



METROPOLITAN PLANNING COMMISSION

ACTION AGENDA

Thursday, December 12, 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 Walter Hunt
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
p: (615) 862-7190; f: (615) 862-7130

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 NOVEMBER 14, 2013 AND NOVEMBER 20, 2013 MINUTES
 - D. RECOGNITION OF COUNCILMEMBERS
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- G. PREVIOUSLY DEFERRED ITEMS
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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.

Community Plan Amendments

- 1. **2013CP-000-002**
MCSP (GREEN HILLS AREA TRANSPORTATION PLAN)
Council District
Staff Reviewer: Michael Briggs

A request to amend the adopted Major and Collector Street Plan to include recommendations from the Green Hills Area Transportation Plan, requested by the Metro Planning Department, applicant.

MPC Action: Defer to the March 13, 2013, Planning Commission meeting. 10-0

- 2. **2013CP-010-005**
GREEN HILLS-MIDTOWN COMMUNITY PLAN AMENDMENT
(GREEN HILLS AREA TRANSPORTATION PLAN)
Council District
Staff Reviewer: Michael Briggs

A request to amend the Green Hills - Midtown Community Plan: 2005 Update to include recommendations from the Green Hills Area Transportation Plan, requested by the Metro Planning Department, applicant.

MPC Action: Defer to the March 13, 2013, Planning Commission meeting. 10-0

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

3a. 2013CP-002-001

PARKWOOD-UNION HILL COMMUNITY PLAN AMENDMENT

Map 050, Parcel(s) 073-074 Map 051, Parcel(s) 020
Council District 08 (Karen Bennett)
Staff Reviewer: Greg Claxton

A request to amend the Parkwood Union Hill Community Plan: 2004 Update by changing the Land Use Policy from Residential Low Medium Density policy (RLM) and Residential Low Density policy (RL) to Suburban Neighborhood Evolving (T3-NE) and Conservation (CO) policies for properties located at 915 and 927 Old Due West Avenue, approximately 460 feet east of Dickerson Pike (47.09 acres), requested by Barge Cauthen and Associates, applicant; Skyline Commercial Properties, owner. (See Zone Change 2013SP-038-001)

MPC Action: Approved. 10-0

3b. 2013SP-038-001

SKYLINE APARTMENTS

Map 050, Parcel(s) 073-074 Map 051, Parcel(s) 020
Council District 08 (Karen Bennett)
Staff Reviewer: Amy Diaz-Barriga

A request to rezone from RS10, R10, and CS to SP-R zoning for properties located at 915 and 927 Old Due West Avenue, approximately 460 feet east of Dickerson Pike (47.09 acres), to permit up to 280 multi-family residential dwelling units and up to 480 assisted care living beds, requested by Barge Cauthen & Associates, applicant; Skyline Commercial Properties, owner. (see Community Plan Amendment 2013CP-002-001).

MPC Action: Approved with conditions, including the revised Public Works and Planning conditions, subject to the approval of the associated policy amendment and disapproved without all conditions. 10-0

4a. 2013CP-011-001

WEST NASHVILLE COMMUNITY PLAN AMENDMENT

Map 091-07, Part of Parcel 108
Council District 20 (Buddy Baker)
Staff Reviewer: Anita McCaig

A request to amend the West Nashville Community Plan: 2009 Update to change the Land Use Policy from District Industrial (D-IN) to an Urban Neighborhood Evolving (T4-NE) policy for property located at 1200 49th Avenue North, at the northeast corner of 49th Avenue North and Tennessee Avenue, (3.68 acres), requested by Dale & Associates, applicant; Jackson Masonry, owner (also see zone change 2013SP-029-001).

MPC Action: Approved. 10-0

4b. 2013SP-029-001

49TH & TENNESSEE

Map 091-07, Part of Parcel 108
Council District 20 (Buddy Baker)
Staff Reviewer: Jason Swaggart

A request to rezone from IR to SP-MR zoning for property located at 1200 49th Avenue North, at the northeast corner of 49th Avenue North and Tennessee Avenue, (3.68 acres), to permit up to 55 residential dwelling units, requested by Dale & Associates, applicant; Jackson Masonry, owner (See Community Plan Amendment 2013CP-011-001).

MPC Action: Approved with conditions and disapproved without all conditions. 10-0

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

5. 2013Z-015TX-001

ANIMAL RELATED USES

Staff Reviewer: Duane Cuthbertson

A request to amend Sections 17.04, 17.08, 17.16 and 17.20 of the Metropolitan Zoning Code pertaining to animal hospitals, kennels/stables, veterinarians and animal boarding facilities, requested by the Metro Planning Department, applicant.

MPC Action: Approved. 10-0

Specific Plans

6. 2013SP-034-001

COTTAGE PARK

Map 060, Parcel(s) 041

Council District 02 (Frank R. Harrison)

Staff Reviewer: Jason Swaggart

A request to rezone from RS7.5 to SP-R zoning for property located at Surf Drive (unnumbered), approximately 435 feet west of Dickerson Pike (16.6 acres), to permit up to 81 residential dwelling units, requested by Dale and Associates, applicant; Danny and Melanie Eaton, owners.

MPC Action: Approved with conditions and disapproved without all conditions. 10-0

7. 2013SP-044-001

1004 GALLATIN AVENUE

Map 083-01, Parcel(s) 158

Council District 05 (Scott Davis)

Staff Reviewer: Duane Cuthbertson

A request to rezone from MUG-A to SP-MU and for final site plan approval for property located at 1004 Gallatin Avenue, approximately 140 feet north of Granada Avenue and located within the Gallatin Pike Urban Design Overlay District (0.21 acres), to permit an existing building to be used for an animal boarding facility and all other uses permitted by the MUG zoning district, requested by the Metro Planning Department, applicant; Gary C. Baker, owner.

MPC Action: Approved with conditions and disapproved without all conditions. 10-0

8. 2013SP-045-001

95 GLENROSE AVENUE SP

Map 119-02, Parcel(s) 097

Council District 17 (Sandra Moore)

Staff Reviewer: Duane Cuthbertson

A request to rezone from RS5 to SP-MU zoning for property located at 95 Glenrose Avenue, approximately 350 feet east of Foster Avenue, (0.73 acres), to permit general office, warehouse and retail uses, requested by Development Management Group, LLC, applicant; MTLC Properties, LLC, owner.

MPC Action: Approved with conditions and disapproved without all conditions. 10-0

9. 2013SP-047-001

51ST AND CENTENNIAL SP

Map 091, Parcel(s) 039

Council District 20 (Buddy Baker)

Staff Reviewer: Duane Cuthbertson

A request to rezone from IR to SP-MU zoning for property located at 1405 Centennial Boulevard, at the corner of 51st Avenue North and Centennial Boulevard, (1.9 acres), to permit a general office, retail, restaurant-full service and warehouse development, requested by Dale & Associates, applicant; Brucewood Partners, owner.

MPC Action: Approved with conditions and disapproved without all conditions. 10-0

10. 2013SP-050-001

69 THOMPSON LANE

Map 119-15, Parcel(s) 001
Council District 16 (Tony Tenpenny)
Staff Reviewer: Amy Diaz-Barriga

A request to rezone from RS10 to SP-O and for final site plan approval for property located at 69 Thompson Lane, at the southeast corner of Mashburn Road and Thompson Lane, (0.65 acres), to permit general office and residential uses, requested by Charles Walker, owner and applicant.

MPC Action: Approved with conditions and disapproved without all conditions. 10-0

Zone Changes

11. 2013Z-043PR-001

Map 081-11, Parcel(s) 484
Council District 21 (Edith Taylor Langster)
Staff Reviewer: Jason Swaggart

A request to rezone from CS to MUN-A zoning for property located at 1736 Arthur Avenue, approximately 150 feet south of Buchanan Street (0.06 acres), requested by Edgar Covington, owner.

MPC Action: Approved. 10-0

12. 2013Z-044PR-001

Map 083-05, Parcel(s) 446
Council District 06 (Peter Westerholm)
Staff Reviewer: Amy Diaz-Barriga

A request to rezone from CL to MUN-A zoning for property located at 1104 Stratton Avenue, approximately 225 feet east of Gallatin Avenue (0.28 acres), requested by Jimmy Williams and Matthew Huffman, owners.

MPC Action: Approved. 10-0

13. 2013Z-046PR-001

Map 135, Parcel(s) 058
Council District 28 (Duane A. Dominy)
Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to MUL zoning for property located at 212 Franklin Limestone Road, approximately 330 feet west of Murfreesboro Pike (1.77 acres), requested by Walter Creech, owner.

MPC Action: Approved. 10-0

14. 2013Z-047PR-001

Map 091-02, Parcel(s) 269 Map 091-06, Parcel(s) 194, 224
Council District 20 (Buddy Baker)
Staff Reviewer: Duane Cuthbertson

A request to rezone from CS to RM20-A zoning for properties located at 5701 Louisiana Avenue, 5701 California Avenue and California Avenue (unnumbered), approximately 430 feet north of Morrow Road (6.1 acres), requested by Craighead & Hostettler Realty, LLC, applicant; NLC Partners, owner.

MPC Action: Approved. 10-0

15. 2013Z-051PR-001

Map 091-12, Parcel(s) 059
Council District 20 (Buddy Baker)
Staff Reviewer: Duane Cuthbertson

A request to rezone from R6 to RM20-A zoning for property located at 707 44th Avenue North, at the southwest corner of 44th Avenue North and Indiana Avenue (0.21 acres), requested by Nashville Civil, LLC, applicant; Curtis Groves, owner.

MPC Action: Approved. 10-0

J. PLANNING COMMISSION ACTIONS

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

Planned Unit Developments: Final Site Plans

16. 133-76P-001

EXPRESS OIL SWISS AVENUE

Map 161, Parcel(s) 213
Council District 04 (Brady Banks)
Staff Reviewer: Jason Swaggart

A request to revise the preliminary plan and for final site plan approval for a portion of a Commercial Planned Unit Development on property located at 400 Swiss Avenue, at the northwest corner of Nolensville Pike and Swiss Avenue, zoned SCR (2.53 acres), to permit the development of a 3,695 square foot automobile service facility where a 5,463 square foot car wash was previously approved, requested by Littlejohn Engineering Associates, applicant; Avenue Bank, owner.

MPC Action: Approved with conditions. 10-0

17. 2005P-008-003

HARPETH VILLAGE (ZAXBY'S)

Map 156-09-0-A, Parcel(s) 013
Council District 35 (Bo Mitchell)
Staff Reviewer: Duane Cuthbertson

A request to revise the preliminary plan and for final site plan approval for a portion of the Harpeth Village Commercial Planned Unit Development Overlay District on property located at 8000 Highway 100, at the northwest corner of Highway 100 and Temple Road, zoned CL (1.01 acres), to permit the construction of a 3,652 square foot restaurant, requested by WMB Properties, applicant; Regions Bank, owner.

MPC Action: Defer to the January 9, 2014, Planning Commission meeting. 10-0

Subdivisions

18. 2013S-145-001

TRAVIS PLACE (PRELIMINARY PLAT REVISION)

Map: 126, Parcels: 142, 147, 207, 565, 566, 568, 569, 570, &
Part of Parcel(s): 059, 060
Council District 35 (Bo Mitchell)
Staff Reviewer: Jason Swaggart

A request to revise a previously approved preliminary plat to add eight lots for a total of 148 lots on properties and portions of properties located at Beautiful Valley Drive (unnumbered), 7946, 7972 and 7986 McCrory Lane and McCrory Lane (unnumbered) and Newsome Station Road (unnumbered), approximately 1,000 feet north of Newsom Station Road, zoned RS10, (49.86 acres), requested by Civil Site Design Group, applicant; Steven Adcock, J.D. Valiquette and JL Rodgers, owners.

MPC Action: Approved with conditions. 10-0

19. 2013S-198-001

AUTUMN OAKS, PH 10B

Map 181, Parcel(s) 274
Council District 31 (Fabian Bedne)
Staff Reviewer: Jason Aprill

A request for final plat approval to create 32 lots and dedicate right-of-way within the Autumn Oaks Planned Unit Development Overlay District on property located at Autumn Crossing Way (unnumbered), approximately 2,300 feet north of Nolensville Pike (10.82 acres), zoned R20, requested by Investment Properties, LLC, owner; Crawford & Cummings, PC, applicant.

MPC Action: Approved with conditions. 10-0

Subdivisions: Infill Subdivisions

20. 2013S-189-001

SNEED ESTATES, RESUB LOT 6

Map 131-05, Parcel(s) 006
Council District 34 (Carter Todd)
Staff Reviewer: Duane Cuthbertson

A request for final plat approval to create two lots on property located at 4320 Lindawood Drive, approximately 660 feet north of Trimble Road, zoned RS20 (0.94 acres), requested by Charles and Kathleen Fulk, owners; Stanley K. Draper, applicant.

MPC Action: Approved. 6-3

21. 2013S-178-001

VAULX LAND, RESUB LOT 5 & PART OF LOT 4

Map 118-05, Parcel(s) 191
Council District 17 (Sandra Moore)
Staff Reviewer: Jason Swaggart

A request for concept plan approval to create five lots with one duplex lot on property located at 929 Gale Lane, at the southeast corner of Gale Lane and Craig Avenue, zoned R10 (1.47 acres), requested by Robert J. Deal, owner; Smith Land Surveying, LLC, applicant.

MPC Action: Approved. 6-2

22. 2013S-161-001

VAILWOOD HEIGHTS, RESUB LOT 33

Map 116-16, Parcel(s) 148
Council District 34 (Carter Todd)
Staff Reviewer: Jason Swaggart

A request for final plat approval to create two lots on property located at 4124 Wallace Lane, approximately 560 feet north of Hobbs Road, zoned RS20 (1.10 acres), requested by Barbara and Susan Taylor, owners; Stanley K. Draper, applicant.

MPC Action: Disapproved because the proposed subdivision is not generally comparable due to the irregular shape of the lots. 6-2

23. 2013S-205-001

COUNTRY CLUB ESTATES, RESUB LOTS 22 & 23, BLK D

Map 072-04, Parcel(s) 290
Council District 07 (Anthony Davis)
Staff Reviewer: Jason Aprill

A request for final plat approval to create two lots on property located at 1415 Janie Avenue, approximately 1,300 feet north of McGavock Pike, zoned RS7.5 (0.43 acres), requested by Jeffrey and Julie Miller, owners; James Terry & Associates, applicant.

MPC Action: Approved with conditions, including separate driveway for Lot 2. 7-1

24. 2013S-218-001

GRAYBAR LANE

Map 118-13, Parcel(s) 029-030
Council District 25 (Sean McGuire)
Staff Reviewer: Duane Cuthbertson

A request for final plat approval to create three lots on properties located at 1001 and 1003 Graybar Lane, at the southwest corner of Graybar Lane and Lealand Lane, (0.81 acres), zoned R10, requested by Jacob Matthew Tant and Aubrey B. Harwell Jr, Trustee, owners; Dale and Associates, surveyor.

MPC Action: Approved. 8-0

Subdivision: Regulations Amendments

25. 2013S-002R-001

SUBDIVISION REGULATIONS AMENDMENT

Staff Reviewer: Carrie Logan

A request to amend the Subdivision Regulations of Nashville-Davidson County, adopted on March 9, 2006, and last amended on June 13, 2013, for Section 3-5, Infill Subdivisions, and various housekeeping amendments, requested by the Metro Planning Department, applicant.

MPC Action: Defer all amendments other than the amendments to 2-3.5.b, 2-4.4.c, and 2-5.5.d changing the requirement of the Planning Commission to act within 30 days to 60 days, until the January 9, 2014, Planning Commission meeting, direct staff to process all infill subdivision cases submitted before noon today under the current language in Section 3-5 and direct staff not to process any additional infill subdivision applications until amendments to Section 3-5 are adopted. Approve amendments to 2-3.5.b, 2-4.4.c, and 2-5.5.d changing the requirement of the Planning Commission to act within 30 days to 60 days.

K. OTHER BUSINESS

26. New employee contract for Leila Hakimizadeh.

MPC Action: Approved. 10-0

27. Resolution authorizing the expenditure of up to \$50,000 from the FY2014 Advance Planning and Research Fund to utilize MP&F to provide critical community access and engagement tools and techniques necessary to develop recommendations and strategies for the Nashville-Davidson County General Plan. The total of this authorization and the funding authorized by resolution RS2013-127 shall not exceed \$50,000 from the FY2014 Advance Planning and Research Fund and \$31,900 in carryover funds from the FY2013 Advance Planning and Research Fund.

MPC Action: Approved. 10-0

28. Contract between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and Regional Transportation Authority for pass-through funds for fulfilling federal transit requirements.

MPC Action: Approved. 10-0

29. Contract between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and Nashville Civic Design Center for urban design services in support of the regional transportation plan.

MPC Action: Approved. 10-0

30. Contract between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and The TMA Group for the administration of the Clean Air Partnership of Middle Tennessee.

MPC Action: Approved. 10-0

31. Contract between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and Nashville Area Chamber of Commerce for Nashville Region's Vital Signs Report

MPC Action: Approved. 10-0

32. Susan Jones, as legal counsel from the Department of Law to the Metro Planning Commission, requests that the Metro Planning Commission approve two continuing education classes that are reasonably related to her work for the Metro Planning Commission and that will allow her to fulfill her state mandated training requirements for those who advise the Planning Commission:

Date: 9/13/2013

Subject: Non-competition Employment Agreements, Maxims of Equity, Rules of Civil Procedure, Issue Preclusion

Location: Nashville, TN

Sponsoring Agency: Davidson County Chancery Court

Duration of Training: 1 hour

Date: 6/13/2013

Subject: The Road to Requested Relief

Location: Nashville, TN

Sponsoring Agency: Tennessee Alliance for Black Lawyers, Inc

Duration of Training: 1.5 Hours

MPC Action: Approved. 10-0

33. Historic Zoning Commission Report
34. Board of Parks and Recreation Report
35. Executive Committee Report
36. Executive Director Report
37. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

January 9, 2013

MPC Meeting

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

January 23, 2013

MPC Meeting

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

M. ADJOURNMENT
