



# **METROPOLITAN PLANNING COMMISSION**

## **ACTIONAGENDA**

**Thursday, July 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**

**Stewart Clifton, Vice-Chair**

Greg Adkins  
Judy Cummings  
Derrick Dalton  
Hunter Gee

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

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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](http://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](http://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](mailto: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](http://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](http://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](http://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](mailto:josie.bass@nashville.gov). For Title VI inquiries, contact Denise Hopgood of Human Relations at (615) 880-3370. For all employment-related inquiries, contact Ron Deardoff at (615) 862-6640.

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# MEETING AGENDA

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- A. CALL TO ORDER
  - B. ADOPTION OF AGENDA
  - C. APPROVAL OF JUNE 28, 2012 MINUTES
  - D. RECOGNITION OF COUNCILMEMBERS
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- G. PREVIOUSLY DEFERRED ITEMS
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## Zone Changes

### 1. 2012Z-001PR-001

BL2012-175 / MOORE  
24 LINCOLN STREET  
Map 105-04, Parcel(s) 009  
Council District 17 (Sandra Moore)  
Staff Reviewer: Greg Johnson

A request to rezone from SP to R6 zoning for property located at 24 Lincoln Street, at the northwest corner of Lincoln Street and Perkins Street (0.26 acres), requested by the Metro Planning Department, applicant, Lafayette Market Inc., owner.

**MPC Action: Defer Indefinitely 8-0**

### 2. 2012Z-010PR-001

18 FERN AVENUE  
Map 071-14, Parcel(s) 317  
Council District 05 (Scott Davis)  
Staff Reviewer: Greg Johnson

A request to rezone from RS5 to R6 zoning for property located at 18 Fern Avenue, approximately 225 feet east of Whites Creek Pike (0.14 acres), requested by LaShaunda Bryant, owner.

**MPC Action: Defer Indefinitely 8-0**

## Subdivision: Final Plats

### 3. 2012S-062-001

MADISON CHURCH OF CHRIST  
Map 043-10, Parcel(s) 056  
Council District 09 (Bill Pridemore)  
Staff Reviewer: Greg Johnson

A request for final plat approval to create five lots and a variance to the Subdivision Regulations for lot frontage on property located at 596 N. Dupont Avenue, approximately 1,675 feet east of Delaware Avenue, zoned Multi-Family Residential (RM20) (5.78 acres), owner, Ragan-Smith Associates, Inc., surveyor.

**MPC Action: Defer to the August 23, 2012 Planning Commission meeting 8-0**

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## H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

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### Community Plan Amendments

#### 4. 2012CP-000-004

##### LAND USE POLICY APPLICATION 2012 HOUSEKEEPING AMENDMENT

Staff Reviewer: Cynthia Wood

A request to update the Land Use Policy Application (LUPA) document used by the Metropolitan Planning Commission in evaluating rezonings and other long-term changes to the various portions of Davidson County by making it easier to locate, read, and understand information presented by text, tables, and graphics; removing outdated policies and zoning references in the document; and updating it with current zoning district designations, requested by the Metro Planning Department.

**MPC Action: Approve 6-0-2**

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## I. RECOMMENDATIONS TO METRO COUNCIL

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### Zoning Text Amendments

#### 5. 2012Z-013TX-001

BL2012-204 / CLAIBORNE, TYGARD

##### TASTING ROOM

Staff Reviewer: Brenda Bernards

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations to add "Tasting Room" as an accessory use in the IWD, IR and IG zoning districts, requested by the Metro Planning Department, applicant.

**MPC Action: Approve with amendments, including the deletion of development standard b. 6-2**

#### 6. 2012Z-015TX-001

BL2012-205 / TYGARD

##### FARM MARKET

Staff Reviewer: Brenda Bernards

A request to amend the Metro Zoning Code, Sections 17.04.060 (Definitions), 17.08.030 (District Land Use Tables), and Section 17.16.230 (Land Use Development Standards: Special Exception Uses (Other Uses)) to create a new land use called "Farm Market" and to add definitions for agricultural products, agriculture-related products, agricultural tourism, and farm market; to permit "Farm Market" as a special exception use in the AG and AR2a zoning districts subject to review and approval by the Board of Zoning Appeals; and to permit "Agricultural Tourism" as an accessory use to a "Farm Market", requested by Councilmember Charlie Tygard, applicant.

**MPC Action: Defer Indefinitely 8-0**

## Specific Plans

### 7. 2009SP-022-005

BL2012-190 / HUNT

#### **MANSION AT FONTANEL**

Map 049, Parcel(s) 200.01, 140, 319

Council District 03 (Walter Hunt)

Staff Reviewer: Brenda Bernards

A request to amend the Mansion at Fontanel Specific Plan District and for final site plan approval for properties located at 4105, 4125, and 4225 Whites Creek Pike, approximately 1,000 feet north of Lloyd Road (136.04 acres) and within the Floodplain Overlay District, to permit a single-family residence/Bed & Breakfast Inn and to amend the definition of a 'seasonal performance entertainment venue', requested by EDGE Planning, Landscape Architects, applicant, Fontanel Properties LLC, owner.

**MPC Action: Approve preliminary plan with conditions and disapprove without all conditions. Defer the final site plan approval in order for Stormwater Division requirements to be addressed. 6-0-2**

### 8. 2012SP-008-001

#### **HAWRAWMY AUTO REPAIR**

Map 091-13, Parcel(s) 318

Council District 20 (Buddy Baker)

Staff Reviewer: Jason Swaggart

A request to rezone from CS to SP-A zoning and for final site plan approval for property located at 6115 Charlotte Pike, approximately 170 feet west of Balmy Avenue (0.96 acres), to permit automobile sales (used), automobile repair, wrecker service, and all other uses permitted by the MUL District, requested by Rizga Hawramy, applicant, Carl and Waldine Davids, owners.

**MPC Action: Approve with conditions and disapprove without all conditions 6-0-2**

### 9. 2012SP-019-001

BL2012-202 / TENPENNY

#### **TDC POWELL PLACE**

Map 118-15, Parcel(s) 009

Council District 16 (Tony Tenpenny)

Staff Reviewer: Greg Johnson

A request to rezone from IWD to SP-MNR zoning and for final site plan approval for property located at 114 Powell Place, at the northwest corner of Powell Avenue and Armory Drive (12.87 acres) and partially within the Floodplain Overlay District, to permit retail, commercial and light industrial uses, requested by Hawkins Development Company, applicant, Tennessee Development Company, owner.

**MPC Action: Approve with conditions, including revised conditions of the Public Works Department, and disapprove without all conditions. 6-0-2**

### 10. 2012SP-020-001

#### **604 GALLATIN PIKE**

Map 043-09, Parcel(s) 083

Council District 09 (Bill Pridemore)

Staff Reviewer: Jason Swaggart

A request to rezone from CS to SP-A zoning and for final site plan approval for property located at 604 Gallatin Pike, at the corner of Gallatin Pike and Cumberland Avenue (0.5 acres), to permit automobile sales (used), and all uses permitted by the CS zoning district requested, by Kline Swinney Associates, applicant, Bobby T. Wilson, owner.

**MPC Action: Approve with conditions and disapprove without all conditions 6-0-2**

## 11. 2012SP-021-001

### VILLAGE GREEN APARTMENTS

Map 117-14, Parcel(s) 089  
Council District 34 (Carter Todd)  
Staff Reviewer: Brenda Bernards

A request to rezone from RM20 to SP-R zoning for property located at 2215 Abbott Martin Road, approximately 350 feet west of Hillsboro Circle (1.72 acres), and partially located within the Floodplain Overlay District, to permit 90 multifamily units and an associated parking deck, requested by Barge Cauthen & Associates, applicant, Village Green Apartments Partnership, owner.

**MPC Action: Approve with conditions, including revised conditions of the Public Works Department, and disapprove without all conditions. 8-0**

## Zone Changes

## 12. 2012Z-016PR-001

BL2012-195 / ALLEN, GILMORE, LANGSTER

### MR : MIDTOWN

Council District 18 (Burkley Allen), 19 (Erica Gilmore), 21 (Edith Langster)  
Staff Reviewer: Kathryn Withers

A request to rezone from R6, RM20, RM40, SP, MUL, MUG, MUI, OR20, ORI, CL, CS, CF, IWD and IR to MUL-A(2.48 acres), MUG-A (155.04 acres), MUI-A (234.33 acres) and ORI-A (63.29 acres) zoning for various properties in Midtown between I-440 and I-40 (455.14 acres), requested by the Metro Planning Department, applicant, various property owners.

**MPC Action: Approve with amendments 6-0-2**

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## J. PLANNING COMMISSION ACTIONS

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### Neighborhood Landmark Overlays: final site plans

## 13. 2012NL-001-002

### HOT ROD GRILLE

Map 105-11, Parcel(s) 238-239  
Council District 17 (Sandra Moore)  
Staff Reviewer: Jason Swaggart

A request for approval of a Neighborhood Landmark Development Plan for properties located at 609 and 611 Wedgewood Avenue, approximately 260 feet west of Bransford Avenue (0.41 acres), zoned R6, to permit a full service restaurant, requested by Chris Michaels, applicant, Kenneth M. Ballew and Louise and Robert Armstrong, owners.

**MPC Action: Defer to the August 23, 2012, Planning Commission meeting 8-0**

### Subdivision: Concept Plans

## 14. 2006S-148G-14

### HERMITAGE CREEK

Map 086, Parcel(s) 249  
Council District 12 (Steve Glover)  
Staff Reviewer: Jason Swaggart

A request for a variance from Section 1-9.2 of the Subdivision Regulations to extend the preliminary approval to July 26, 2013, for Hermitage Creek Subdivision, approved for 11 single-family cluster lots, requested by The Wise Group, Inc., owner.

**MPC Action: Approve extension of preliminary plat approval to July 26, 2013 6-0-2**

**15. 2009S-003-001**

**RIVENDELL WOODS, REV**

Map 174, Parcel(s) Part of 001, Part of 002 Map 173-04, Parcel(s): Part of 185  
Map174-01-A, Parcel(s): 59, 60, 61, 75  
Council District 32 (Jacobia Dowell)  
Staff Reviewer: Jason Swaggart

A request to revise a preliminary plat approved for 408 single-family lots to permit the reduction in the overall unit count for the subdivision to 212 single-family lots located at 765 Preston Road and Preston Road (unnumbered), on the east side of Hickory Park Drive (93.01 acres), zoned RS10 and RM9, requested by Rivendell LLC, owner, Dale & Associates, surveyor.

**MPC Action: Approve with conditions 6-0-2**

**Subdivision: Final Plats**

**16. 2009S-076-001**

**CONCORD HOSPITALITY**

Map 092-12, Parcel(s) 470, 472, 477 Map 092-16, Parcel(s) 156  
Council District 21 (Edith Taylor Langster)  
Staff Reviewer: Greg Johnson

A request for a variance from Section 2-5.6 of the Subdivision Regulations to permit the extension of the final plat approval for six months for the Concord Hospitality, Inc., Unified Plat of Subdivision for three lots on properties located at 1800 and 1806 West End Avenue and at 1801 and 1807 Hayes Street, zoned SP (1.36 acres), requested by Concord Hospitality, Inc., owner, Littlejohn Engineering Associates, Inc., surveyor.

**MPC Action: Approve the extension of the final plat approval to January 26, 2013 6-0-2**

**17. 2011S-035-002**

**FESSLERS PARK, SEC 2, RESUB LOTS 1 & 3, 1st REV**

Map 094-13, Parcel(s) 122, 126  
Council District 19 (Erica S. Gilmore)  
Staff Reviewer: Brian Sexton

A request for final plat approval to create three lots on properties located at 317 B Fessler's Lane and 319 Fessler's Lane, at the northwest corner of Calhoun Avenue and Fessler's Lane (17.23 acres), zoned IWD and partially located within the Floodplain Overlay District, requested by Valley Enterprises and Neely Coble Co., Inc., owners, Initial Point Land Surveying, Inc., surveyor.

**MPC Action: Approve 6-0-2**

**18. 2012S-092-001**

**NOELS SUBDIVISION OF WATKINS GROVE, RESUB LOT 107**

Map 117-07, Parcel(s) 138  
Council District 25 (Sean McGuire)  
Staff Reviewer: Greg Johnson

A request for final plat approval to create two lots on property located at 1709 Stokes Lane, at the southeast corner of Stokes Lane and Stokesmont Road, zoned R20 (1.08 acres), requested by Erin O'Hara, owner, Smith Land Surveying, surveyor.

**MPC Action: Approve with conditions including a variance to Section 3-4.2a to allow a non-radial lot line. 6-0-2**

**19. 2012S-093-001**

**4100 WYOMING AVENUE**

Map 103-04, Parcel(s) 286  
Council District 24 (Jason Holleman)  
Staff Reviewer: Greg Johnson

A request for final plat approval to create two lots on property located at 4100 Wyoming Avenue, abutting the railroad tracks (.36 acres), zoned RS7.5, requested by Delle Land Surveying, surveyor, Woodland Street Partners, owner.

**MPC Action: Defer to the August 23, 2012, Planning Commission meeting 8-0**

## **Subdivision: Amendments**

### **20. 2012S-082A-001**

**WEST MEADE FARMS, SEC P, LOT 277**

Map 115-14, Parcel(s) 045

Council District 23 (Emily Evans)

Staff Reviewer: Brian Sexton

A request to amend the front setback along Bresslyn Road from 65 feet to 40 feet for property located at 6361 Bresslyn Road, at the southeast corner of Bresslyn Road and Currywood Drive (1.19 acres), zoned RS40, requested by Adam and Natalie Kittrell, owners.

**MPC Action: Approve 6-0-2**

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## **K. OTHER BUSINESS**

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21. Contract renewals for Scott Morton and Michael Briggs

**MPC Action: Approve 6-0-2**

22. Employee contract for Duane Cuthbertson.

**MPC Action: Approve 6-0-2**

23. Contract between The Nashville Civic Design Center and the Nashville Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO for Long-Range Plan & Regional Model public outreach activities.

**MPC Action: Approve 6-0-2**

24. Historic Zoning Commission Report

25. Board of Parks and Recreation Report

26. Executive Committee Report

27. Executive Director Report

28. Legislative Update

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## **L. MPC CALENDAR OF UPCOMING MATTERS**

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### **July 26, 2012**

#### MPC Meeting

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

### **August 11, 2012**

#### Planning Commission Retreat

8:30 am to 1 pm, 800 Second Ave. South, 2<sup>nd</sup> Floor, Metro Office Building, Nashville Conference Room

### **August 23, 2012**

#### Work Session

Topic: Antioch/Priest Lake Community Plan Update

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

#### MPC Meeting

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

### **August 30, 2012**

#### Community Meeting

6pm, Lakeshore Christian Church, 5434 Bell Forge Lane East

Topic: Antioch-Priest Lake Community Plan Update: Final Policy Recommendation

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## **M. ADJOURNMENT**

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