



METROPOLITAN PLANNING COMMISSION AGENDA

Thursday, January 27, 2011

REVISED

4:00 pm Regular Meeting

700 Second Avenue South

(between Lindsley Avenue and Middleton Street)

Howard Office Building, H.M. 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/IRulesSummary.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 JANUARY 13, 2011 MINUTES
 - D. RECOGNITION OF COUNCILMEMBERS
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- E. ITEMS FOR DEFERRAL/WITHDRAWAL
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- 3. **2010Z-022TX-001**
COMMUNITY EDUCATION: Modify Size and Design Requirements
- 4. **2010Z-024TX-001**
BL2010-827/ HOLLIN
CASH ADVANCE, CHECK CASHING, TITLE LOAN AND PAWNSHOP
- 6. **2010Z-033PR-001**
731 MCFERRIN AVENUE

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.

- 5. **2010SP-019-001**
BL2010-804 / HOLLIN
ALLEN AND JONES PROPERTY
- 7. **2010Z-034PR-001**
250 & 260 CUMBERLAND BEND
- 8. **2001UD-002-001**
MUSIC ROW UDO (BEAMAN TOYOTA SIGN)
- 9. A resolution approving a proposed plan of services for the extension of the boundaries of the Urban Services District to include property located at the southeast corner of Highway 70 South and Old Hickory Boulevard.
- 10. Reinstate CNA (American Casualty Company of Reading, PA), which was excluded from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations at the January 13, 2011 Planning Commission meeting, to be permitted to provide surety bonds.
- 11. Metro Planning Commission consideration of the Economic Development Incentive - Sponsoring Qualifying Zone Change Requests in Economically Disadvantaged Areas
- 12. Employee contract renewal for Kyle Lampert.

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.

No Cases on this Agenda

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

1. 2010CP-008-001

CP 8: NORTH NASHVILLE: 2010 UPDATE

Council District 2 (Frank Harrison), 19 (Erica Gilmore), 21 (Edith Taylor-Langster)

Staff Reviewer: Tifinie Adams

Current Status

Not on consent

Public Hearing

Open

A request to amend the North Nashville Community Plan, updating the land use policies applied in 2002 to 4,838 acres (including parcels and right-of-way) contained in the North Nashville Community, also referred to as Subarea 8.

Staff Recommendation: APPROVE WITH CONDITIONS

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

2. 2009Z-032TX-001

BL2010-754 / STANLEY

HOME OCCUPATION: Beauty/Barber Shop

Staff Reviewer: Jennifer Regen

Current Status

Not on consent

Public Hearing

Open

A request to amend Section 17.16.250 of the Metro Zoning Code to permit cosmetologists and barbers as home occupations in residential zoning districts, requested by Councilmember Bruce Stanley.

Staff Recommendation: APPROVE

3. 2010Z-022TX-001

COMMUNITY EDUCATION: Modify Size and Design Requirements

Staff Reviewer: Jennifer Regen

Current Status

Not on consent

Public Hearing

Open

A request to modify the Metro Zoning Code, Section 17.16.040 (Uses Permitted with Conditions: Educational Uses) by deleting the minimum campus size standards, modifying the setback and street standards, and adding a minimum public street frontage for community education uses (elementary, middle, and high school), requested by the Metro Planning Department.

Staff Recommendation: DEFER TO FEBRUARY 10, 2011 PLANNING COMMISSION MEETING AT THE REQUEST OF THE APPLICANT

4. 2010Z-024TX-001

BL2010-827 / HOLLIN
CASH ADVANCE, CHECK CASHING, TITLE LOAN AND PAWNSHOP
Staff Reviewer: Jennifer Regen

Current Status
Not on consent
Public Hearing
Open

A request to amend Chapters 17.04, 17.08, and 17.16 of the Metropolitan Code by deleting the definitions of “cash advance”, “check cashing”, “pawnshop”, and “title loan”, and deleting such uses from the land use table and the land use development standards, requested by Councilmember Jamie Hollin.

Staff Recommendation: DEFER INDEFINITELY AT THE REQUEST OF THE APPLICANT

Specific Plans

5. 2010SP-019-001

BL2010-804 / HOLLIN
ALLEN AND JONES PROPERTY
Map 086-00, Parcel(s) 355
Council District 12 (Jim Gotto)
Staff Reviewer: Greg Johnson

Current Status
Consent
Public Hearing
Open

A request to rezone from RM9 to SP-MU zoning property located at Old Hickory Boulevard (unnumbered), approximately 600 feet north of Central Pike (10.65 acres), to permit a mixture of commercial and/or medical uses along with a possible assisted-living facility and active senior living, requested by Anderson, Delk, Epps & Associates, Inc., applicant, Davco-O.H. Blvd Properties, owner; sponsored by Councilmember Jim Gotto.

Staff Recommendation: APPROVE SP WITH CONDITIONS OR APPROVE MUL ZONING

Zone Changes

6. 2010Z-033PR-001

731 MCFERRIN AVENUE
Map 082-08, Parcel(s) 307
Council District 05 (Jamie Hollin)
Staff Reviewer: Brenda Bernards

Current Status
Not on consent
Public Hearing
Open

A request to rezone from RS5 to MUN zoning for property located at 731 McFerrin Avenue, at the southeast corner of McFerrin Avenue and Chicamauga Avenue within the Greenland Neighborhood Conservation Overlay (0.32 acres), requested by Design House 1411 LLC, applicant, Brinkman Holding LLC, owner.

Staff Recommendation: DEFER TO THE FEBRUARY 10, 2011 PLANNING COMMISSION MEETING

7. 2010Z-034PR-001

250 & 260 CUMBERLAND BEND
Map 071-13, Parcel(s) 014, 017
Council District 02 (Frank R. Harrison)
Staff Reviewer: Brenda Bernards

Current Status
Consent
Public Hearing
Open

A request to rezone from IWD to OG zoning for properties located at 250 and 260 Cumberland Bend, approximately 500 feet east of Great Circle Road (2.22 acres), requested by In-Form Smallwood + Nickle LLC, applicant, Marilyn Joan Wright Rev. Trust and J. Douglas Wright, Jr. Rev. Trust, owners.

Staff Recommendation: APPROVE

J. PLANNING COMMISSION ACTIONS

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

Urban Design Overlays

8. 200IUD-002-001

MUSIC ROW UDO (BEAMAN TOYOTA SIGN)

Map 093-09, Parcel(s) 215

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Joni Priest

Current Status

Consent

Public Hearing

Open

A request for a modification to the sign standards of the Music Row Urban Design Overlay District to allow Beaman Automotive to relocate an existing historic sign (Pontiac American Indian) from one building to another building on property located at 1503 McGavock Street, requested by the Metro Planning Department, applicant.

Staff Recommendation: APPROVE

K. OTHER BUSINESS

9. A resolution approving a proposed plan of services for the extension of the boundaries of the Urban Services District to include property located at the southeast corner of Highway 70 South and Old Hickory Boulevard.
10. Reinstate CNA (American Casualty Company of Reading, PA), which was excluded from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations at the January 13, 2011 Planning Commission meeting, to be permitted to provide surety bonds.
11. Metro Planning Commission consideration of the Economic Development Incentive - Sponsoring Qualifying Zone Change Requests in Economically Disadvantaged Areas
12. Employee contract renewal for Kyle Lampert.
13. Historical Commission Report
14. Board of Parks and Recreation Report
15. Executive Committee Report
16. Executive Director Report
17. Discussion: Update of the General Plan
18. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

January 27, 2011

Work Session: Cottage Developments, Conservation Subdivisions

2:30 pm, Nashville Room

MPC Meeting

4 pm, H.M Howard Conference Center

Public hearing: North Nashville Community Plan Update

January 27, 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

February 2, 2011

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

February 8, 2011

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

February 10, 2011

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

MPC Meeting

4 pm, H.M Howard Conference Center

February 24, 2011

Work Session: proposed amendments to Subdivision Regulations
2:15 pm, Nashville Room

MPC Meeting

4 pm, H.M Howard Conference Center

Public Hearing: Major and Collector Street Plan

March 10, 2011

MPC Meeting

4 pm, H.M Howard Conference Center

March 24, 2011

MPC Meeting

4 pm, H.M Howard Conference Center

Public Hearing: proposed amendments to the Subdivision Regulations

Text Amendment: alley sign standards for commercial districts

M. ADJOURNMENT
