



METROPOLITAN PLANNING COMMISSION AGENDA

DRAFT

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)

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
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 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.



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 DECEMBER 9, 2010 MINUTES
 - D. RECOGNITION OF COUNCILMEMBERS
-
- E. ITEMS FOR DEFERRAL I 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.

- 2. **2007SP-122-006**
GALLATIN SPECIFIC PLAN (FINAL: THE DOG SPOT)
- 3. **2010CP-006-004**
CP6: BELLEVUE PLAN AMENDMENT
- 5. **2004SP-090G-12**
KINGSPORT ESTATES
- 6. **2006SP-119U-08**
4TH AVENUE NORTH & MONROE STREET
- 8. **2010SP-022-001**
CARMAX RIVERGATE
- 9. **2010Z-030PR-001**
7000 HARPER ROAD
- 10. **2010Z-031PR-001**
307 WILBURN STREET
- 13. **2001S-116G-04**
MARDALEE SUBDIVISION

14. **2003S-274U-05**
MARTIN SUBDIVISION
15. **2005S-232G-04**
KEELS SUBDIVISION
16. **2010S-109-001**
BRENDA RECTOR PROPERTY
17. **2010S-113-001**
HAYNIE'S DEWEY HEIGHTS, RESUB LOT 49
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.
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.
20. Employee contract renewals for Lou Edwards and Craig Owensby.

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 Community Plan Policy items, see H. Community Plan Policy Changes and Associated Cases.

Community Plan Amendments

1. 2010CP-000-001

COMMUNITY CHARACTER

Staff Reviewer: Cynthia Wood

Current Status

Not on consent

Public Hearing

Open

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

Staff Recommendation: APPROVE

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

Current Status

Consent

Public Hearing

Open

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.

Staff Recommendation: APPROVE WITH CONDITIONS

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

3. 2010CP-006-004

CP6: BELLEVUE PLAN AMENDMENT

Map 114, Parcel(s) 137

Council District 35 (Bo Mitchell)

Staff Reviewer: Tifinie Adams

Current Status

Consent

Public Hearing

Open

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.

Staff Recommendation: APPROVE

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

4. 2010Z-020TX-001

BL2010-784 | HOLLIN, CLAIBORNE

RELOCATION OF NONCONFORMING USES

Staff Reviewer: Bob Leeman

Current Status

Not on consent

Public Hearing

Open

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.

Staff Recommendation: APPROVE WITH AMENDMENT

Specific Plans

5. 2004SP-090G-12

KINGSPORT ESTATES

Map 174, Parcel(s) 006

Council District 32 (Sam Coleman)

Staff Reviewer: Brenda Bernards

Current Status

Consent

Public Hearing

Open

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.

Staff Recommendation: FIND THE SP ACTIVE

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

Current Status

Consent

Public Hearing

Open

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.

Staff Recommendation: FIND THE SP ACTIVE

7. 2008SP-002-002

STARWOOD COMMONS

Map 164-00, Parcel 041

Council District 32 (Sam Coleman)

Staff Reviewer: Jason Swaggart

Current Status

Not on consent

Public Hearing

Open

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.

Staff Recommendation: APPROVE WITH CONDITIONS

8. 2010SP-022-001

CARMAX RIVERGATE

Map 026-12, Parcel(s) 004

Council District 10 (I. C. "Rip" Ryman)

Staff Reviewer: Jason Swaggart

Current Status

Consent

Public Hearing

Open

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.

Staff Recommendation: APPROVE WITH CONDITIONS

Zone Changes

9. 2010Z-030PR-001

7000 HARPER ROAD

Map 014, Parcel(s) 010

Council District 01 (Lonell Matthews, Jr.)

Staff Reviewer: Greg Johnson

Current Status

Consent

Public Hearing

Open

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.

Staff Recommendation: APPROVE

10. 2010Z-031PR-001

307 WILBURN STREET

Map 082-07, Parcel(s) 113

Council District 05 (Jamie Hollin)

Staff Reviewer: Jason Swaggart

Current Status

Consent

Public Hearing

Open

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.

Staff Recommendation: APPROVE

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

Current Status

Not on consent

Public Hearing

Open

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.

Staff Recommendation: DISAPPROVE

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

Current Status

Not on consent

Public Hearing

Open

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.

Staff Recommendation: DISAPPROVE

J. PLANNING COMMISSION ACTIONS

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

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

Current Status

Consent

Public Hearing

Open

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 Scaff 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.

Staff Recommendation: APPROVE WITH CONDITION

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

Current Status

Consent

Public Hearing

Open

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.

Staff Recommendation: APPROVE WITH CONDITION

15. 2005S-232G-04

KEELS SUBDIVISION

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

Current Status

Consent

Public Hearing

Open

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.

Staff Recommendation: APPROVE WITH CONDITION

16. 2010S-109-001

BRENDA RECTOR PROPERTY

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

Current Status

Consent

Public Hearing

Open

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.

Staff Recommendation: APPROVE WITH CONDITIONS

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

Current Status

Consent

Public Hearing

Open

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.

Staff Recommendation: APPROVE WITH CONDITION

K. OTHER BUSINESS

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.
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.
20. Employee contract renewals for Lou Edwards and Craig Owensby.
21. Historical Commission Report
22. Board of Parks and Recreation Report
23. Executive Committee Report
24. Executive Director Report
25. Legislative Update

L. ADJOURNMENT

M. CALENDAR OF UPCOMING EVENTS

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, Howard Office Building auditorium

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

January 27

Work session: cottage developments
2:30 pm, Nashville Room

MPC meeting

4 pm, Howard Office Building auditorium
Public hearings: Major & Collector Street Plan,
North Nashville Community Plan update

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, Howard Office Building auditorium

February 24

Work session: subdivision regulations
2:15 pm, Nashville Room

MPC meeting

4 pm, Howard Office Building auditorium

March 10

MPC meeting
4 pm, Howard Office Building auditorium

March 24

MPC meeting
4 pm, Howard Office Building auditorium
Subdivision regulation update
Text amendment - alley sign standards for commercial districts