21 acres), to permit two detached residential units.

**Existing Zoning**

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 1 unit.*

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



## **Proposed Zoning**

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 PLAN DETAILS**

The site is located at the southwestern corner of Wheless Street and 16<sup>th</sup> Avenue North. Currently, a duplex occupies the site. There is a newly built two-family use in two structures across Wheless Street to the northwest (zoned SP since 2021), a vacant church lot to the north across the intersection, a single-family home to the northeast across 16<sup>th</sup> Avenue North, a vacant residential lot adjacent to the south, and another vacant residential lot across the alley to the southwest. All of the properties except the SP property are zoned RS5, and all of the properties are within the DADU overlay.

### Site Plan

The SP is intended to create a multi-family residential development. The plan proposes 2 detached multi-family residential units. The SP includes a site plan as well as bulk and architectural standards, as well as a note ensuring that landscaping will be per Code. Two parking spaces per unit are proposed for each unit (surface parking accessed from the alley). FAR is 0.28 and building height is limited to 35 feet in 3 stories, measured per the standard SP height measurement. The buildings will be set back ten feet from existing ROW along Wheless Street, twenty feet from existing ROW along 16<sup>th</sup> Avenue North, and five feet along the interior side lot line.

The plan provides 2.3 feet of ROW dedication along 16<sup>th</sup> Avenue North, 1.6 feet of ROW dedication along Wheless Street, and two feet along the alley, with the required four-foot grass strip and five-foot-wide sidewalk along all street frontages. Pervious pavers and modified French drains are proposed to mitigate runoff.

## **NORTH 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 neighborhood currently contains detached single-family homes interspersed with duplexes. The application respects this built form and proposes a two-unit configuration mirroring what has already been built across Wheless Street to the north. The site is under T4 NM policy. The proposed plan meets many of the goals of the T4 NM policy, such as maintaining urban neighborhoods as characterized by their moderate- to high-density residential development pattern, building form/types, setbacks, and building rhythm along the street. The policy mentions that some change will occur over time, usually when buildings are demolished (as in this case). The existing duplex use will be replaced by another two-family configuration, so net density will not increase. The built form is consistent with the policy, which allows for one to three stories generally. No parking is being proposed between the buildings and the street per the policy guidance but is relegated to the alley in the rear.

Staff recommends approval with conditions and disapproval without all conditions. The proposed SP allows an appropriately intense residential development that achieves the intent of the policy area. The SP includes design standards that are intended to provide for development that will appropriately infill the neighborhood. Goals met include improving housing choice while not disturbing the scale and feel of the existing neighborhood, providing sidewalks, and activating streets with pedestrian entryways.

## **FIRE MARSHAL RECOMMENDATION**

**Approve**

## **STORMWATER RECOMMENDATION**

**Approve with conditions**

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

## **WATER SERVICES RECOMMENDATION**

**Approve with conditions**

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

**NASHVILLE DOT ROADS RECOMMENDATION**

**Approve with conditions**

- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions. Following approval of final plans by NDOT, a recorded copy of any ROW dedications will need to be submitted to NDOT for Bldg. permit approval.
- 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**

- Install ADA warning mats at the corner of this development's frontage.
- The new sidewalks along the frontages shall appropriately tie back into the existing sidewalks beyond this property's frontage.
- Comply with NDOT Roads Conditions
- The applicant's final construction drawings shall comply with the design regulations established by the Nashville Department of Transportation, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.21	7.41 D	1 U	15	5	1

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
One and Two-Family Residential (210)	-	-	2 U	28	7	2

Traffic changes between maximum: **RS5 and SP**

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

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS5 district: 0 Elementary 0 Middle 0 High**

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

The proposed SP zoning district is not expected to generate any more students than what is typically generated under the existing RS5 zoning district. Students would attend Robert Churchwell Elementary School, McKissack Middle School, and Pearl-Cohn High School. All three schools have been identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to 2 detached 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, change Note 12 to read, "Landscape buffer yard at the northwest corner shall include one canopy tree and 12 shrubs unless otherwise approved on the final site plan. Landscaping and TDU shall be provided per Metro Zoning Code."
3. Vehicular access shall be limited to the alley.
4. On the corrected copy, the final elevations shall show Unit A addressing both Wheless Street and 16<sup>th</sup> Avenue North. Additional architectural treatments on the northern façade of Unit A (Wheless Street) may be required to better address the street.
5. On the corrected copy, add note: "Setbacks as shown on plan."
6. No master permit/HPR shall be recorded prior to final SP approval.
7. Final plat may be required prior to permitting.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
13. 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.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

**Resolution No. RS2024-46**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2023SP-067-001 is approved with conditions and disapproved without all conditions. (7-0)

**CONDITIONS**

1. Permitted uses shall be limited to 2 detached 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, change Note 12 to read, "Landscape buffer yard at the northwest corner shall include one canopy tree and 12 shrubs unless otherwise approved on the final site plan. Landscaping and TDU shall be provided per Metro Zoning Code."
3. Vehicular access shall be limited to the alley.
4. On the corrected copy, the final elevations shall show Unit A addressing both Wheless Street and 16<sup>th</sup> Avenue North. Additional architectural treatments on the northern façade of Unit A (Wheless Street) may be required to better address the street.
5. On the corrected copy, add note: "Setbacks as shown on plan."
6. No master permit/HPR shall be recorded prior to final SP approval.
7. Final plat may be required prior to permitting.
8. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
13. 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.
14. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses

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

## 11. 2024SP-010-001

### 0 HART LANE

Council District 07 (Emily Benedict)

Staff Reviewer: Andrea Dorlester

A request to rezone from RS10 to SP zoning for property located at Hart Lane (unnumbered), at the northwestern corner of Hart Lane and Saunders Ave. (0.61 acres), to permit eight multi-family residential units, requested by Benesch, applicant; Stewart Building Group, LLC, owner.

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

#### APPLICANT REQUEST

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

#### Preliminary SP

A request to rezone from Single-Family Residential (RS10) to Specific Plan (SP) zoning for property located at Hart Lane (unnumbered), at the northwestern corner of Hart Lane and Saunders Avenue (0.61 acres), to permit eight multi-family residential units.

#### Existing Zoning

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

#### Proposed Zoning

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

#### EAST NASHVILLE COMMUNITY PLAN

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.

#### SITE

The approximately 0.61-acre site is located at the northwestern corner of the intersection of Hart Lane and Saunders Avenue, both of which are classified as major collector roadways in the Major and Collector Street Plan (MCSP). The site also has frontage along Saunders Court. The site is relatively flat with no environmental features mapped on the property. The site is currently vacant and is surrounded by single family residential uses to the north and east. Across Hart Lane to the south and west is a large property owned by the State of Tennessee that is developed with state office buildings, as well as a historic school site. Also to the south on Hart Lane are some light industrial uses.

#### PLAN DETAILS

The application proposes a Specific Plan (SP) zoning district that permits a maximum of 8 multi-family residential units accessed via private auto court, consisting of pervious pavers, with a single access point from Saunders Court, a lower intensity local street. Through the use of a private parking court, all units will be rear- or side-loaded allowing units to front on Hart Lane and Saunders Avenue in two rows of four attached units each. Elevations are included with the proposed plan which show primary entrances along all street frontages and architectural detailing to engage the prominent street frontages of the site. Building facades fronting a street will have minimum glazing requirements and the corner unit at the intersection of Hart Lane and Saunders Avenue has a wrap-around porch. All units include garage parking for two cars with no additional surface parking. Maximum building heights will be 35 feet in three stories.

In order to buffer the garages and auto court from the residences on the other side of Saunders, a proposed 9'-wide type B3 landscape buffer yard is shown on the northern property line. The plan proposes improvements along Hart Lane and Saunders Avenue to the Major and Collector Street Plan (MCSP) standards and along Saunders Court to standard local street conditions along the site's frontage. A private passive open space area is also provided on the western portion of the site.

**ANALYSIS**

The application proposes to rezone the property from RS10 to SP to permit 8 multi-family residential townhome units. The property is within the T3 Suburban Neighborhood Evolving (T3 NE) policy area. 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.

The plan proposes a reasonable increase in entitlements that will provide more housing choices and improved pedestrian connectivity at the intersection of two major collector roadways. Therefore, staff recommends approval with conditions and disapproval without all conditions.

**FIRE MARSHAL RECOMMENDATION**

**Approve**

**STORMWATER RECOMMENDATION**

**Approve with conditions**

- Must comply with all regulations in the Stormwater Management Manual at the time of final submittal.

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

**NASHVILLE DOT ROADS RECOMMENDATION**

**Approve with conditions**

- Final construction plans shall comply with the design regulations established by NDOT.
- Final design and improvements may vary based on actual field conditions. In general, with a final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity. Note: A private hauler will be required for waste/recycle disposal. Additional 1-1/2' mill and overlay may be required (1 travel lane width minimum) to cover full extents of utility work or roadway pavement widening in public ROW. Extents to be coordinated in field with NDOT inspector.
- Provide ADA complaint pedestrian ramps at the corners of public intersections.

**NASHVILLE DOT TRAFFIC AND PARKING RECOMMENDATION**

**Approve with conditions**

- See WeGo's comments.
- Ensure the curb corners have ADA compliant ramps with detectable warning mats on the site plan.
- Two car garage widths should be at a minimum 17 feet (8.5' per space).

**WEGO TRANSIT RECOMMENDATION**

**Approve with conditions**

- Applicant shall work with WeGo with the final site plan to determine appropriate improvements.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.61	1.0 F	2 U	28	7	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi- Family Residential 3-10 (221)	0.61	-	8 U	42	3	4

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+14	-4	+2

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS10 district: 0 Elementary 0 Middle 0 High**  
**Projected student generation proposed SP-R district: 1 Elementary 1 Middle 1 High**

The proposed SP-R zoning is expected to generate three more students than the existing RS10 zoning district. Students would attend Hattie Cotton Elementary School, Jere Baxter Middle School, and Maplewood High School. All three schools are identified as having additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Permitted uses shall be limited to eight multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited within the entire development.
2. On the corrected copy, update the building height calculation on the plan to note that heights will be measured from average elevation (average of four most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch or to the top of the parapet.
3. No master permit/HPR shall be recorded prior to final SP approval.
4. Final plat may be required prior to permitting.
5. 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.
6. 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.
7. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
8. The 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.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
11. 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.
12. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

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

**Resolution No. RS2024-47**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024SP-010-001 is approved with conditions and disapproved without all conditions. (7-0)

**CONDITIONS**

1. Permitted uses shall be limited to eight multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited within the entire development.

2. On the corrected copy, update the building height calculation on the plan to note that heights will be measured from average elevation (average of four most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch or to the top of the parapet.
3. No master permit/HPR shall be recorded prior to final SP approval.
4. Final plat may be required prior to permitting.
5. 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.
6. 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.
7. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
8. The 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.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
11. 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.
12. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

**12. 2023S-124-001**

**PAUL BUCCHI**

Council District 34 (Sandy Ewing)

Staff Reviewer: Donald Anthony

A request for final plat approval to create two lots on property located at 1480 Georgetown Ct., approximately 395 feet east of the intersection of Mountainview Drive and Georgetown Ct., zoned R40 (4.75 acres), requested by B2L Land Surveyors, applicant; Paul Bucchi, owner.

**Staff Recommendation: Defer to the March 28, 2024, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2023S-124-001 to the March 28, 2024, Planning Commission meeting. (7-0)**

**13. 2024S-033-001**

**BATSON SELMA**

Council District 15 (Jeff Gregg)

Staff Reviewer: Andrea Dorlester

A request for final plat approval to create three lots on property located at 84 Fairway Drive, at the southwest corner of Fairway Drive and Selma Ave., zoned RS20 (4.49 acres), requested by Clint Elliott Survey, applicant; Donelson Heights United Methodist Church, Trs., owner.

**Staff Recommendation: Defer to the March 28, 2024, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 2024S-033-001 to the March 28, 2024, Planning Commission meeting. (7-0)**

**14. 145-70P-001**

**BELLEVUE RETAIL (AMENDMENT)**

Council District 34 (Sandy Ewing)

Staff Reviewer: Laszlo Marton

A request to amend a Planned Unit Development Overlay District to permit automobile service uses on property located at 7075 Old Harding Pike, approximately 597 feet west of Old Hickory Blvd., zoned SCC (0.67 acres), JPD Consulting, applicant; Mehran Mozaffari & Roushanak Pazouki, owners.

**Staff Recommendation: Defer to the March 28, 2024, Planning Commission meeting.**

**The Metropolitan Planning Commission deferred 145-70P-001 to the March 28, 2024, Planning Commission meeting. (7-0)**

**15. 2005UD-006-062**

**WEST END CIRCLE TOWNHOMES**

Council District 24 (Brenda Gadd)

Staff Reviewer: Sarah Cook

A request to modify the Urban Design Overlay for property located at 3207 West End Circle, at the southwest corner of Mason Ave. and West End Circle, zoned Multi-Family Residential (RM40) and within the 31st and Long Boulevard Urban Design Overlay District (1.21 acres), to permit attached multifamily residential units.

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

**APPLICANT REQUEST**

**Approve a major modification to the 31<sup>st</sup> Avenue and Long Boulevard UDO.**

UDO Modification

A request to modify the Urban Design Overlay for property located at 3207 West End Circle, at the southwest corner of Mason Ave. and West End Circle, zoned Multi-Family Residential (RM40) and within the 31<sup>st</sup> and Long Boulevard Urban Design Overlay District (1.21 acres), to permit attached multifamily residential units.

**EXISTING ZONING**

Multi-Family Residential (RM40) is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre. *RM40 would permit a maximum of 48 units.*

31<sup>st</sup> Avenue and Long Boulevard UDO is an overlay intended to employ appropriate design standards that preserve the integrity and footprint of the existing surrounding development pattern and ensure that future growth respects and is consistent with the wider area and fosters an appropriate sense of place for the community.

Major modifications, like those being requested in this application, are those deviating more than 20% of any numerical standard, or any non-numerical standard.

**EXISTING POLICY**

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

**BACKGROUND**

Since the 31<sup>st</sup> Avenue and Long Boulevard UDO was adopted in 2005, the neighborhood has seen substantial redevelopment. Several locations within the UDO have substantial topographic challenges including the applicant property.

The UDO specifies that raised foundation heights must be between 1.5' and 5' above the highest point along the property line to increase the privacy of residential buildings. It also states that 100% of the façade must be built to 20' of the front property line. However, the UDO anticipates some of the area's topographic challenges, stating the following:



*“Where site slope conditions prevent the reasonable application of building height standards, exceptions may be made as long as the design intent of the building height standard is met.”*

*“...promote A variety of housing types, appropriate to the topography, to frame the streets and open space...”*

*“Construct buildings with shallow setbacks to frame the street and preserve private rear yards.”*

#### **PLAN DETAILS**

The subject property has substantial topographic changes, falling over 38 feet from the highest point of the site on Hillcrest Place to the lowest point of the site on West End Circle. (Figure 1). The project proposes a three-story townhome development with 19 multi-family units.

#### **MODIFICATION REQUEST DETAILS**

##### **1) Raised Foundation Wall Maximum**

UDO Requirement: 1.5' to 5' above highest point at property line.

Modification Request: Raised Foundation Heights that vary from 6.5' to 8.5' above the back of sidewalk on West End Circle.

##### **2) Front Setback**

UDO Requirement: 100% of façade must be built at 20' from the front property line.

Modification Request: A range of setbacks from 11' to 18'.

#### **MODIFICATION REQUEST ANALYSIS**

The UDO clearly and specifically articulates that topography is to be considered when redevelopment occurs. In this case, the property must navigate substantial topography while properly addressing two street frontages. Staff finds that the project proposes a foundation wall height range and setback range that is consistent with these goals and intent of the UDO and that the design of the townhomes with stoops and front porches at an intermediate level between the sidewalk and front door threshold help to activate and frame the streetscape.

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

#### **CONDITIONS**

1. Approval of these major modifications are specific to these plans. If site layout, building design, etc. change prior to building permits, and major modifications are still necessary, the major modifications may need to be reconsidered by the Metro Planning Commission.
2. 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: Roadway sections, ramps, sidewalks, curb & gutter, etc. shall be constructed per NDOT detail standards. Note: A private hauler will be required for waste/recycle disposal. 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. NDOT would prefer maintaining existing 30 ft. of pavement(ST-252B schedule) along West End Cir, to better accommodate; future on-street parking for both sides of the street, and 2-way travel through section of roadway. (cont.) For building permit approval, either provide additional ROW dedication or bulb-in curbside parking along West End Cir. frontage.

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

#### **Resolution No. RS2024-48**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-006-062 is approved with conditions and disapproved without all conditions. (7-0)

#### **CONDITIONS**

1. Approval of these major modifications are specific to these plans. If site layout, building design, etc. change prior to building permits, and major modifications are still necessary, the major modifications may need to be reconsidered by the Metro Planning Commission.
2. 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: Roadway sections, ramps, sidewalks, curb & gutter, etc. shall be constructed per NDOT detail standards. Note: A private hauler will be required for waste/recycle disposal. 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. NDOT would prefer maintaining existing 30 ft. of pavement(ST-252B schedule) along West End Cir, to better accommodate; future on-street parking for both sides of the street, and 2-way travel through section of roadway. (cont.) For building permit approval, either provide additional ROW dedication or bulb-in curbside parking along West End Cir. frontage.

## 16. 2024Z-023PR-001

Council District 12 (Erin Evans)

Staff Reviewer: Laszlo Marton

A request to rezone from R8 to RM9-A-NS zoning for property located at 5001 Bell Road, at the southeast corner of Old Hickory Blvd and Bell Road (0.62 acres), requested by Redstone Development, LLC, applicant; Beverly Lockhart, owner.

**Staff Recommendation: Approve.**

### APPLICANT REQUEST

**Zone change from R8 to RM9-A-NS.**

#### Zone Change

A request to rezone from One and Two-Family Residential (R8) to Multi-family Residential (RM9-A-NS) zoning for property located at 5001 Bell Road, at the southeast corner of Old Hickory Boulevard and Bell Road (0.62 acres).

#### **Existing Zoning**

One and Two-Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25 percent duplex lots. *R8 would permit a maximum of three duplex lots for a total of six units. Metro codes makes final determinations on duplex eligibility.*

#### **Proposed Zoning**

Multi-Family Residential-Alternative-No Short-Term Rental (RM9-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of nine dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. The -NS designation prohibits Short-Term Rental Property – Owner Occupied and Short-Term Rental Property – Not Owner Occupied uses from the district. *RM9-A-NS would permit a maximum of six units based on acreage alone.*

#### **DONELSON – HERMITAGE – OLD HICKORY 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 one parcel (Map 097, Parcel 104) totaling 0.62 acres located at the intersection of Old Hickory Boulevard and Bell Road. The northern property line is along Bell Road, while the western property line abuts an unimproved segment of right-of-way for Old Hickory Boulevard. The property is zoned One and Two-Family Residential (R8) and is currently vacant. Surrounding properties are zoned Agricultural/Residential (AR2a), R8, and Multi-Family Residential (RM15) while the surrounding land uses are multi-family residential and single-family residential.

The application proposes to rezone the property from R8 to RM9-A-NS. The property is within the T3 Suburban Neighborhood Maintenance (T3 NM) policy area which intends to maintain the general character of developed suburban residential neighborhoods. The subject site is located in a T3 NM area that is characterized by previously developed multi-family residential properties. The T3 NM Policy may support higher intensity residential building types in certain situations, such as along corridors, where development may vary slightly in character from development interior to neighborhoods and along local streets. As the property is located at the intersection of two arterial boulevards in an area characterized by multi-family residential development, alternative building forms, such as low- and mid-rise townhomes, courtyard flats, and low- and mid-rise flats are supported by the policy at this location. RM9-A-NS applied on the property would allow the same density as R8, however it allows for a greater variety of building forms. This intersection of Old Hickory Boulevard and Bell Road currently contains several multi-family developments, with both mid-rise flats and townhomes.

Overall, the request for RM9-A-NS on the site is supported by the T3 NM policy and meets goals of NashvilleNext to provide for a mixture of housing types.

**FIRE RECOMMENDATION**  
**Approve**

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.62	3.99 F	6 U	78	9	7

\*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)	0.62	9 D	6 U	31	3	3

Traffic changes between maximum: **R8 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
-	-	-	-	-40	-6	-4

**METRO SCHOOL BOARD REPORT**

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

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

The proposed zoning is expected to generate one more student than the existing R8 zoning district. Students would attend Ruby Major Elementary School, Donelson Middle School, and McGavock High School. Ruby Major Elementary and McGavock High are identified as at capacity while Donelson Middle 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. (7-0)**

**Resolution No. RS2024-49**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-023PR-001 is approved. (7-0)

**17. 2024Z-024PR-001**

Council District 02 (Kyonzté Toombs)

Staff Reviewer: Oscar Orozco

A request to rezone from R10 to RM15-A-NS zoning for property located at 2128 Bellefield Ave., approximately 147 feet northeast of Courtney Ave.(0.35 acres), requested by Shawn D. Jackson, applicant; Kevin Overstreet & Donna Flatt, owners.

**Staff Recommendation: Approve.**

**APPLICANT REQUEST**

**Zone change from R10 to RM15-A-NS.**

Zone Change

A request to rezone from One and Two-Family Residential (R10) to Multi-family Residential -Alternative - No Short-Term Rental (RM15-A-NS) zoning for property located at 2128 Bellefield Ave., approximately 147 feet northeast of Courtney Ave. (0.35 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. *R10 would permit a maximum of one duplex lot for a total of two units. Duplex eligibility is determined by the Codes Department.*

**Proposed Zoning**

Multi-family Residential – Alternative - No Short-Term Rental (RM15-A-NS) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre and is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards. The – NS designation prohibits Short-Term Rental Property – Owner Occupied and Short-Term Rental Property – Not Owner Occupied uses from the district. *RM15-A-NS would permit a maximum of five multi-family residential units.*

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

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

**ANALYSIS**

The 0.35 acre-site is located at 2128 Bellefield Avenue. The subject site has frontage along Bellefield Avenue. There is currently one house on the property. The nearby zoning districts include One and Two-Family Residential (R10), Specific Plan (SP), and RM15-A-NS. Commercial Limited (CL) and Office Limited (OL) zoning is located along Clarksville Pike to the west.

The subject site is adjacent to an approved SP (BL2020-124), which was approved in 2020 for a mixed-use development in four and five story structures across the 11-acre site. This SP also included improvements to previously unimproved Bellefield Avenue, making it a local through street from Courtney Avenue to Lawrence Avenue.

The surrounding built environment is comprised of an evolving residential landscape, which has introduced two-story and three-story structures, resulting in a mixture of existing single and split story ranch homes along Courtney Ave. This has allowed for a diversity in the surrounding land uses that consist of single-family, two-family and multifamily residential. The policy on the site is T3 Suburban Neighborhood Evolving which has the intent of creating a diversity of uses and housing options within suburban contexts. The proposed zoning, RM15-A-NS, is noted as an acceptable zoning district in the Community Character Manual. The additional designations of – A, Alternative, aids in the intent to create an improved building form by providing standards for entrances, raised foundations, and glazing requirements. The – NS designation, prohibits Short-Term Rental Property – Owner Occupied and Short-Term Rental Property – Not Owner Occupied ensuring the goal of the policy to provide housing options in a residential suburban context is met. The parcel is also located next to a T3 CM Suburban Mixed Use Corridor Policy which encourages a greater mix of higher-density residential and mixed-use development. The proposed rezoning on this property can help to provide a transition in density from the adjacent SP to the surrounding one and two-family properties along Courtney Avenue.

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)	0.35	5.71F	2 U	28	7	2

\*Based on two-family lots

Maximum Uses in Proposed Zoning District: **RM15-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)	0.35	15 D	5 U	26	1	3

Traffic changes between maximum: **R10 and RM15-A-NS**

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 R10 zoning districts: 0 Elementary 0 Middle 0 High  
 Projected student generation proposed RM15-A-NS district: 1 Elementary 0 Middle 1 High

The proposed RM15-A-NS zoning is expected to generate two additional students. Students would attend Cumberland Elementary School, Haynes Middle School, and Whites Creek High School. Whites Creek high school is exceedingly under capacity, while Cumberland Elementary and Haynes Middle School are at capacity as identified by the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends approval.

**Approve. (7-0)**

**Resolution No. RS2024-50**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-024PR-001 is approved. (7-0)

**18. 2024Z-027PR-001**

Council District 20 (Rollin Horton)  
 Staff Reviewer: Celina Konigstein

A request to rezone from R8 to RM15-A zoning for property located at 6307 Robertson Ave., approximately 271 feet west of Croley Drive (0.46 acres), requested by Dale & Associates, applicant; Randy & Beth Burns, owners.

**Staff Recommendation: Disapprove RM15-A and approve RM9-A-NS with conditions.**

**APPLICANT REQUEST**

**Zone change from R8 to RM15-A.**

Zone Change

A request to rezone from One and Two-Family Residential (R8) to Multi-family Residential -Alternative (RM15-A) zoning for property located at 6307 Robertson Ave., approximately 271 feet west of Croley Drive (0.46 acres).

**Existing Zoning**

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

**Proposed Zoning**

Multi-family Residential – Alternative (RM15-A) is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre and is designed to create walkable neighborhoods through the use of

appropriate building placement and bulk standards. *RM15-A would permit a maximum of seven units based on acreage alone.*

**WEST 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 0.46 acre-site is located at 6307 Robertson Avenue, a collector avenue designated by the Major and Collector Street Plan (MCSP). There is presently one house on the property. Nearby zoning districts include OR20, CS, and R8 and surrounding land uses consist of single-family and multi-family residential, commercial, and office.

The requested zoning district, RM15-A, would allow for a density of 15 units per acre and includes the designation of – A, Alternative, which aids in the intent to create a more urban form by providing standards for entrances, raised foundations, and glazing requirements.

The site is on the eastern edge of a T4 Urban Neighborhood Maintenance policy area, where the goals are to generally maintain the character of existing urban neighborhoods, recognizing that some change will occur over time. The site is adjacent to properties in the T4 Urban Neighborhood Center policy area to the east. The context of the T4 NM area to the north, west and south is characterized by lower intensity residential uses, while the context to the east includes a mixture of nonresidential uses supported by a higher intensity policy area. This site is viewed as a transition between the two policy areas where an increase in intensity may be supported if transitioning appropriately to the residential neighborhood.

The density permitted under the requested RM15-A zoning may result in a form that is not in keeping with the surrounding residential neighborhood, characterized by a consistent setback pattern with similar spacing and orientation. Staff recommends reducing the intensity to RM9-A-NS, a less intense multifamily zoning district that would provide for a moderate increase in density while appropriately transitioning from the established residential neighborhood to the west and the T4 NC areas to the east. The initial request did not include the -NS designation which prohibits Short-Term Rental Property – Owner Occupied and Short-Term Rental Property – Not Owner Occupied uses from the district. Adding the -NS would ensure long term housing, which is appropriate in Neighborhood Maintenance policy areas.

As properties in this area have been developing with additional intensity, some infrastructure improvements, including sidewalks, have occurred. Currently there are sidewalks on the northern side of Robertson Avenue; however, there are no sidewalks present on the southern side of Robertson Avenue between Westboro Drive and Croley Drive. As the goals of the T4 NM policy encourage high levels of connectivity and enhancements to infrastructure improvements in urban neighborhoods, staff is including a condition requiring sidewalk improvements.

For these reasons, staff recommends disapproval of RM15-A and approval of RM9-A-NS with conditions.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
One and Two-Family Residential* (210)	0.46	5.29 F	2 U	28	7	2

\*Based on two-family lots

**Maximum Uses in Proposed Zoning District: RM15-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)	0.46	15 D	7 U	36	3	3

Traffic changes between maximum: **R8 and RM15-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+8	-4	+1

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing R8 zoning districts: 0 Elementary 0 Middle 0 High**  
**Projected student generation proposed RM15-A district: 1 Elementary 1 Middle 1 High**

The proposed RM15-A zoning is expected to generate three additional students. Students would attend Charlotte Park Elementary School, H. G. Hill Middle School, and James Lawson High School. Charlotte Park Elementary School is at capacity, H. G. Hill Middle School is exceedingly under capacity and James Lawson has additional capacity. This information is based upon the 2022-2023 MNPS School Enrollment and Utilization report provided by Metro Schools.

**STAFF RECOMMENDATION**

Staff recommends disapproval of RM15-A and approval of RM9-A-NS with conditions.

**CONDITIONS**

1. Sidewalks consistent with Metro Standards shall be constructed along all public street frontages prior to final use and occupancy permit.

Ms. Konigstein presented the staff recommendation to disapprove RM15-A and approve RM9-A-NS with conditions.

Michael Garrigan, Dale & Associates, spoke in favor of the application.

**Mr. Henley closed the Public Hearing.**

Mr. Tibbs asked for clarification regarding what the applicant is trying to get versus what the staff is recommending.

Ms. Konigstein advised the RM15-A would allow a maximum of seven units and RM9-A-NS would allow four.

Mr. Tibbs expressed his concern that if they approved it, and the sale does not go through, they would be stuck with the extra units being zoned to this.

Mr. Clifton said he would like to hear more from staff whether this is outrageous or a difference of opinion that could possibly go either way.

Ms. Milligan stated when they are on seams of policies where there is something more intense next to something that is intended to be less intense, there is a lot of internal debate amongst staff. She thought this policy can support a range of density. Ms. Milligan added they requested just RM15-A but would encourage an NS designation.

Ms. Leslie asked if the parcel on the left side has ten units.

Ms. Konigstein answered the parcel on the right has a current permit pulled for ten units but it is under review. She pointed to a presentation slide and explained it is split zoned, so all of those units are on the CS side and that was likely done through the adaptive residential regulations.

Ms. Leslie asked if the opposite side had two units.

Ms. Konigstein stated there is a maximum of two units that could be built, as it is R8.

Ms. Leslie then asked is what the applicant asking to be built seven or six.

Ms. Konigstein said six.

Mr. Smith asked what is the density to the small neighborhood to the south.

Ms. Konigstein responded she does not know the density, but where there is a small section that stubs off and has a little cul-de-sac, is a PUD.

Mr. Smith asked if it is RM-15 on the other side of Crowley.

Ms. Milligan stated there is a bit of a patchwork of zoning and land uses in this area; as there is some OR20 to the northeast, quite a bit of R8, and IWD and OR20 to the west. She added that in this immediate area, there is R8CS, RM20 within a PUD and some R10 further to the south.

Ms. Dundon said she would like to hear more thoughts from staff on the impact of the future if they allowed it to go RM15-A.

Ms. Milligan explained if that property came in, they would review any future requests for rezoning of properties near this one on its own merit. They would not consider it a precedent, they would look at it in the context, zoning and policy to make individualized recommendations on properties. If rezoned to RM15-A, it would permit seven units.

Mr. Smith asked Mr. Garrigan if an NS designation would be a hinderance.

Mr. Garrigan responded they would be fine with the NS designation.

Mr. Henley stated the letters of support from both community organizations also specifically highlighted the NS designation, as well.

Ms. Milligan advised the William Howard place to the south, which is single family detached, is a PUD. She asked Mr. Smith if he was talking about the multi-family that is over on Becca Lynn.

Mr. Smith responded in the affirmative.

Ms. Milligan said that is an RM-15 and that is the density that is built.

**Mr. Clifton moved and Mr. Smith seconded the motion to disapprove RM15-A and approve RM15-A-NS with conditions. (7-0)**

**Resolution No. RS2024-51**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2024Z-027PR-001 is disapproved for RM15-A and approved for RM15-A-NS with conditions. (7-0)

**CONDITIONS**

1. Sidewalks consistent with Metro Standards shall be constructed along all public street frontages prior to final use and occupancy permit.

## **H: OTHER BUSINESS**

19. New Employment Contract for Savannah Garland & Contract Amendment for Joni Williams

**Resolution No. RS2024-52**

"BE IT RESOLVED by The Metropolitan Planning Commission that the New Employment Contract for Savannah Garland & Contract Amendment for Joni Williams is approved. (7-0)

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

**Resolution No. RS2024-53**

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

24. Legislative Update



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

**March 28, 2024**

MPC Meeting

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

**April 11, 2024**

MPC Meeting

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

**April 25, 2024**

MPC Meeting

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

## **J: ADJOURNMENT**

The meeting adjourned at 4:48 p.m.