



METROPOLITAN PLANNING COMMISSION AGENDA

DRAFT

Thursday, October 14, 2010

4:00 pm Regular Meeting

1417 Murfreesboro Road

Metro Southeast at Genesco Park
Green Hills Conference Room

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
Hunter Gee, Vice-Chair

Stewart Clifton
Judy Cummings
Derrick Dalton
Ana Escobar

Tonya Jones
Phil Ponder
Councilmember Jim Gotto
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 appointed by the Metro Council. 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/pdfs/main/RulesSummary.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 Commissions 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.



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MEETING AGENDA

- A. CALL TO ORDER
 - B. ADOPTION OF AGENDA
 - C. APPROVAL OF SEPTEMBER 23, 2010 MINUTES
 - D. RECOGNITION OF COUNCILMEMBERS
-
- E. ITEMS FOR DEFERRAL / WITHDRAWAL
-

No Cases on this Agenda

F. 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.

4. 2009SP-027-003

BL2010-771 / HARRISON
25TH & CLARKSVILLE (AMENDMENT #1)

6a. 2005P-005-001

HARDING PLACE CONDOS

6b. 2010SP-018-001

HARDING ACADEMY

7. 2010Z-023PR-001

BL2010-773 / MITCHELL
7300 CHARLOTTE PIKE

8. 2010Z-024PR-001

BL2010-776 / LANGSTER
4000 ALBION STREET

10. 1-74P-003

HICKORY HOLLOW (SOUTH NASHVILLE Fresenius Medical Center)

11. 38-79P-001

RIVERGATE MALL (MCDONALD'S)

12. 2010S-083-001

PARMLEY COVE

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 General Plan items, see H. General Plan Policy Changes.

Zoning Text Amendments

1. 2010Z-016TX-001

BL2010-746 / PAGE

**AMATEUR RADIO ANTENNA
TOWER**

Staff Reviewer: Jennifer Regen

Current Status

Not on consent

Public Hearing

Open

A council bill to amend Section 17.16.290 of the Metro Zoning Code, to require an active, valid FCC license for operation of an amateur radio antenna, sponsored by Councilmember Anna Page.

Staff Recommendation: APPROVE

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).

No Cases on this Agenda

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

2. 2010Z-017TX-001

BL2010-753 / WILHOITE

BARS AND NIGHT CLUBS, RESTAURANTS

Staff Reviewer: Jennifer Regen

Current Status

Not on consent

Public Hearing

Open

A council bill to amend Chapter 17.08 and 17.16 of the Metro Zoning Code to designate bars and restaurants as uses permitted with conditions (PC) and to add certain location restrictions for these uses, requested by Councilmember Vivian Wilhoite.

Staff Recommendation: DISAPPROVE

Specific Plans

3. 2009SP-022-003

BL2010-780 / HUNT

THE MANSION AT FONTANEL (AMENDMENT #1)

Map 049, Parcel(s) 140 Council

District 03 (Walter Hunt) Staff

Reviewer: Brenda Bernards

Current Status

Not on consent

Public Hearing

Open

A request to amend the SP District (adopted with Council Bill BL2009-561) for the previously approved Mansion at Fontanel Specific Plan District and for final site plan approval, for properties located at 4105, 4125, and 4225 Whites Creek Pike, approximately 1,000 feet north of Lloyd Road (136.04 acres), to amend the allowed capacity of the Seasonal Performance Entertainment Venue from 2,500 to 4,500 persons, to amend the event season from May 1-October 31 to April 1-November 30, to amend the maximum number of events from eight (one per month with two floating dates) to fourteen (one per month with six floating dates) with no more than two per month, and to allow unimproved seasonal parking on the east side of Whites Creek, requested by EDGE Planning, Landscape Architects, applicant, Fontanel Properties, LLC, owner.

Staff Recommendation: DISAPPROVE

4. 2009SP-027-003

BL2010-771 / HARRISON
25TH & CLARKSVILLE (AMENDMENT #1)
Map 081-06, Parcel(s) 486
Council District 02 (Frank R. Harrison)
Staff Reviewer: Brian Sexton

Current Status
Consent
Public Hearing
Open

A request to amend the SP District (adopted with Council Bill BL2009-590) and for final site plan approval for the previously approved 25th & Clarksville Specific Plan District, located at 2400 Clarksville Pike, between 24th Avenue North and 25th Avenue North (2.39 acres), to amend the condition pertaining to the wall-mounted signs, requested by Moran Foods, Inc., owner.

Staff Recommendation:
APPROVE WITH CONDITIONS

Current Status
Not on consent
Public Hearing
Open

5. 2010SP-017-001

GATEWOOD
Map 071-11, Parcel(s) 016
Council District 05 (Jamie Hollin)
Staff Reviewer: Greg Johnson

A request to rezone from CL to SP-R zoning for property located at 1503 Dickerson Pike, at the northeast corner of Dickerson Pike and Gatewood Avenue and within the Dickerson Pike Sign Urban Design Overlay (2.25 acres), to permit all uses permitted by RM60 zoning, requested by MDHA, applicant, Akal Group, Inc., owner.

Staff Recommendation: APPROVE WITH CONDITIONS

6a. 2010SP-018-001

HARDING ACADEMY
Map 130-01-0-C, Parcel(s) 001-015
Council District 23 (Emily Evans)
Staff Reviewer: Jason Swaggart

Current Status
Consent
Public Hearing
Open

A request to rezone approximately 0.87 acres from Multi-Family Residential (RM40) and within the Floodplain Overlay District to Specific Plan – Institutional (SP - INS) to construct 60 parking spaces for Harding Academy on property located at 112 Harding Place, east of Harding Road, requested by Barge Cauthen & Assoc., applicant, for Harding Academy, owner. (See also PUD Cancellation Proposal No. 2005P-005-001).

Staff Recommendation: APPROVE WITH CONDITIONS

6b. 2005P-005-001

HARDING PLACE CONDOS
Map 130-01-0-C, Parcel(s) 001-015
Council District 23 (Emily Evans)
Staff Reviewer: Jason Swaggart

Current Status
Consent
Public Hearing
Open

A request to cancel the Harding Place Condos Residential Planned Unit Development located at 112 Harding Place, east of Harding Pike, zoned Multi-Family Residential (RM40) and within the Floodplain Overlay District (0.87 acres), approved for 14 condominium units, by Barge Cauthen & Associates, applicant, for Harding Academy, owner (see also Specific Plan Proposal No. 2010SP-018-001).

Staff Recommendation: APPROVE

Zone Changes

7. 2010Z-023PR-001

BL2010-773 / MITCHELL
7300 CHARLOTTE PIKE
Map 114, Parcel(s) 137
Council District 35 (Bo Mitchell)
Staff Reviewer: Jason Swaggart

Current Status

Consent

Public Hearing

Open

A request to rezone from R15 to CL zoning for property located at 7300 Charlotte Pike, at the corner of Charlotte Pike and Old Charlotte Pike (7.35 acres), requested by West Charlotte Properties LLC, owner.

Staff Recommendation: APPROVE, if the Commission directs staff to commence a housekeeping amendment to change the policy to Commercial Mixed Concentration (CMC).

8. 2010Z-024PR-001

BL2010-776 / LANGSTER
4000 ALBION STREET
Map 091-08, Parcel(s) 116
Council District 21 (Edith Taylor Langster) Staff Reviewer: Brenda Bernards

Current Status

Consent

Public Hearing

Open

A request to rezone from CN to MUL zoning for property located at 4000 Albion Street, at the northwest corner of Albion Street and 40th Avenue North (0.1 acres), requested by Larry Davis, owner.

Staff Recommendation: APPROVE

Mandatory Referral: Properties

9. 2010M-009PR-001

BL2010-768 / STANLEY
HOGGETT FORD ROAD ACCEPTANCE
Map 085, Parcel(s) 029
Council District 14 (James Bruce Stanley) Staff Reviewer: Bob Leeman

Current Status

Not on consent

Public Hearing

Open

A request to amend the Official Street and Alley Acceptance and Maintenance Map for the The Metropolitan Government of Nashville and Davidson County by accepting Hoggett Ford Road as a public road, requested by Councilmember James Bruce Stanley, on behalf of various property owners.

Staff Recommendation: DISAPPROVE

J. PLANNING COMMISSION ACTIONS

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

Planned Unit Developments: final site plans

10. 1-74P-003

HICKORY HOLLOW (SOUTH NASHVILLE Fresenius Medical Center)
Map 163, Parcel(s) 231
Council District 32 (Sam Coleman)
Staff Reviewer: Brian Sexton

Current Status

Consent

Public Hearing

Open

A request to revise the preliminary and for final approval for a portion of the Hickory Hollow Mall Planned Unit Development Overlay located at 5214 Hickory Hollow Parkway, at the northwest corner of Hickory Hollow Parkway and Hickory Hollow Lane (1.67 acres), zoned SCR, to permit an existing 10,000 square foot structure to be used for medical office, inventory stock and to permit a new curb cut, requested by Colliers International, applicant, for Sue Tomlinson, owner.

Staff Recommendation: APPROVE WITH CONDITIONS

October 14, 2010 Meeting

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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

11. 38-79P-001

RIVERGATE MALL (MCDONALD'S)
Map 034-02, Parcel(s) 065
Council District 10 (Rip Ryman)
Staff Reviewer: Greg Johnson

Current Status

Consent

Public Hearing

Open

A request to revise the preliminary plan and for final approval for a portion of the Rivergate Mall Commercial Planned Unit Development located at 906 Rivergate Parkway, approximately 1,100 feet north of Gallatin Pike, zoned SCR (1.03 acres), to permit a dual drive-thru addition to an existing McDonald's fast-food restaurant, requested by TSquare Engineering, applicant, for McDonald's Corporation, owner.

Staff Recommendation: APPROVE WITH CONDITIONS

Subdivision: Concept Plans

12. 2010S-083-001

PARMLEY COVE
Map 049, Parcel(s) 185
Council District 03 (Walter Hunt)
Staff Reviewer: Jason Swaggart

Current Status

Consent

Public Hearing

Open

A request for concept plat approval to create 101 single-family cluster lots on property located at 3705 Whites Creek Pike, approximately 2,450 feet north of Green Lane (38.44 acres), zoned RS10, requested by Pinnacle National Bank, owner, Dale & Associates, surveyor.

Staff Recommendation: APPROVE WITH CONDITIONS

K. OTHER BUSINESS

- 13. 2011 Planning Commission Filing Deadlines & Meeting Schedule
- 14. Election of the third member of the Executive Committee
- 15. Approval of Community Plans Memo relating to the application of the Early Postcard requirements of the Planning Commission Rules and Procedures.
- 16. Historical Commission Report
- 17. Board of Parks and Recreation Report
- 18. Executive Director Report
- 19. Legislative Update

L. ADJOURNMENT
