



**METROPOLITAN PLANNING
COMMISSION
ACTION AGENDA
Thursday, December 9, 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

MEETING AGENDA

A. CALL TO ORDER

B. ADOPTION OF AGENDA

C. APPROVAL OF MINUTES

1. Item #6 from the October 28, 2010 Planning Commission Meeting minutes
2. November 11, 2010 Planning Commission Meeting minutes

D. RECOGNITION OF COUNCILMEMBERS

G. PREVIOUSLY DEFERRED ITEMS

Zoning Text Amendments

1. 2010Z-019TX-001

BL2010-783 | COLE, CLAIBORNE, JAMESON
NONCONFORMING USES & STRUCTURES
Staff Reviewer: Bob Leeman

A council bill to amend Title 17 of the Metro Zoning Code, to clarify the status and review of nonconforming uses and structures within Davidson County, sponsored by Councilmembers Eric Cole, Phil Claiborne, and Mike Jameson.

MPC Action: Defer to the February 24, 2011, Planning Commission meeting. (9-0)

Specific Plans

2. 2010SP-012-001

BL2010-779 | COLEMAN
OLD HICKORY CENTER (PRELIM. & FINAL)
Map 175-00, Parcel(s) 036
Council District 32 (Sam Coleman) Staff Reviewer: Greg Johnson

A council bill to rezone from IG to SP-MU zoning and for final site plan approval for property located at 12761 Old Hickory Boulevard, approximately 350 feet north of Logistics Way (3.28 acres), to permit daycare center, personal care instruction, retail and restaurant and bar uses as well as certain uses permitted in the IG zoning district, requested by Saeed Sassan, owner.

MPC Action: Defer Indefinitely. (9-0)

Zone Changes

3. 2010Z-025PR-001

BL2010-772 | CRAFTON
7739 CHARLOTTE PIKE, CHARLOTTE PIKE (UNNUMBERED) ZONE CHANGE
Map 114-00, Parcel(s) 251
Map 114-00, Parcel(s) 254-255, 265, 311 Map 128-00, Parcel(s) 121, 124
Council District 22 (Eric Crafton)
Staff Reviewer: Greg Johnson

A council bill to rezone from R40 to AR2a zoning various properties located at 7739 Charlotte Pike and at Charlotte Pike (unnumbered), approximately 4,700 feet west of Sawyer Brown Road (65.49 acres), requested by David Lowry, applicant, Charlie B. Mitchell Jr., owner.

MPC Action: Approve (9-0)

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Withdraw = Applicant requests to withdraw application

4. 2010Z-026PR-001

1101 38TH AVENUE NORTH

Map 091-04, Parcel(s) 015

Council District 21 (Edith Taylor Langster) Staff Reviewer: Greg Johnson

A request to rezone from R6 to ON zoning property located at 1101 38th Avenue North, approximately 180 feet north of John L. Driver Avenue (0.17 acres), requested by Timothy Patton, owner.

MPC Action: Approve (9-0)

Mandatory Referral: Properties

5. 2010M-009PR-001

BL2010-768 I STANLEY

HOGGETT FORD ROAD ACCEPTANCE

Map 085-00, Parcel(s) Various

Map 086-00, Parcel(s) Various

Map 086-14-0-B, Parcel(s) Various

Map 097-00, Parcel(s) Various

Council District 14 (James Bruce Stanley) Staff Reviewer: Bob Leeman

A council bill 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.

MPC Action: Withdraw (9-0)

H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

Community Plan Amendments

6. 2010CP-000-001

COMMUNITY CHARACTER MANUAL (AMENDMENT #1)

Staff Reviewer: Cynthia Wood

A request to update the Community Character Manual (CCM), adopted by the Metropolitan Planning Commission in 2008, to make necessary changes to the document and to apply the updated CCM to the Madison Community Plan: 2009 Update and the West Nashville Community Plan: 2009 Update, requested by Metro Planning Department, applicant

MPC Action: Defer to the January 13, 2011, Planning Commission meeting. (9-0)

7. 2010CP-003-002

BORDEAUX-WHITES CREEK COMMUNITY PLAN: 2003 UPDATE

Map 049-00, Parcel(s) Various

Map 059-00, Parcel(s) Various,

Council District 02 (Frank R. Harrison); 03 (Walter Hunt)

Staff Reviewer: Cynthia Wood

A request for a minor amendment to the Bordeaux-Whites Creek Community Plan : 2003 Update to change from RLM, RM, NC and CC policies to T3 CM, T3 CC, T3 NE, and D IN policies properties located along Whites Creek Pike, Green Lane, Knight Drive, Revels Drive, and Ewing Drive, requested by the Metro Planning Department on behalf of various property owners.

MPC Action: Defer Indefinitely (9-0)

8a. 2010CP-014-003

DONELSON-HERMITAGE COMMUNITY PLAN AMENDMENT

Map 086-00, Parcel(s) 355
Council District 12 (Jim Gotto)
Staff Reviewer: Anita McCaig

A request for a major amendment to the Donelson-Hermitage-Old Hickory Community Plan to change from Residential Medium (RM) density to T3 Suburban Community Center property located at Old Hickory Boulevard (unnumbered), approximately 420 feet north of Central Pike, requested by Chance Allen & Roy S. Jones, owners. (See also Specific Plan Proposal No. 2010SP-019-001).

MPC Action: Approve (9-0)

8b. 2010SP-019-001

ALLEN AND JONES PROPERTY

Map 086-00, Parcel(s) 355
Council District 12 (Jim Gotto)
Staff Reviewer: Greg Johnson

A council bill to rezone from RM9 to SP-MU zoning property located at Old Hickory Boulevard (unnumbered), approximately 600 feet north of Central Pike (10.65 acres), to permit a mixture of commercial and/or medical uses along with a possible assisted-living facility and active senior living, requested by Anderson, Delk, Epps & Associates, Inc., applicant, Davco-O.H. Blvd Properties, owner; sponsored by Councilmember Jim Gotto. (See also Community Plan Amendment Proposal No.2010CP-014-003).

MPC Action: Approve SP with conditions and also Approve MUL as an alternative to the SP (9-0)

9a. 2010CP-014-004

DONELSON-HERMITAGE COMMUNITY PLAN AMENDMENT

Map 086-00, Parcel(s) 137
Council District 14 (James Bruce Stanley) Staff Reviewer: Anita McCaig

A request for a minor amendment to the Donelson-Hermitage-Old Hickory Community Plan to change from Single-Family Detached in Neighborhood General policy to Mixed Use in Neighborhood Center policy property located at 3954 Dodson Chapel Road, approximately 230 feet south of Central Pike, requested by Faran Ferdowski, applicant, Ralph and Dorothy Gleaves et al, owners. (See also Zone Change Proposal No. 2010Z-029PR-001).

MPC Action: Approve (9-0)

9b. 2010Z-029PR-001

3954 DODSON CHAPEL ROAD

Map 086-00, Parcel(s) 137
Council District 14 (James Bruce Stanley)
Staff Reviewer: Jason Swaggart

A request to rezone from RS10 to MUN zoning property located at 3954 Dodson Chapel Road, approximately 230 feet south of Central Pike (1.43 acres), requested by Faran Ferdowski, applicant, Ralph and Dorothy Gleaves Fitzpatrick, owners. (See also Community Plan Amendment Proposal No. 2010CP-014-004).

MPC Action: Approve (9-0)

I. RECOMMENDATIONS TO METRO COUNCIL

Zoning Text Amendments

10. 2010Z-021TX-001

BL2010-786 | HOLLIN
CHECK CASHING, TITLE LOAN, CASH ADVANCE, PAWNSHOP
Staff Reviewer: Jennifer Regen

A council bill to amend Section 17.04.060 (Definitions) of the Metro Zoning Code by modifying the definitions of "cash advance", "check cashing", "pawnshop", and "title loan", sponsored by Councilmember Jamie Hollin.

MPC Action: Defer Indefinitely (9-0)

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11. 2010Z-022TX-001

COMMUNITY EDUCATION

Staff Reviewer: Jennifer Regen

A request to modify the Metro Zoning Code, Section 17.16.040 (Uses Permitted with Conditions: Educational Uses) by deleting the minimum campus size requirements for public or private community education uses (elementary, middle, and high school) in subsections 1 and 5, requested by the Metro Planning Department.

MPC Action: Defer Indefinitely (9-0)

12. 2010Z-023TX-001

BL2010-798 | EVANS

SIGNS: TRI-PANEL BILLBOARDS

Staff Reviewer: Brenda Bernards

A council bill to modify the Metro Zoning Code, Sections 17.04.060 (Definitions) and 17.32.050.G (Prohibited Signs) by adding a definition for "tri-panel billboard" and exempting a tri-panel billboard from the distance requirements applicable to electronic signs, sponsored by Councilmember Emily Evans.

MPC Action: Approve (9-0)

Specific Plans

13. 2006SP-114U-10

1600 WEST END SUMMIT (4-YEAR REVIEW)

Map 092-12, Parcel(s) 526

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Brenda Bernards

The periodic review of an approved Specific Plan (MU) district known as "West End Summit", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code, for property located at West End Avenue (unnumbered) (3.93 acres), approved for a maximum building height of 400 feet and build-to lines for a mixed-used building complying with all other provisions of the MUI zoning district via Council Bill BL2006-1154 effective on September 19, 2006, review initiated by the Metro Planning Department.

MPC Action: Find the SP Active (9-0)

14. 2008SP-002-002

STARWOOD COMMONS

Map 164-00, Parcel 041

Council District 32 (Sam Coleman)

Staff Reviewer: Jason Swaggart

A council bill to amend the SP District (adopted with Council Bill BL2008-137) for the previously approved Starwood Commons Specific Plan District and for final site plan approval, for property located at 3839 Murfreesboro Pike, approximately 230 feet north of Old Hickory Boulevard (65.1 acres), to allow all previously approved uses associated with the Starwood Amphitheater to be temporarily permitted, requested by R. Chris Magill Consulting LLC, applicant, Vastland Starwood Development, LLC, owner; sponsored by Jerry Maynard.

MPC Action: Approve with revised conditions and recommend re-referral from Council (8-1)

15. 2010SP-020-001

LINCOLN APARTMENTS (PRELIM. & FINAL)

Map 105-04, Parcel(s) 009

Council District 17 (Sandra Moore)

Staff Reviewer: Greg Johnson

A request to rezone from R6 to SP-R zoning and for final site plan approval for property located at 24 Lincoln Street, at the northwest corner of Lincoln Street and Perkins Street (0.26 acres), to permit an existing one-story brick structure to be used as 5 apartment units, requested by Gary Wynn, applicant, on behalf of Bruce Carlock, Trustee, owner.

MPC Action: Approve with conditions (9-0)

16. 2010SP-021-001

2400 WEST END

Map 092-15, Parcel(s) 135-137
Council District 21 (Edith Taylor Langster)
Staff Reviewer: Greg Johnson

A council bill to rezone from CS to SP-MU zoning for properties located at 2400, 2402 and 2404 West End Avenue, at the northwest corner of West End Avenue and 24th Avenue North (1.37 acres), to permit the development of a structure containing hotel and restaurant uses with underground parking, requested by Ragan-Smith Associates, Inc. applicant, on behalf of RMR TN West End, LLC, owner; sponsored by Councilmember Edith Langster.

MPC Action: Approve with revised conditions (9-0)

Zone Changes

17. 2010Z-027PR-001

2300 CHARLOTTE AVENUE

Map 092-11, Parcel(s) 092
Council District 21 (Edith Taylor Langster)
Staff Reviewer: Jason Swaggart

A request to rezone from IR to MUL zoning property located at 2300 Charlotte Avenue, at the northwest corner of Charlotte Avenue and 23rd Avenue North (1.1 acres), requested by Charlotte 2300 LLC, owner.

MPC Action: Approve (9-0)

18. 2010Z-028PR-001

5700 CANE RIDGE ROAD

Map 174-00, Parcel(s) 185
Council District 32 (Sam Coleman)
Staff Reviewer: Greg Johnson

A request to rezone from AR2a to RS20 zoning property located at 5700 Cane Ridge Road, opposite Blairfield Drive (5.49 acres), requested by Dale & Associates, applicant, Richard Nelson, owner.

MPC Action: Approve with conditions (9-0)

Urban Design Overlays

19. 2009UD-001-002

DOWNTOWN DONELSON

Map 084-15, Parcel(s) Various
Map 084-16, Parcel(s) Various
Map 085-13, Parcel(s) Various
Map 095-03, Parcel(s) Various
Map 095-03-0-A, Parcel(s) Various
Map 095-04, Parcel(s) Various
Map 096-01, Parcel(s) Various
Map 096-02, Parcel(s) Various
Council District 14 (James Bruce Stanley); 15 (Phil Claiborne)
Staff Reviewer: Kathryn Withers

A council bill to amend the Downtown Donelson Urban Design Overlay District for properties located on Lebanon Pike from Briley Parkway to Stewarts Ferry Pike, and on Old Lebanon Pike, J.B. Estille Drive, Donelson Pike, Fairway Drive, McGavock Pike, Crump Drive, Park Drive, Graylynn Drive, Cliffdale Drive, and Benson Road (229.35 acres), to revise signage standards, requested by the Metro Planning Department, sponsored by Councilmembers Phil Claiborne and James Bruce Stanley.

MPC Action: Approve with conditions (9-0)

Planned Unit Developments

20. 210-73P-001

PERFORMANCE MARINE

Map 097-00, Parcel(s) 124

Council District 12 (Jim Gotto)

Staff Reviewer: Brenda Bernards

A request to amend a portion of the Performance Marine Commercial Planned Unit Development Overlay located at 4010 Sells Drive, approximately 360 feet east of Old Hickory Boulevard, classified CS, (1.44 acres), to permit certain additional uses allowed by CS zoning, but which are currently prohibited due to a condition in Council Bill BL2002-1003 that permitted only vehicular sales, limited (boat sales only), Wells Fargo Bank N.A., owner, requested by the Metro Planning Department, applicant.

MPC Action: Defer Indefinitely (9-0)

J. PLANNING COMMISSION ACTIONS

Specific Plan: final site plans

21. 2007SP-122-006

GALLATIN SPECIFIC PLAN (FINAL: THE DOG SPOT)

Map 083-01, Parcel(s) 158

Council District 05 (Jamie Hollin)

Staff Reviewer: Jason Swaggart

A request for final site plan approval for property located at 1004 Gallatin Avenue, approximately 150 feet north of Granada Avenue (0.21 acres), to permit an animal boarding facility within an existing structure, and to permit a modification from the required setback between the animal boarding facility use and residential uses, requested by Lukens Engineering Consultants, applicant, for Gary C. Baker, owner.

MPC Action: Defer to the January 13, 2011, Planning Commission meeting (7-0)

K. OTHER BUSINESS

22. Resolution authorizing the expenditure of up to \$50,000 from the Advance Planning and Research Fund to fund transportation studies of the proposed Bosley Springs Connector in the Harding Town Center Urban Design Overlay.

MPC Action: Approve (9-0)

23. Employee contract renewals for Brenda Bernards and Mary Beth Stephens

MPC Action: Approve (9-0)

24. Historical Commission Report

25. Board of Parks and Recreation Report

26. Executive Director Report

27. Legislative Update

L. ADJOURNMENT

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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