



# **METROPOLITAN PLANNING COMMISSION ACTION AGENDA**

**Thursday, January 13, 2011**

**4:00 pm Regular Meeting**

**700 Second Avenue South**

(between Lindsley Avenue and Middleton Street)

Howard Office Building, M.H. Howard Conference Center (1st Floor)

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## **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

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# MEETING AGENDA

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- A. CALL TO ORDER
  - B. ADOPTION OF AGENDA
  - C. APPROVAL OF DECEMBER 9, 2010 MINUTES
  - D. RECOGNITION OF COUNCILMEMBERS
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- G. PREVIOUSLY DEFERRED ITEMS
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## Community Plan Amendments

### 1. 2010CP-000-001

#### COMMUNITY CHARACTER

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: Approve (8-0)**

## Specific Plans

### 2. 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: Approve with conditions (8-0)**

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## H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

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## Community Plan Amendments

### 3. 2010CP-006-004

#### CP6: BELLEVUE PLAN AMENDMENT

Map 114, Parcel(s) 137

Council District 35 (Bo Mitchell)

Staff Reviewer: Tifinie Adams

A request to amend the Bellevue Community Plan: 2003 Update to change the Land Use Policy from Residential Low-Medium (RLM) Density to Commercial Mixed Concentration (CMC) for property located at 7300 Charlotte Pike, at the corner of Charlotte Pike and Old Charlotte Pike (7.35 acres), zoned CL, requested by Metro Planning Department, applicant.

**MPC Action: Approve (8-0)**

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# I. RECOMMENDATIONS TO METRO COUNCIL

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## Zoning Text Amendments

### 4. 2010Z-020TX-001

BL2010-784 I HOLLIN, CLAIBORNE  
**RELOCATION OF NONCONFORMING USES**  
Staff Reviewer: Bob Leeman

A request to amend Section 17.40.650 of the Metro Zoning Code, to provide for the conditional relocation of nonconforming uses, requested by the Metro Planning Department.

**MPC Action: Defer Indefinitely at the request of the applicant. (8-0)**

## Specific Plans

### 5. 2004SP-090G-12

**KINGSPORT ESTATES**  
Map 174, Parcel(s) 006  
Council District 32 (Sam Coleman)  
Staff Reviewer: Brenda Bernards

The periodic review of an approved Specific Plan (R) district known as "Kingsport Estates", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 5748 Pettus Road and partially located within the Floodplain Overlay District (41.44 acres), approved for 72 single-family units via Council Bill BL2006-1157 effective on November 21, 2006, review initiated by Metro Planning Department.

**MPC Action: Find the SP Active (8-0)**

### 6. 2006SP-119U-08

**4TH AVENUE NORTH & MONROE STREET**  
Map 082-09-0-Q, Parcel(s) 001, 016-040  
Council District 19 (Erica S. Gilmore)  
Staff Reviewer: Brenda Bernards

The periodic review of an approved Specific Plan (MU) district known as "4th Avenue North & Monroe Street", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at the southwest corner of 4th Avenue North and Monroe Street (1.65 acres), approved for the development of 38 units and 2,775 square feet of commercial space via Council Bill BL2006-1150 effective on November 21, 2006, review initiated by the Metro Planning Department.

**MPC Action: Find the SP Active (8-0)**

### 7. 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 conditions including the deletion of Conditions 1, 2, 3, 4 and 5 and replacing them with the following conditions and renumbering conditions accordingly:**

- 1. The operation and performance of the temporary use shall be subject to review and recommendation by the Metropolitan Planning Commission to the Metropolitan Council by February 1, 2015.**
- 2. The original plan and Council Bill (BL2008-137) shall establish the requirements for the principle use.**
- 3. The temporary commercial amusement outdoor use permitted with this zoning amendment shall cease prior to a permit being issued for any other use, and/or prior to any zoning of the property.**
- 4. All facilities and structures needed for the temporary use shall be portable, and permanent structures for the temporary use shall not be permitted. (8-0)**

**8. 2010SP-022-001**

**CARMAX RIVERGATE**

Map 026-12, Parcel(s) 004  
Council District 10 (I. C. "Rip" Ryman)  
Staff Reviewer: Jason Swaggart

A request to rezone from CS to SP-A zoning for property located at 2353 Gallatin Pike, approximately 400 feet east of Riverchase Boulevard (15.04 acres), to permit a 29,100 square foot expansion to an existing 24,720 square foot auto sales facility for auto sales (new and used), auto service, auto repair, car wash, private fuel storage and dispensing, auto parts sales, and auto storage, requested by Littlejohn Engineering Associates, applicant, on behalf of CarMax Auto Superstores Inc., owner.

**MPC Action: Approve with conditions (8-0)**

**Zone Changes**

**9. 2010Z-030PR-001**

**7000 HARPER ROAD**

Map 014, Parcel(s) 010  
Council District 01 (Lonell Matthews, Jr.)  
Staff Reviewer: Greg Johnson

A request to rezone from CS to MUN zoning property located at 7000 Harper Road, at the southeast corner of Clarksville Pike and Harper Road (3.9 acres), requested by Joe F. Gillespie, Jr., applicant, Betsy Beard, owner.

**MPC Action: Approve and initiate a Special Policy for this and surrounding CS zoned properties to identify the area as a Mixed Use Center. (8-0)**

**10. 2010Z-031PR-001**

**307 WILBURN STREET**

Map 082-07, Parcel(s) 113  
Council District 05 (Jamie Hollin)  
Staff Reviewer: Jason Swaggart

A request to rezone from CL to MUN zoning for property located at 307 Wilburn Street, approximately 200 feet east of Meridian Street (0.28 acres), requested by Urban Housing Solutions Inc., applicant, Robert Solomon, owner.

**MPC Action: Approve (8-0)**

**Mandatory Referral: Right-of Way Abandonments**

**11. 2010M-012AB-001**

**ALLEY #1863 CLOSURE**

Map 119-05, Parcel(s) 238, 239  
Council District 16 (Anna Page)  
Staff Reviewer: Bob Leeman

A request to abandon a portion of Alley #1863 (easements to be abandoned and relocated), from Elberta Street south to Alley #1874, between properties located at 111 and 113 Elberta Street, requested by Ralph Corrin III and Myrna L. Woods, owners.

**MPC Action: Disapprove (5-2)**

**12. 2010M-014AB-001**

**12TH AVENUE NORTH ABANDONMENT**

Map 093-05, Parcel(s) 100, 101, 122-124  
Council District 19 (Erica S. Gilmore)  
Staff Reviewer: Bob Leeman

A request to abandon a portion of 12th Avenue North between Church Street and Charlotte Avenue (easements and utilities to be retained), adjacent to properties located at 200, 220 and 308 12th Avenue North and at 300 George L. Davis Boulevard and at 1214 Church Street, requested by Nashville Electric Services (NES), abutting owner.

**MPC Action: Withdraw at the request of the applicant. (8-0)**

## J. PLANNING COMMISSION ACTIONS

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### Subdivision: Final Plats

#### 13. 2001S-116G-04

##### MARDALEE SUBDIVISION

Map 043-10, Parcel(s) 109-119  
Council District 09 (Jim Forkum)  
Staff Reviewer: Brenda Bernards

A request to amend the conditions of approval to accept a financial contribution in lieu of constructing public sidewalks in the Mardalee Subdivision, located at 157, 161, 165 and 169 Scalf Drive, 801, 805 and 809 N. Dupont Avenue, and at 192, 196, 200 and 204 Nix Drive, zoned RS7.5 (2.47 acres), requested by Metro Public Works, applicant.

**MPC Action: Approve with conditions (8-0)**

#### 14. 2003S-274U-05

##### MARTIN SUBDIVISION

Map 073-01, Parcel(s) 166, 280, 281 Map 073-05, Parcel(s) 218  
Council District 07 (Erik Cole)  
Staff Reviewer: Brenda Bernards

A request to amend the conditions of approval to accept a financial contribution in lieu of constructing public sidewalks in the Martin Subdivision, located at 1901, 1905 and 1909 Warden Drive and at 2008 Avalon Drive, zoned RS10 (1.48 acres), requested by Metro Public Works, applicant.

**MPC Action: Approve with condition (8-0)**

#### 15. 2005S-232G-04

##### KEELS SUBDIVISION

Map 043-01, Parcel(s) 112, 318  
Council District 09 (Jim Forkum) Staff Reviewer: Brenda Bernards

A request to amend the conditions of approval to accept a financial contribution in lieu of constructing public sidewalks in the Keel Subdivision, located at 105 and 107 Sarver Avenue, zoned RS7.5 (.87 acres), requested by Metro Public Works, applicant.

**MPC Action: Approve with condition (8-0)**

#### 16. 2010S-109-001

##### BRENDA RECTOR PROPERTY

Map 063, Parcel(s) 281  
Council District 09 (Jim Forkum)  
Staff Reviewer: Jason Swaggart

A request for final plat approval to create three lots on a portion of property located at Menees Lane (unnumbered), approximately 690 feet east of Neelys Bend Road (6.02 acres), zoned RS80, requested by Brenda Rector, owner, Benny M. Cantrell, surveyor.

**MPC Action: Approve with condition (8-0)**

#### 17. 2010S-113-001

##### HAYNIE'S DEWEY HEIGHTS, RESUB LOT 49

Map 070-04, Parcel(s) 150  
Council District 02 (Frank R. Harrison) Staff Reviewer: Greg Johnson

A request for final plat approval to create three lots on property located at E. Nocturne Drive (unnumbered), approximately 560 feet north of Whites Creek Pike (2.02 acres), zoned RS7.5, requested by Quarterhorse Construction, LLC, owner, Tommy Walker, surveyor.

**MPC Action: Approve with condition (8-0)**

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## K. OTHER BUSINESS

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18. A resolution amending the Capital Improvements Budget and Program 2010-2011 through 2015-2016 (Ordinance No. 2010-688) to add a Finance Department project to acquire property and construct facilities for Nashville State Community College.  
**MPC Action: Approve (8-0)**
19. Exclusion of, including parent companies and subsidiaries of, CNA (American Casualty Company of Reading, PA), American Southern Insurance Company, Bond Safeguard Insurance Company, Developers Surety and Indemnity Company, Lexon Insurance Company, National Grange Mutual Insurance Company, and Travelers Casualty and Surety Company of America from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations.  
**MPC Action: Approve (8-0)**
20. Employee contract renewals for Lou Edwards and Craig Owensby.  
**MPC Action: Approve (8-0)**
21. **Historical Commission Report**
22. **Board of Parks and Recreation Report**
23. **Executive Committee Report**
24. **Executive Director Report**
25. **Legislative Update**

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## L. ADJOURNMENT

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### 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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## M. CALENDAR OF UPCOMING EVENTS

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### January 13

Work session: new meeting room, Major & Collector Street Plan, zone changes in economically disadvantaged areas  
2:30 pm, Nashville Room

### MPC meeting

4 pm, M. H. Howard Conference Center

### January 19

Retrofitting Corridors – Planning Commissioner training  
3-4:30pm, Davidson room, Metro Office Building

### January 27

Work session: Cottage Developments and Conservation Subdivisions  
2:30 pm, Nashville Room

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January 13, 2011 Meeting

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Consent = Consent Agenda  
Closed = Public Hearing was previously held and  
Defer = closed

Defer Indef = Applicant requests to defer indefinitely  
Open = Public hearing is to be held  
Withdraw = Applicant requests to withdraw application

MPC meeting  
4 pm, M. H. Howard Conference Center  
Public hearings: North Nashville Community Plan update  
Other Business: Economic Development Incentive for economically disadvantaged areas.

**February 2**

Staff presentation for development community and proposed amendments to Subdivision Regulations  
2pm, Nashville Room

**February 8**

Staff presentation for public & stakeholders on proposed amendments to Subdivision Regulations  
1 pm, repeated at 4 pm, Nashville Room

**February 10**

Work session: Metro Legal briefing on responsibilities, powers, and obligations of the Commission  
2:15 pm, Nashville Room

MPC meeting  
4 pm, M. H. Howard Conference Center

**February 24**

Work session: Subdivision Regulations  
2:15 pm, Nashville Room

MPC meeting  
4 pm, M. H. Howard Conference Center  
Public Hearing: Major and Collector Street Plan

**March 10**

MPC meeting  
4 pm, M. H. Howard Conference Center

**March 24**

MPC meeting  
4 pm, M. H. Howard Conference Center  
Subdivision Regulation Update  
Text Amendment - alley sign standards for commercial districts