



METROPOLITAN PLANNING COMMISSION

ACTION AGENDA

Thursday, April 25, 2013

4:00 pm Regular Meeting

700 Second Avenue South
(between Lindsley Avenue and Middleton Street)
Howard Office Building, Sonny West Conference Center (1st Floor)

MISSION STATEMENT

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

Jim McLean, Chair
Stewart Clifton, Vice-Chair

Greg Adkins
Judy Cummings
Derrick Dalton
Hunter Gee

Jeff Haynes
Phil Ponder
Councilmember Phil Claiborne
Andrée LeQuire, representing Mayor Karl Dean

Richard C. Bernhardt, FAICP, CNU-A
Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County
800 2nd Avenue South P.O. Box 196300 Nashville, TN 37219-6300
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Notice to Public

Please remember to turn off your cell phones.

The Commission is a 10-member body, nine of whom are appointed by the Metro Council and one of whom serves as the mayor's representative. The Commission meets on the 2nd and 4th Thursday of each month at 4:00 p.m., unless otherwise noted. The Planning Commission makes the final decision on final site plan and subdivision applications. On all other applications, the Commission recommends an action to the Metro Council (e.g. zone changes, specific plans, overlay districts, and mandatory referrals). The Metro Council can accept or not accept the recommendation.

Agendas and staff reports can be viewed on-line at www.nashville.gov/mpc/agendas or weekdays from 7:30 a.m. to 4:00 p.m. at the Planning Department office located at 800 2nd Avenue South, downtown Nashville. Also, at the entrance to this meeting room, a binder of all staff reports has been placed on the table for your convenience.

Meetings on TV can be viewed live or shown at an alternative time on Channel 3. Visit www.nashville.gov/calendar for a broadcast schedule.

Writing to the Commission

You can mail, hand-deliver, fax, or e-mail comments on any agenda item to the Planning Department. For the Commission to receive your comments, prior to the meeting, you must submit them by **noon the day of the meeting**. Otherwise, you will need to bring 14 copies of your correspondence to the meeting and during your allotted time to speak, distribute your comments.

Mailing Address: Metro Planning Department, 800 2nd Avenue South, P.O. Box 196300, Nashville, TN 37219-6300
Fax: (615) 862-7130
E-mail: planningstaff@nashville.gov

Speaking to the Commission

If you want to appear in-person before the Commission, view our tips on presentations on-line at www.nashville.gov/mpc/pdfs/mpc_mtg_presentation_tips.pdf and our summary regarding how Planning Commission public hearings are conducted at www.nashville.gov/mpc/docs/meetings/Rules_and_procedures.pdf. Briefly, a councilmember may speak at the very beginning of the commission meeting, after the individual item is presented by staff, or after all persons have spoken in favor or in opposition to the request. Applicants speak after staff presents, then, those in favor speak followed by those in opposition. The Commission may grant the applicant additional time for a rebuttal after all persons have spoken. Maximum speaking time for an applicant is 10 minutes, individual speakers is 2 minutes, and a neighborhood group 5 minutes, provided written notice was received prior to the meeting from the neighborhood group.

- Day of meeting, get there at least 15 minutes ahead of the meeting start time to get a seat and to fill-out a "Request to Speak" form (located on table outside the door into this meeting room).
- Give your completed "Request to Speak" form to a staff member.
- For more information, view the Commission's Rules and Procedures, at www.nashville.gov/mpc/pdfs/main/rules_and_procedures.pdf

Legal Notice

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



The Planning Department does not discriminate on the basis of race, color, national origin, gender, gender identity, sexual orientation, age, religion, creed or disability in admission to, access to, or operations of its programs, services, or activities. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other employment practices because of non-merit factors shall be prohibited. For ADA inquiries, contact Josie Bass, ADA Compliance Coordinator, at (615) 862-7150 or e-mail her at josie.bass@nashville.gov. For Title VI inquiries, contact Caroline Blackwell of Human Relations at (615) 880-3370. For all employment-related inquiries, contact Human Resources at (615) 862-6640.

MEETING AGENDA

- A. CALL TO ORDER
- B. ADOPTION OF AGENDA
- C. APPROVAL OF APRIL 11, 2013 MINUTES
- D. RECOGNITION OF COUNCILMEMBERS

G. PREVIOUSLY DEFERRED ITEMS

The items below were deferred from a previous Planning Commission meeting at the request of the applicant or by the commissioners. For Community Plan Policy items, see H. Community Plan Policy Changes and Associated Cases.

Zone Changes

1. 2013Z-004PR-001

BL2013-348 / LANGSTER
MIDTOWN REZONING (No. 2)
Map Various, Parcels Various
Council District 21 (Edith Taylor Langster)
Staff Reviewer: Greg Johnson

A request to rezone from MUL-A, MUG-A, CF and ORI to MUG-A (28.58 acres) and MUI-A (53.12 acres) zoning for various properties in Midtown between I-440 and I-40 (81.70 acres in total), requested by the Metro Planning Department, applicant, various property owners.

MPC Action: Approved. 8-0

H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

The Planning Commission will make the final decision on a Community Plan Amendment. The Commission will make a recommendation to the Metro Council on any associated cases(s). The Metro Council will make the final decision to approve or disapprove the associated case(s).

Community Plan Amendments

2a. 2013CP-005-001

EAST NASHVILLE COMMUNITY PLAN AMENDMENT
Map 082-08, Parcel(s) 319
Council District 05 (Scott Davis)
Staff Reviewer: Cindy Wood

A request to amend the East Nashville Community Plan: 2006 Update by changing the Land Use Policy from Single Family Detached in Neighborhood General to Mixed Use in Neighborhood Center policy for property located at 941 W. Eastland Avenue, within the Maxell Heights and Greenwood Neighborhood Conservation Overlay Districts (0.17 acres), requested by Cees Brinkman, owner.

MPC Action: Approved. 9-0

2b. 2013SP-014-001

EASTLAND & CHICAMAUGA

Map 082-08, Parcel(s) 308, 319
Council District 05 (Scott Davis)
Staff Reviewer: Duane Cuthbertson

A request to rezone from RS5 to SP-MU zoning and for final site plan approval for properties located at 904 Chicamauga Avenue and 941 W. Eastland Avenue, approximately 125 feet east of McFerrin Avenue and located within the Maxwell Heights and Greenwood Neighborhood Conservation Overlay Districts (0.34 acres), to permit a mixture of uses including restaurant (full service), retail, office and personal care services uses in addition to single and two family residential, requested by Brinkman Holding, LLC, owner.

MPC Action: Approve preliminary SP and final site plan with conditions, and disapprove preliminary SP and final site plan without all conditions. 9-0

3a. 2013CP-007-001

WEST NASHVILLE COMMUNITY PLAN AMENDMENT

Map 103-04, Parcel(s) 161-162
Council District 24 (Jason Holleman)
Staff Reviewer: Anita McCaig

A request to amend the West Nashville Community Plan: 2009 Update by changing the Community Character Policy from Urban Neighborhood Maintenance (T4-NM) to Urban Neighborhood Center policy for properties located at 132 and 134 46th Avenue North, at the southeast corner of Utah Avenue and 46th Avenue North (0.54 acres), requested by Laodice, LLC, owner.

MPC Action: Deferred to the May 9, 2013, Planning Commission meeting. 9-0

3b. 2013SP-012-001

46TH AND UTAH

Map 103-04, Parcel(s) 161-162
Council District 24 (Jason Holleman)
Staff Reviewer: Greg Johnson

A request to rezone from RS7.5 and CN to SP-MU zoning for properties located at 132 and 134 46th Avenue North, at the southeast corner of Utah Avenue and 46th Avenue North (.54 acres), to permit up to three residential units and office, financial institution, restaurant, and retail uses, requested by Laodice, LLC, owner.

MPC Action: Deferred to the May 9, 2013, Planning Commission meeting. 9-0

I. RECOMMENDATIONS TO METRO COUNCIL

The Planning Commission will make a recommendation to the Metro Council on the requests below. The Metro Council will make the final decision to approve or disapprove the request.

Zoning Text Amendments

4. 2013Z-009TX-001

BL2013-403 \ JOHNSON

EXTERIOR LIGHTING OF BUILDINGS & STRUCTURES

Staff Reviewer: Jason Swaggart

A request to amend Section 17.28.100 of the Metropolitan Code pertaining to exterior lighting of buildings and structures, requested by Councilmember Karen Y. Johnson, applicant.

MPC Action: Approved. 9-0

Specific Plans

5. 2007SP-037U-12

FOREST VIEW

Map 162, Parcel(s) 115, 219-221, 223
Council District 31 (Fabian Bedne)
Staff Reviewer: Amy Diaz-Barriga

The periodic review of an approved Specific Plan (R) district known as "Forest View", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 1444, 1446, 1448, 1450 and 1452 Bell Road, (40.21 acres), approved to permit the development of multi-family dwelling units, commercial, office and retail uses via Council Bill BL2009-389 approved on March 19, 2009, review initiated by the Metro Planning Department.
MPC Action: Find the SP District inactive and direct staff to prepare a report to the Council recommending the SP be retained. 9-0

6. 2008SP-035U-09

1201 DEMONBREUN

Map 093-09, Parcel(s) 270, 293
Council District 19 (Erica S. Gilmore)
Staff Reviewer: Amy Diaz-Barriga

The periodic review of an approved Specific Plan (MU) district known as "1201 Demonbreun", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 1200 Laurel Street and Demonbreun Street (unnumbered), (2.866 acres), approved for a maximum 24-story mixed-use building via Council Bill BL2009-381 approved on March 19, 2009, review initiated by the Metro Planning Department.
MPC Action: Find the SP District active. 9-0

7. 2009SP-001-001

THE ACADEMY AT BELLEVUE

Map 155, Parcel(s) 090-091
Council District 35 (Bo Mitchell)
Staff Reviewer: Amy Diaz-Barriga

The periodic review of an approved Specific Plan (C) district known as "The Academy at Bellevue", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 7860 Learning Lane and 8236 Collins Road, (1.58 acres), approved for a 15,824 square foot day care center for up to 175 children via Council Bill BL2009-400 approved on March 19, 2009, review initiated by the Metro Planning Department.
MPC Action: Find the SP District inactive and direct staff to prepare a report to the Council recommending the SP be retained. 9-0

8. 2009SP-014-001

GOODPASTURE CHRISTIAN SCHOOL

Map 051, Part of Parcel(s) 028
Council District 08 (Karen Bennett)
Staff Reviewer: Amy Diaz-Barriga

The periodic review of an approved Specific Plan (MU) district known as "Goodpasture Christian School", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for a portion of property located at 619 Due West Avenue, (0.05 acres), approved for an electronic sign via Council Bill BL2009-396 approved on March 19, 2009, review initiated by the Metro Planning Department.
MPC Action: Find the SP District complete. 9-0

9. 2013SP-016-001

RICHLAND STATION

Map 091-15, Parcel(s) 022, 026, 045
Council District 24 (Jason Holleman)
Staff Reviewer: Duane Cuthbertson

A request to rezone from CS and RS7.5 to SP-R zoning for properties located at 332 and 322 54th Avenue North and 323 53rd Avenue North, approximately 400 feet south of Charlotte Avenue (3.12 acres), to permit up to 40 residential units, requested by Dean Design Group, applicant, McClurken Memorial Church, David Helton, and Adelaide Lawrence, owners.
MPC Action: Approved with revised Planning Department conditions and disapproved without all revised Planning Department conditions. 9-0

Zone Changes

10. 2013Z-012PR-001

500 SOUTH 15TH STREET

Map 083-13, Parcel(s) 365
Council District 06 (Peter Westerholm)
Staff Reviewer: Duane Cuthbertson

A request to rezone from R6 to RS5 zoning for property located at 500 South 15th Street, at the southwest corner of South 15th Street and Shelby Avenue (0.26 acres), requested by Fiddlehead Developers, LLC, owner.

MPC Action: Approved. 9-0

11. 2013Z-013PR-001

BL2013-412 \ WEINER

HICKS ROAD (UNNUMBERED)

Map 128, Parcel(s) 038
Council District 22 (Sheri Weiner)
Staff Reviewer: Amy Diaz-Barriga

A request to rezone from SP to RS80 zoning for property located at Hicks Road (unnumbered), approximately 1,160 feet east of Sawyer Brown Road (36.25 acres), requested by the Metro Planning Department, applicant, Dr. Churku Mohan Reddy and Rama C. Reddy Et al, owners.

MPC Action: Approved. 9-0

J. PLANNING COMMISSION ACTIONS

The Planning Commission will make the final decision on the items below.

Planned Unit Developments: Final Site Plans

12. 128-78P-001

HERMITAGE BUSINESS CENTER (ZAXBY'S)

Map 075-10, Parcel(s) 211
Council District 11 (Darren Jernigan)
Staff Reviewer: Greg Johnson

A request to revise the preliminary plan and for final site plan approval for a portion of the Hermitage Business Center Commercial Planned Unit Development Overlay District on property located at 4115 Lebanon Pike, at the intersection of Lebanon Pike and Old Hickory Boulevard, zoned SCR (1.31 acres), to permit the construction of a 3,847 square foot fast food restaurant, requested by CSR Engineering, Inc. applicant, ROC Solid Foods, LLC, owner.

MPC Action: Approved with conditions. 9-0

13. 2005P-028-002

HERON POINTE (FORMERLY CARILLON)

Map 121, Parcel(s) 079
Council District 13 (Josh Stites)
Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final site plan approval for Phase 1 of the Carillon Planned Unit Development Overlay District on property located at Bell Road (unnumbered), approximately 1,650 feet north of Couchville Pike, zoned RM9 and MUL (39.53 acres), to permit a 452 multi-family unit development and final approval for Phase 1 to permit the development of 324 multifamily dwelling units, requested by Ragan-Smith Associates, applicant, Carillon II Investment Partners, owner.

MPC Action: Approved with conditions, including revised Stormwater conditions. 9-0

14. 206-83P-001

MCDONALD'S

Map 149, Parcel(s) 322
Council District 28 (Duane A. Dominy)
Staff Reviewer: Amy Diaz-Barriga

A request to revise the preliminary plan and for final site plan approval for a portion of the Commercial Planned Unit Development Overlay District located on property at 2499 Murfreesboro Pike, at the corner of Edge O Lake Drive and Murfreesboro Pike (0.92 acres), zoned R15, to permit the addition of a dual drive-thru to an existing fast food restaurant, requested by TSquare Engineering, applicant, McDonald's Corporation, owner.

MPC Action: Approved with conditions. 9-0

Subdivision: Final Plats

15. 2013S-046-001

COUNTRY CLUB ESTATES, RESUB LOTS 15 & 16

Map 072-04, Parcel(s) 229
Council District 07 (Anthony Davis)
Staff Reviewer: Duane Cuthbertson

A request for final plat approval to create four lots on property located at 1801 McGavock Pike, at the northeast corner of McGavock Pike and Ardee Avenue, zoned RS7.5 (0.87 acres), requested by Pantheon Development Partners, LLC, owner, Campbell, McRae & Associates Surveying, Inc., surveyor.

MPC Action: Approved with conditions. 9-0

K. OTHER BUSINESS

16. Employee contract renewals for Cindy Wood and Greg Johnson

MPC Action: Approved. 9-0

17. Capital Improvement Budget for 2013-2014 to 2018-2019

MPC Action: Approved. 9-0

- 18. Historic Zoning Commission Report
- 19. Board of Parks and Recreation Report
- 20. Executive Committee Report
- 21. Executive Director Report
- 22. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

April 22, 2013

General Plan Meeting-NashvilleNext Speakers' Series

The High Cost of America's Inefficient Development Patterns- William Fulton, AICP, Vice President and Director of Policy Development & Implementation, Smart Growth America
5:30 pm, 25 Middleton Street, Nashville Children's Theater

April 25, 2013

MPC Meeting

4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

May 6, 2013

General Plan Meeting-NashvilleNext Speakers' Series

Regional Partnerships to Achieve Local Viability- Amy Liu, Senior Fellow, Brookings Institution

5:30 pm, 25 Middleton Street, Nashville Children's Theater

May 9, 2013

MPC Meeting

4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

M. ADJOURNMENT

Consent = Consent Agenda
Closed = Public Hearing was previously held and closed
Defer = Applicant requests to defer 1 or 2 meetings

Defer Indef = Applicant requests to defer indefinitely
Open = Public hearing is to be held
Withdraw = Applicant requests to withdraw application