



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department  
Metro Office Building  
800 Second Avenue South  
Nashville, Tennessee 37201

**PLANNING COMMISSION:**

James McLean, Chairman	Tonya Jones
Phil Ponder, Vice Chairman	Hunter Gee
Stewart Clifton	Victor Tyler
Judy Cummings	Councilmember Jim Gotto
Derrick Dalton	Andrée LeQuire, representing Mayor Karl Dean

**AGENDA**

**OF THE**

**METROPOLITAN PLANNING COMMISSION**

*April 23, 2009*

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*4:00 PM*

*Metro Southeast at Genesco Park  
1417 Murfreesboro Road*

*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.*

**I. CALL TO ORDER**

**II. ADOPTION OF AGENDA**

**III. RECOGNITION OF COUNCILMEMBERS**

**IV. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN**

**Action: Approve (9-0)**

**V. PUBLIC HEARING: CONSENT AGENDA**

**Action: Approve (10-0)**

## VI. PREVIOUSLY DEFERRED ITEMS

### 1. 2009Z-002TX-001

Staff Reviewer: Jennifer Regen

A council bill to amend of the Metro Zoning Code, Chapter 17.16, to allow mobile vendors unable to comply with the indoor-only provision to apply for a Special Exception (SE) permit for outdoor vending, requested by Councilmember Pam Murray.

**Action: Defer Indefinitely (9-0)**

## VII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS

### 2. 2009Z-004TX-001

Historic Bed and Breakfast Homestay  
Staff Reviewer: Jennifer Regen

A request to amend Chapters 17.16, 17.36 and 17.40 of the Zoning Code to delete Historic Bed and Breakfast Homestay as an historic overlay district and add it as a Special Exception (SE) use and a use permitted by right (P) in certain zoning districts, requested by Councilmember Mike Jameson.

**Action: Approve with amendments including that an historic bed and breakfast homestay shall be issued a permit initially for two (2) years and that permit may be renewed thereafter without expiration subject to review at any time by the Board of Zoning Appeals. The permit may be revoked after a public hearing held by the Board of Zoning Appeals based on any of the following findings: (1) the use is detrimental to the neighborhood's public health and safety; (2) one or more conditions of the permit have been violated; or (3) activities on the premises violate state or local law. The permit shall not be transferable to another property owner or another property. (10-0)**

## VIII. PUBLIC HEARING: REHEARING

### 3. 88-69P-001

Williams Home Place PUD (Verizon Tower Revision)  
Map: 161-00 Parcel: 084  
Southeast Community Plan  
Council District 31 – Parker Toler  
Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final approval for the Williams Home Place Planned Unit Development Overlay located at 5714 Edmondson Pike, approximately 380 feet south of Old Hickory Boulevard (4.36 acres), zoned SCC, to permit a 180 foot monopole wireless communication tower, requested by Verizon Wireless Tennessee Partnership, applicant, for WM LLC, owner.

**Action: Approve with conditions, including the conditions that the Councilmember and community determine, within 60 days, whether Option 1 or 2 is to be constructed, if after 60 days there is no decision, the applicant is to determine which option to build and that if activity ceases for six months on the tower, it is to be removed at the expense of the property owner. (10-0)**

## IX. PUBLIC HEARING: COMMUNITY PLANS

### 4. 2009CP-012-002

Map: 186-00 Parcels:014.01, 021, 026  
Southeast Community Plan  
Council District 31 – Parker Toler  
Staff Reviewer: Bob Eadler

A request to amend the *Southeast Community Plan: 2004 Update* by changing Neighborhood Center (NC) and Neighborhood General (NG) policies to T3 Suburban Neighborhood Center (T3 CC) policy for property located at the southeast quadrant of the intersection of Nolensville Pike and Burkitt Road. (See also 2009SP-006-001.)

**Action: Defer Indefinitely (10-0)**

**X. PUBLIC HEARING: ZONING MAP AMENDMENTS**

**5. 2009SP-006-001**

The Shoppes at Burkitt Place  
Map: 186-00 Parcels:014.01, 021, 026  
Southeast Community Plan  
Council District 31 – Parker Toler  
Staff Reviewer: Brenda Bernards

A request to change from AR2a to SP-C zoning for properties located at 7022 Nolensville Pike, Nolensville Pike (unnumbered), and Burkitt Road (unnumbered), at the southeast corner of Nolensville Pike and Burkitt Road (17.98 acres), to permit retail, office, and commercial uses, requested by Regency/PGM-Burkitt, LLC, applicant, for James and William McFarlin et al, Ruth Marie McFarlin, and Newco-Burkitt, LLC, owners. (See also 2009CP-012-002.)

**Action: Defer Indefinitely (10-0)**

**6. 2009Z-005TX-001**

Mobile Vendor Exemption for Non-Profit Organizations  
Staff Reviewer: Jennifer Regen

A council bill to amend Section 17.04.060 of the Metro Zoning Code to exempt non-profit organization activities and events from the mobile vendor definition, requested by Councilmembers Phil Claiborne and Karen Bennett.

**Action: Approve (7-0)**

**7. 2009Z-020PR-001**

Map: 127-00 Parcels: part of 002, 249, 269  
Bellevue Community Plan  
Council District 35 – Bo Mitchell  
Staff Reviewer: Brenda Bernards

A request to rezone from R80 to AR2a zoning for a portion of properties located at 7554 and 7578 Buffalo Road and Buffalo Road (unnumbered), approximately 2,800 feet north of Highway 70 (8.27 acres), requested by Councilmember Bo Mitchell, applicant, Edward Underwood et ux, Sydney Rogers, and Sydney Bennett, owners.

**Action: Approve (10-0)**

- 8. 2009Z-021PR-001**  
Ensworth Place and Ensworth Avenue  
Map: 103-16 Parcels: Various  
Map: 116-04 Parcels: Various  
Green Hills/Midtown Community Plan  
Council District 24 – Jason Holleman  
Staff Reviewer: Brenda Bernards

A request to rezone various properties from R40 to RS40 zoning along Ensworth Place Ensworth Avenue (48.34 acres), requested by Councilmember Jason Holleman for various owners.

**Action: Defer to the June 25, 2009 Planning Commission meeting (9-0)**

## **XI. PUBLIC HEARING: FINAL PLANS**

- 9. 2009S-026-001**  
Belmont Terrace, Resub. Lots 21 & 22  
Map: 117-04 Parcels: 373, 374  
Green Hills/Midtown Community Plan  
Council District 18 – Megan Barry  
Staff Reviewer: Jason Swaggart

A request for final plat approval to create three lots at 1809 and 1811 Primrose Avenue, approximately 175 feet east of Primrose Circle (0.70 acres), zoned R8, requested by Paul McRedmond and Dana Smith, owners, Joe Cummings, surveyor.

**Action: Approve with condition(10-0)**

- 10. 2009S-029-001**  
Cottage Cove, Resub.  
Map: 118-01 Parcel: 385  
Green Hills/Midtown Community Plan  
Council District 17 – Sandra Moore  
Staff Reviewer: Brian Sexton

A request for final plat approval to create two lots on properties located at 2412 9th Avenue South, approximately 300 feet north of Montrose Avenue (.43 acres), zoned R8, requested by Kelvin Pennington, owner, Jason Smith, surveyor.

**Action: Approve condition, including a variance to Section 3-4.2(f) of the Metro Subdivision Regulations for lot depth to width ratio (10-0)**

**XII. PUBLIC HEARING: REVISED SITE PLANS**

**11. 68-79P-001**

Safety Kleen (Dairy Office Revision)  
Map: 148-00 Parcel: 078.01  
Antioch/Priest Lake Community Plan  
Council District 28 – Duane A. Dominy  
Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final approval for a portion of the Safety Kleen Planned Unit Development Overlay located at 1636 Antioch Pike, approximately 1,420 feet north of Haywood Lane (5.13 acres), zoned OR20, to permit the addition of a 672 square foot modular office for a dairy distribution company, requested by Walter Davidson & Associates, applicant, for Greg Irby, owner.

**Action: Approve with conditions (10-0)**

**12. 98-73P-001**

Hickory Hills PUD (Verizon Wireless Parking Expansion)  
Map: 031-00 Parcel: 154  
Parkwood/Union Hill Community Plan  
Council District 3 – Walter Hunt  
Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final approval for a portion of the Hickory Hills Planned Unit Development Overlay located at 575 Hickory Hills Boulevard, approximately 1,500 feet north of Old Hickory Boulevard (12.39 acres), zoned OR20, to permit a 10,100 square foot parking lot for utility trucks and trailers, requested by PBS & J, applicant, for Verizon Tennessee Partnership, owner.

**Action: Approve with conditions (10-0)**

**XIII. OTHER BUSINESS**

**13. Capital Improvements Budget**

**Action: Approve (10-0)**

**14. Proposal to reduce the application fee from \$2,100 to \$400 for certain infill subdivisions and for consolidation plats.**

**Action: Approve (10-0)**


**15. Employee contract renewals for Rick Bernhardt, Cynthia Wood, Greg Johnson and Leslie Meehan.**

**Action: Approve (10-0)**

16. Executive Director Reports

17. Legislative Update

#### **XIV. ADJOURNMENT**

 The Planning Department does not discriminate on the basis of age, race, sex, color, national origin, religion or disability in access to, or operation of, its programs, services, and activities, or in its hiring or employment practices. For ADA inquiries, contact Josie Bass, ADA Compliance Coordinator, at 862-7150 or e-mail her at [josie.bass@nashville.gov](mailto:josie.bass@nashville.gov). For Title VI inquiries contact Shirley Sims-Saldana or Denise Hopgood of Human Relations at 880-3370. For all employment-related inquiries call 862-6640.