



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2021-950, **Version:** 1

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A resolution approving the property at 4601 Ashland City Highway to be used for a waste transfer facility.

WHEREAS, Section 17.40.280 of the Metropolitan Code requires the Metropolitan Council to approve by resolution the location of certain land uses, including waste transfer facilities, before a hearing by the Board of Zoning Appeals; and

WHEREAS, the Council must make a finding that the proposed use is consistent with the conditions specified in Chapter 17.16 of the Metropolitan Code; and

WHEREAS, Section 17.40.280 of the Metropolitan Code further provides that the Council has 60 days to approve or disapprove said facility, or Council approval shall be waived; and

WHEREAS, Barge Design Solutions has filed an application for a special exception use permit on behalf of Nashville Waste Solutions, LLC for a waste transfer facility to be operated at 4601 Ashland City Highway, which requires consideration by the Council pursuant to Section 17.40.280 of the Metropolitan Code.

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

Section 1. The Metropolitan Council hereby finds that Nashville Waste Solutions, LLC, applicant for a waste transfer facility to be operated at 4601 Ashland City Highway, Parcel No. 06800002900, has proposed a use consistent with the requirements of the Zoning Code at this location and therefore recommends approval of such use to the Board of Zoning Appeals as a "special exception" use.

Nashville Waste Solutions, LLC is requesting a special exception under Section 17.16.210 of the Metropolitan Code applicable to the placement of a waste transfer facility.

Section 2. This Resolution shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

### Analysis

This resolution approves property located at 4601 Ashland City Highway to be used as a waste transfer station. Nashville Waste Solutions, LLC, has filed a request for a special exception with the Metro board of zoning appeals (BZA) to use this property for a waste transfer station. The Metropolitan Zoning Code requires the council to approve the location by adoption of a resolution before the BZA can act on the request. The council has 60 days from the date the request was submitted to act on this resolution or it is deemed approved. This request was submitted to the council office and district councilmember on May 4, 2021.

There was a companion piece of legislation for this project (Ordinance No. BL2021-744, which was withdrawn at the June 1 Council meeting) that would have approved the proposed facility under the state Jackson Law (Tenn. Code Ann. §68-211-701, *et seq.*). The proposed facility would process, shred, and sort incoming

municipal solid waste and construction and demolition waste to recycle the ferrous and non-ferrous metals, and then to compress and wrap the residual waste into bales. Section 17.16.210 of the Metro Code provides that all loading, unloading, compacting, sorting, processing, or storage associated with a waste transfer shall take place within a completely enclosed building, which would apply to this facility.