



METROPOLITAN PLANNING COMMISSION

ACTION AGENDA

Thursday, January 26, 2012

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
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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 JANUARY 12, 2012 MINUTES
- D. RECOGNITION OF COUNCILMEMBERS

G. PREVIOUSLY DEFERRED ITEMS

Community Plan Amendments

1a. 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 Anderson, Delk, Epps and Associates, Inc., applicant, Pamela Meadows, owner. (See also Specific Plan Case # 2011SP-024-001).

MPC Action: DEFER to the February 9, 2012, Planning Commission meeting. (8-0)

1b. 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 70 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 February 9, 2012, Planning Commission meeting. (8-0)

2. 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: WITHDRAW (8-0)

Zoning Text Amendments

3. 2011Z-016TX-001

BL2011-30 / JOHNSON

SIGN: TRI-FACE BILLBOARDS

Staff Reviewer: Brenda Bernards

A request to amend Chapter 17.40 of the Metro Zoning Code to prohibit the conversion of nonconforming static billboards to tri- face billboards, requested by Councilmember Karen Johnson, applicant.

MPC Action: DEFER to the February 9, 2012, Planning Commission meeting. (8-0)

4. 2011Z-019TX-001

BL2011-48 / CLAIBORNE

SIGN: DESTRUCTION OF NON-CONFORMING SIGNS

Staff Reviewer: Rebecca Ratz

A request to amend Chapter 17.40 of the Metro Zoning Code relative to the destruction of nonconforming signs, requested by Councilmember Phil Claiborne.

MPC Action: DEFER INDEFINITELY (8-0)

Specific Plans

5. 2011SP-028-001

BL2011-71 / BAKER

TOWNS AUTO SALES

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 Ocoola Avenue (0.75 acres), to permit auto repair, automobile sales (used) and all other uses permitted by the CS District, requested by Hamid Rabiee, applicant, Carl and Denise Guye, owners.

MPC Action: APPROVE the SP WITH CONDITIONS and disapprove without conditions. (8-0)

Subdivision: Concept Plans

6. 2008S-048U-05

RIVERSIDE DRIVE

Map 083-11, Parcel(s) 080

Map 083-15, Parcel(s) 193

Council District 06 (Peter Westerholm)

Staff Reviewer: Jason Swaggart

A request to extend the concept plan approval for one year for an 18-lot subdivision on properties located at Riverside Drive (unnumbered), at the northwest corner of Riverside Drive and Huntleigh Drive (6.41 acres), zoned R10, requested by Riverside Development LLC, owner.

MPC Action: APPROVE concept plan extension to January 26, 2013. (8-0)

Subdivision: Final Plats

7. 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 four 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: APPROVE WITH CONDITIONS (8-0)

H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

Community Plan Amendments

8. 2012CP-006-001

CP 6: BELLEVUE: 2011 UPDATE

Map Parcel(s) VARIOUS

Council District 22/Weiner; 35/Mitchell; 20/Baker; 23/Evans; 34/Todd

Staff Reviewer: Anita Mccaig

A request to amend the Bellevue Community Plan, updating the land use policies applied in 2003 to 45,040 acres (including parcels and right-of-way) contained in the Bellevue Community, also referred to as Subarea 6, requested by the Metro Planning Department, applicant.

MPC Action: APPROVE, including a minor addition to a Special Policy for Area 06-T3-NM-07 (9-0)

9. 2012CP-000-001

MAJOR AND COLLECTOR STREET PLAN

Staff Reviewer: Michael Briggs

A request to amend the adopted Major and Collector Street Plan designations for the Bellevue Community Plan area and other areas as outlined in Davidson County, Metro Planning Department, applicant.

MPC Action: APPROVE Bellevue-related amendments. DEFER amendments addressing errors and local streets county-wide to February 23, 2012, Planning Commission meeting. (9-0)

10a. 2012CP-013-001

ANTIOCH PRIEST LAKE PLAN AMENDMENT

Map 148, Parcel(s) 066

Council District 28 (Duane A. Dominy)

Staff Reviewer: Tifinie Capehart

A request to amend the Antioch-Priest Lake Community Plan: 2003 Update to change the Land Use Policy from Natural Conservation (NCO) and Residential Medium Density (RM) to CO (Conservation) and D-IN (District-Industrial) for property located at Franklin Limestone Road (unnumbered), approximately 1,725 feet east of Antioch Pike (40.18 acres), requested by Clemmons & Associates LLC, applicant, Hickory MC Investments G.P., owner. (See also Specific Plan Case #2012SP-002-001).

MPC Action: APPROVE with a Special Policy requiring a rezoning to an SP District to address environmental and safety issues. (8-1)

10b. 2012SP-002-001

HICKORY MC INVESTMENTS, G.P. PROPERTY

Map 148, Parcel(s) 066

Council District 28 (Duane A. Dominy)

Staff Reviewer: Jason Swaggart

A request to rezone from RM6 to SP-IND zoning property located at Franklin Limestone Road (unnumbered), approximately 1,725 feet east of Antioch Pike (40.18 acres), and within the Floodplain Overlay District, to permit all uses permitted by the IWD zoning district and a heavy industrial use "asphalt plant" (including blasting and crushing of stone for sale/transfer from the site during site preparation for asphalt plant), requested by Clemmons & Associates LLC, applicant, Hickory MC Investments G.P., owner. (See also Community Plan Amendment Case # 2012CP-013-001).

MPC Action: APPROVE WITH CONDITIONS including the deletion of "all uses in the IWD district", inclusion of all staff conditions, and the additional conditions added by the applicant at the Planning Commission meeting, and disapprove without conditions. (9-0)

I. RECOMMENDATIONS TO METRO COUNCIL

Zoning Text Amendments

11. 2012Z-002TX-001

BL2012-88 / CLAIBORNE
PRESERVATION PERMIT ECONOMIC HARDSHIP
Staff Reviewer: Jennifer Regen

A request to modify the Metro Zoning Code, Section 17.40.420.D to add a new subsection 8 "Determination of Economic Hardship" for historic preservation permits, requested by Councilmember Phil Claiborne.

MPC Action: APPROVE (8-0)

Specific Plans

12. 2006SP-105-002

H & M MOTORS
Map 105-07, Parcel(s) 407
Council District 17 (Sandra Moore)
Staff Reviewer: Brian Sexton

A request to amend the SP District (adopted with Council Bill BL2006-1229) for the previously approved H and M Motors Specific Plan district located at 1525 4th Avenue South, at the northwest corner of 4th Avenue South and Mallory Street (0.44 acres), to permit Auto Sales New, Auto Sales Used, Auto Service and all uses permitted by the MUL-A zoning district and to remove the condition required by BL2006-1229 for a sidewalk along Mallory Street, requested by Tony and Maryan Sarmadi, owners.

MPC Action: APPROVE WITH CONDITIONS, including a revised condition Number 1 to exclude auto repair as a permitted use. (8-0)

Zone Changes

13. 2011Z-025PR-001

105 DULING AVENUE
Map 043-09, Parcel(s) 259
Council District 09 (Bill Pridemore)
Staff Reviewer: Jason Swaggart

A request to rezone from the OR20 to MUL district property located at 105 Duling Avenue, approximately 195 feet east of Gallatin Pike (0.19 acres), requested by Franklin D. Conley, owner.

MPC Action: APPROVE (8-0)

J. PLANNING COMMISSION ACTIONS

Planned Unit Developments: final site plans

14. 2004P-028-001

OLD HICKORY COMMONS
Map 175-02-0-B, Parcel(s) 075-086, 088-101, 119-126, 128-130, 208-215, 903, 905, 908-909
Council District 32 (Jacobia Dowell)
Staff Reviewer: Greg Johnson

A request to revise the preliminary plan and for final approval for a portion of the Old Hickory Commons Residential Planned Unit Development Overlay District located on various properties along Sprucedale Drive, between Beaver Creek Way and Saddle Creek Way (2.11 acres), zoned RM6, to permit 23 single-family lots where 47 multi-family units were previously approved, requested by Anderson, Delk, Epps & Associates Inc., applicant, for Old Hickory Commons LLC, owner. (See also Subdivision Case # 2011S-016-001).

MPC Action: DEFER to the February 9, 2012, Planning Commission meeting. (8-0)

Neighborhood Landmark Overlays: final site plans

15. 2011NL-002-002

209 DANYACREST

Map 085-11, Parcel(s) 005

Council District 14 (James Bruce Stanley)

Staff Reviewer: Jason Swaggart

A request for approval of a Neighborhood Landmark Development Plan for property located at 209 Danyacrest Drive, at the northeast corner of Danyacrest Drive and Jenry Drive (2.78 acres), zoned RS15, to permit a general office (marketing and consulting) use within an existing 4,800 square foot structure, requested by Dale & Associates, applicant, Don and Christi McEachern, owners.

MPC Action: APPROVE WITH CONDITIONS, including conditions added by the applicant January 25, 2012 (8-0)

K. OTHER BUSINESS

- 16.** MOA between the Nashville Area MPO and the Clarksville Urbanized Area MPO regarding cost-sharing for the regional household travel survey being conducted by Westat (per contract L-2672).

MPC Action: APPROVE (8-0)

- 17.** Employee contract renewal for Anita McCaig.

MPC Action: APPROVE (8-0)

- 18.** New employee contract for Jennifer Muchow Hill.

MPC Action: APPROVE (8-0)

- 19.** Historic Zoning Commission Report

- 20.** Board of Parks and Recreation Report

- 21.** Executive Committee Report

- 22.** Executive Director Report

- 23.** Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

January 26, 2012

MPC Meeting

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

February 2, 2012

Community Meeting

11:30am & 4pm, 2015 West End Ave, Cathedral of the Incarnation, Fleming Center

Topic: Public discussion of future development & investment in Midtown

February 9, 2012

MPC Meeting

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

February 23, 2012

MPC Meeting

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

M. ADJOURNMENT
