



METROPOLITAN PLANNING COMMISSION

ACTION AGENDA

Thursday, December 8, 2011

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

Hunter Gee, Vice-Chair

Greg Adkins

Stewart Clifton

Judy Cummings

Derrick Dalton

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

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 Shirley Sims-Saldana or Denise Hopgood of Human Relations at (615) 880-3370. For all employment-related inquiries, contact Ron Deardoff at (615) 862-6640.

MEETING AGENDA

- A. CALL TO ORDER**
 - B. ADOPTION OF AGENDA**
 - C. APPROVAL OF NOVEMBER 10, 2011 MINUTES**
 - D. RECOGNITION OF COUNCILMEMBERS**
-
- G. PREVIOUSLY DEFERRED ITEMS**
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Community Plan Amendments

1. 2011CP-013-004

ANTIOCH-PRIEST LAKE COMMUNITY PLAN: 2003 UPDATE

Map 149, Parcel(s) 026
Council District 28 (Duane A. Dominy)
Staff Reviewer: Tifine Capehart

A request to amend the Antioch-Priest Lake Community Plan: 2003 Update to change the land use policy from Residential Low-Medium Density (RLM) to T3 Neighborhood Evolving (NE) and Conservation (CO) for property located at 2158 Una Antioch Pike, requested by Pam Meadows, owner. (See also Specific Plan Case # 2011SP-024-001).

MPC Action: DEFER to the January 12, 2012 Planning Commission meeting (6-0)

Specific Plans

2. 2011SP-024-001

MEADOWS DOWNS

Map 149, Parcel(s) 026
Council District 28 (Duane A. Dominy)
Staff Reviewer: Greg Johnson

A request to rezone from R10 to SP-MR zoning property located at 2158 Una Antioch Pike, approximately 1,915 feet south of Murfreesboro Pike (8.9 acres) and within the Floodplain Overlay District, to permit a maximum of 100 dwelling units within an assisted living and/or nursing facility, requested by Anderson, Delk, Epps and Associates Inc., applicant, Pamela Meadows, owner. (See also Community Plan Amendment Case # 2011CP-013-004)

MPC Action: DEFER to the January 12, 2012 Planning Commission meeting (6-0)

Zone Changes

3. 2011Z-021PR-001

BL2011-68 / WEINER 7201 CHARLOTTE PIKE & CHARLOTTE PIKE (UNNUMBERED)

Map 115, Parcel(s) 008, 091
Council District 22 (Sheri Weiner)
Staff Reviewer: Jason Swaggart

A request to rezone from CS to OR20 district properties located at 7201 Charlotte Pike and at Charlotte Pike (unnumbered), approximately 3,400 feet east of Old Hickory Boulevard (15.98 acres), requested by F. Clay Bailey Jr., Executor.

MPC Action: APPROVE (6-0)

Planned Unit Developments

4. 98P-007-002

BL2011-75 / BANKS

SEVEN SPRINGS (Amend #3: St. Martin Square)

Map 160, Parcel(s) 046

Council District 04 (Brady Banks)

Staff Reviewer: Greg Johnson

A request to amend a portion of the Seven Springs Planned Unit Development Overlay District for property located at 323 Seven Springs Way, opposite Cloverland Drive (3.71 acres), zoned OR40, to permit 144 multi-family units in a four-story building where 72 multi-family units were previously approved, requested by Civil Site Design Group PLLC, applicant, for St. Martin Square Inc., owner.

MPC Action: APPROVE WITH CONDITIONS and disapprove without an Planning Commission required condiiitons (6-0)

H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

Community Plan Amendments

5. 2011CP-002-001

PARKWOOD-UNION HILL COMMUNITY PLAN AMENDMENT

Council District 3 (Walter Hunt), 8 (Karen Bennett)

Staff Reviewer: Cynthia Wood

A request to amend the Parkwood-Union Hill Community Plan: 2006 Update to change the land use policies for various properties from Civic or Public Benefit in Community Center, Commercial in Community Center, Mixed Housing in Community Center, and Mixed Use in Community Center to T3 Suburban Mixed Use Corridor located along Barnett Drive, Bellshire Drive, Bell Grimes Lane, Darbytown Road, Dickerson Pike, Kemper Drive N., Old Due West Avenue N., Old Hickory Boulevard, Thackery Drive, Tuckahoe Drive, and Westchester Drive, requested by the Metro Planning Department, applicant, various property owners.

MPC Action: DEFER INDEFINITELY (6-0)

6. 2011CP-013-005

ANTIOCH PRIEST LAKE COMMUNITY PLAN AMENDMENT

Map 162, Parcel(s) 026, 028, 029, 031, 126

Map 163, Parcel(s) 068-071, 334

Council District 32 (Jacobia Dowell)

Staff Reviewer: Cynthia Wood

A request to amend the Antioch-Priest Lake Community Plan: 2003 Update to change the land use policy from Industrial and Distribution (IN) to Natural Conservation (NCO) and Residential Low-Medium (RLM) for various properties located along Antioch Pike, Blue Hole Road and Hickory Hollow Parkway, requested by the Metro Planning Department, applicant, various property owners.

MPC Action: DEFER to the January 12, 2012 Planning Commission meeting (6-0)

I. RECOMMENDATIONS TO METRO COUNCIL

Zoning Text Amendments

7. 2011Z-018TX-001

BL2011-80 / CLAIBORNE

ADAPTIVE RESIDENTIAL USE

Staff Reviewer: Jennifer Regen

A request to amend Section 17.16.030.E (Adaptive Residential Development) of the Metro Zoning Code to delete in the introductory paragraph the phrase "zoning overlay" and insert "services" in its place, requested by Metro Planning Department.

MPC Action: APPROVE (6-0)

8. 2011Z-019TX-001

BL2011-48 / CLAIBORNE

SIGN: DESTRUCTION OF NON-CONFORMING SIGNS

Staff Reviewer: Rebecca Ratz

A request to amend the Metro Zoning Code, Section 17.40.690 (Nonconforming Signs) by deleting the existing non-conforming standards contained in subsections C, D, and E and inserting new standards requiring a non-conforming sign to comply with the Zoning Code's sign standards when 50% or more of the sign has been destroyed, a new land use is placed on the property, or when a use has been inactive for 30 months or more, requested by Councilmember Phil Claiborne.

MPC Action: DEFER to the January 26, 2012 Planning Commission meeting (6-0)

9. 2011Z-020TX-001

BL2011-47 / BENNETT

DOMESTICATED HENS

Staff Reviewer: Jennifer Regen

A request to amend Title 8 (Health Code) and Title 17 (Zoning Code) to modify the regulations and standards pertaining to the keeping of chickens, requested by Councilmembers Karen Bennett, Anthony Davis, and Peter Westerholm.

MPC Action: APPROVE WITH AMENDMENT or the substitute bill (6-0)

Specific Plans

10. 2006SP-081-001

BL2011-73 / DUVALL

DAVENPORT DOWNS (AMENDMENT #1)

Map 165, Parcel(s) 073, 104-106, 130

Council District 33 (Robert Duvall)

Staff Reviewer: Jason Swaggart

A request to amend the Davenport Downs Specific Plan District for properties located at 4334 Maxwell Road and Maxwell Road (unnumbered), approximately 430 feet east of Flagstone Drive (65.74 acres), to permit 207 residential units where 318 residential units were previously approved, requested by Dale & Associates, applicant, Pinnacle National Bank and Robert and Delores Davenport, owners. (See also Specific Plan Case # 2006SP-081-002).

MPC Action: APPROVE WITH CONDITIONS and disapprove without all Planning Commission required conditions (6-0)

11. 2006SP-081-002

BL2011-74 / DUVALL

DAVENPORT DOWNS

Map 176, Parcel(s) 066

Council District 33 (Robert Duvall)

Staff Reviewer: Jason Swaggart

A request to rezone from SP District to AR2a for property located at Maxwell Road (unnumbered), approximately 1,575 feet east of Flagstone Drive (9.52 acres) and within the Floodplain Overlay District, requested by Dale & Associates, applicant, Robert and Delores Davenport, owners. (See also Specific Plan Case # 2006SP-081-001).

MPC Action: APPROVE (6-0)

12. 2011SP-025-001

ENTERPRISE RENT-A-CAR (PRELIM & FINAL)

Map 081-02, Parcel(s) 205

Council District 02 (Frank R. Harrison)

Staff Reviewer: Greg Johnson

A request to rezone from CS to SP-A zoning and for final site plan approval for property located at 2712 Clarksville Pike, approximately 250 feet east of Ed Temple Boulevard (0.37 acres), to permit vehicular rental/leasing and all other uses permitted by the CS District, requested by Enterprise Rent-A-Car, applicant, Ken Seo and Kyung Han, owners.

MPC Action: APPROVE WITH CONDITIONS and disapprove without all Planning Commission required conditions (6-0)

13. 2011SP-027-001

BL2011-66 / DAVIS
JOSLIN PET SERVICES (PRELIM & FINAL)
Map 072-07, Part of Parcel(s) 131-132
Council District 07 (Anthony Davis)
Staff Reviewer: Jason Swaggart

A request to rezone from MUL to SP-C zoning and for final site plan approval for a portion of properties located at 2300 and 2302 Riverside Drive, at the intersection of Riverside Drive and McGavock Pike (0.19 acres), to permit an animal boarding facility and all other uses permitted by the MUL zoning district, requested by Joslin Pet Services and the Metro Planning Department, applicants, DC Partners, LLC, owner.

MPC Action: APPROVE WITH CONDITIONS and disapprove without all Planning Commission required conditions (6-0)

14. 2011SP-028-001

BL2011-71 / BAKER
TOWNS AUTO SALES (PRELIM & FINAL)
Map 091-13, Parcel(s) 355
Council District 20 (Buddy Baker)
Staff Reviewer: Greg Johnson

A request to rezone from CS to SP-A zoning and for final site plan approval for property located at 5909 Charlotte Pike, approximately 1,235 feet west of Ocoala Avenue (0.75 acres), to permit auto repair, auto sales, used, and all other uses permitted by the CS District, requested by Hamid Rabiee, applicant, Carl and Denise Guye, owners.

MPC Action: DEFER to the January 12, 2012 Planning Commission meeting (6-0)

Zone Changes

15. 2011Z-023PR-001

BL2011-70 / BENNETT
3614 BAXTER AVENUE
Map 072-02, Part of Parcel(s) 105
Council District 08 (Karen Bennett)
Staff Reviewer: Greg Johnson

A request to rezone from the RS5 to ON district a portion of property located at 3614 Baxter Avenue, approximately 390 feet north of Hart Lane (0.12 acres), requested by Anderson, Delk, Epps & Associates, Inc., applicant, on behalf of Kelley Properties, LLC, owner.

MPC Action: APPROVE WITH A CONDITION (6-0)

Planned Unit Developments

16. 134-84P-001

DEVON HILLS (PERIODIC REVIEW)
Map 143, Parcel(s) 050
Council District 34 (Carter Todd)
Staff Reviewer: Brenda Bernards

A request to the Metro Planning Department for a periodic review of a portion of the Devon Hills Residential Planned Unit Development district located at 2816 Old Hickory Boulevard, approximately 500 feet north of Highway 100, zoned RM4 (49.66 acres), approved for a multifamily development, requested by Councilmember Carter Todd, applicant, Colonial Properties Services, Inc., owner.

MPC Action: DEFER to the January 12, 2012 Planning Commission meeting (6-0)

J. PLANNING COMMISSION ACTIONS

Subdivision: Final Plats

17. 2011S-096-001

BATTLEFIELD ESTATES, SECTION 1, RESUBDIVISION

Map 118-06, Parcel(s) 028, 033.01, 156

Council District 17 (Sandra Moore)

Staff Reviewer: Brenda Bernards

A request for final plat approval to create two lots, for an exception to permit a flag lot, and for a variance to Section 3-4.2.d.2 for properties located at 2931 Vaulx Lane, approximately 290 feet north of Gale Lane, zoned R10, (0.58 acres), requested by William Smallman, owner, Campbell, McRae & Associates Surveying Inc., surveyor.

MPC Action: APPROVE and grand a variance to Section 3-4.2.d.2 of the Subdivision Regulations for a flag lot (6-0)

18. 2011S-102-001

KENILWOOD

Map 132-07, Parcel(s) 071

Council District 16 (Tony Tenpenny)

Staff Reviewer: Brian Sexton

A request for final plat approval to create three lots and dedicate easements on property located at 4200 Kenilwood Drive, approximately 1,450 feet north of Sidco Drive, zoned IWD (8.0 acres), requested by Douglas Durr, owner, Cherry Land Surveying, Inc., surveyor.

MPC Action: DEFER to the January 12, 2012 Planning Commission meeting (6-0)

Specific Plan: final site plans

19. 2007SP-122-008

GALLATIN SPECIFIC PLAN (FINAL: THE DOG SPOT)

Map 083-01, Parcel(s) 158

Council District 05 (Scott Davis)

Staff Reviewer: Bob Leeman

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 conditions pertaining to the use allowing the facility to be closer than 200 feet from a residence, requested by Gary C. Baker, owner.

MPC Action: APPROVE modification for use condition and APPROVE WITH CONDITIONS the final site plan (6-0)

K. OTHER BUSINESS

- 20.** A resolution to establish a new fee structure for all Metro Planning Commission zoning code related applications (2012OT-001-001).

MPC Action: APPROVE

- 21.** Nashville Chamber of Commerce: 20 Years of Partnership

- 22.** Historic Zoning Commission Report

- 21.** Board of Parks and Recreation Report

- 22.** Executive Committee Report

- 23.** Executive Director Report

24. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

January 12, 2012

Work Session

2:30pm, 800 Second Ave. South, Metro Office Building, Nash Room

Topic: Bellevue Community Plan Update

MPC Meeting

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

January 26, 2012

MPC Meeting

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

M. ADJOURNMENT
