



METROPOLITAN PLANNING COMMISSION **ACTION AGENDA**

Thursday, June 13, 2013

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

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 Caroline Blackwell of Human Relations at (615) 880-3370. For all employment-related inquiries, contact Human Resources at (615) 862-6640.

MEETING AGENDA

- A. CALL TO ORDER
 - B. ADOPTION OF AGENDA
 - C. APPROVAL OF MAY 23, 2013 MINUTES
 - D. RECOGNITION OF COUNCILMEMBERS
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- E. ITEMS FOR DEFERRAL / WITHDRAWAL
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1. 2013SP-020-001
906 BOSCOBEL

12. 2013DT-001-001
SAMBUCA (DTC MODIFICATION)

13. Contract amendment No. 2 between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and NCDC authorizing additional work on the development of booklets stemming from NCDC/UTK studio work.

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. 2012Z-028PR-001

3. 2013Z-017PR-001

4. 2013Z-018PR-001

5. 2013Z-019PR-001

6. 2013Z-020PR-001

7. 2013Z-021PR-001

8. 2013Z-022PR-001

9. 2013S-001R-001

10. 2004P-036-002
NASHVILLE WEST

11. 2003S-267U-07
WESTLAND SQUARE

14. Resolution authorizing the expenditure of up to \$15,000 from the Advance Planning and Research Fund to the Greater Nashville Association of Realtors to match a Smart Growth grant from the National Association of Realtors for necessary research associated with the Nashville-Davidson County General Plan. The research will involve the utilization of the Georgia Tech School of Architecture to develop intervention strategies associated with the retrofit of suburban development patterns in several specified areas of Davidson County. The total of this authorization and the total committed in Planning Commission Resolutions RS2012-214 and RS2013-17 shall not exceed \$50,000.
15. Employee contract renewals for Jason Swaggart and Bob Leeman.

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).

No Cases on this Agenda

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.

Specific Plans

1. 2013SP-020-001

906 BOSCOBEL

Map 082-16, Parcel(s) 348

Council District 06 (Peter Westerholm)

Staff Reviewer: Jason Swaggart

A request to rezone from R8 to SP-R and for final site plan for property located at 906 Boscobel Street, approximately 175 feet east of South 9th Street and located within the Edgefield Historic Preservation District (0.2 acres), to permit up to two detached residential dwelling units, requested by Daniel Fell, applicant; Damon Frazee, owner.

MPC Action: Defer Indefinitely. 8-0

Zone Changes

2. 2012Z-028PR-001

Map 083-06, Parcel(s) 380-386

Council District 06 (Peter Westerholm)

Staff Reviewer: Duane Cuthbertson

A request to rezone from R6 to MUN-A zoning for properties located at 1916, 1918, 1920, 2000, 2002, 2004 and 2006 Eastland Avenue, opposite Scott Avenue (0.98 acres), requested by Phillip Willis, Marissa Tortora, Christopher and Julie Morris, William Morris, Amy Lynn Burch, Jeffrey and Mary Catherine Pernell, Normand Parenteau, and Ruby Cook, owners.

MPC Action: Approve. 7-0-1

3. 2013Z-017PR-001

Map 103-08, Parcel(s) 143

Council District 24 (Jason Holleman)

Staff Reviewer: Jason Swaggart

A request to rezone from RS7.5 to R8 zoning for property located at 15 Westlawn Court, approximately 350 feet south of Westlawn Drive (0.19 acres), requested by Music City Development Group, applicant; John Bozarth and Susan Carlisle, owners.

MPC Action: Approve. 7-0-1

4. 2013Z-018PR-001

BL2013-474 \ WESTERHOLM
Map 093-07, Parcel(s) 033, 047
Council District 06 (Peter Westerholm)
Staff Reviewer: Duane Cuthbertson

A request to rezone from IG to MUI-A zoning for properties located at 400 Davidson Street, at the southwest corner of the intersection of Davidson Street and I-24 and located within the Floodplain Overlay District (10.37 acres), requested by Jones, Hawkins & Farmer, PLC, applicant; Nashville Storage Center, LLC, owner.

MPC Action: Approve. 7-0-1

5. 2013Z-019PR-001

Map 091-06, Parcel(s) 305
Council District 20 (Buddy Baker)
Staff Reviewer: Greg Johnson

A request to rezone from CN to RM9-A zoning for property located at 5516 Kentucky Avenue, approximately 115 feet east of 56th Avenue North (0.21 acres), requested by Ritzen Group, applicant; Stan Kinslow, owner.

MPC Action: Deferred to the July 25, 2013, Planning Commission meeting. 8-0

6. 2013Z-020PR-001

Map 070-16, Parcel(s) 039
Council District 02 (Frank R. Harrison)
Staff Reviewer: Greg Johnson

A request to rezone from IWD to MUL zoning for property located at 270 Venture Circle, approximately 420 feet east of Athens Way (2.17 acres), requested by Minesh Deva, applicant; SEV Metrocenter IV, LLC, owner.

MPC Action: Approve. 7-0-1

7. 2013Z-021PR-001

BL2013-472 \ HUNT
Map 049, Part of Parcel(s) 326
Council District 03 (Walter Hunt)
Staff Reviewer: Amy Diaz-Barriga

A request to rezone from R10 to IWD zoning a portion of property located at 3301 Knight Drive, at the northwest corner of the intersection of Briley Parkway and Interstate 24 (16.22 acres), requested by Ragan Smith Associates, applicant; CalEast Nat, LLC, owner.

MPC Action: Approve. 7-0-1

8. 2013Z-022PR-001

Map 091-16, Parcel(s) 373
Council District 24 (Jason Holleman)
Staff Reviewer: Greg Johnson

A request to rezone from IR to MUL-A zoning for property located at 4111 Charlotte Avenue, at the southeast corner of Charlotte Avenue and 42nd Avenue North (0.81 acres), requested by Commercial Realty Services, applicant; Walnut Street Partners and DBL, owners.

MPC Action: Approve. 7-0-1

J. PLANNING COMMISSION ACTIONS

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

Subdivision: Regulations Amendments

9. 2013S-001R-001
SUBDIVISION REGULATIONS AMENDMENT
Staff Reviewer: Carrie Logan

A request to amend Section 6-1 (Improvements and Performance Bond) of the Subdivision Regulations of Nashville-Davidson County adopted on March 9, 2006, and last amended on May 26, 2011.

MPC Action: Approve. 7-0-1

Planned Unit Developments: Final Site Plans

10. 2004P-036-002
NASHVILLE WEST
Map 102, Parcel(s) 098
Council District 20 (Buddy Baker)
Staff Reviewer: Amy Diaz-Barriga

A request to revise the preliminary plan and for final site plan approval for a portion of the Nashville West Commercial Planned Unit Development Overlay District on property located at 6702 Charlotte Pike, opposite Brook Hollow Road (3.09 acres), zoned SCR, to permit 12,775 square feet of retail and restaurant use where 12,000 square feet of retail and restaurant use was previously approved, requested by Littlejohn Engineering Associates, applicant; Nashville West Shopping Center, LLC, owner.

MPC Action: Approve with conditions. 7-0-1

Subdivision: Final Plats

11. 2003S-267U-07
WESTLAND SQUARE
Map 103-02-0-D, Parcel(s) 001-008, 012-014 Map 103-02-0-E, Parcel(s) 001-002, 900
Map 103-02-0-F, Parcel(s) 001-002, 900
Map 103-02-0-G, Parcel(s) 001-002, 900
Council District 20 (Buddy Baker)
Staff Reviewer: Duane Cuthbertson

A request to accept the remaining bond amount to construct public sidewalks on the northern side of Maudina Avenue in the Westland Square Subdivision at a future time, for properties located at 5725, 5729, 5733, 5737, 5741, 5745, 5749, 5753, 5757, 5759, 5761, 5763, 5765, 5767, 5769, 5773 Maudina Avenue, (2.99 acres) zoned One and Two-Family Residential (R6).

MPC Action: Approve. 7-0-1

DTC Modification Appeal

12. 2013DT-001-001
SAMBUCA (DTC MODIFICATION)
Map 093-13, Parcel(s) 104
Council District 19 (Erica S. Gilmore)
Staff Reviewer: Joni Priest

A request to appeal the denial of a modification to the Downtown Code Signage Regulations to allow for a portion of a sign for 'Sambuca' to be located above the eave line for property located at 1209 Pine Street, requested by Joslin Sign Company, applicant.

MPC Action: Defer Indefinitely. 8-0

L. OTHER BUSINESS

13. Contract amendment No. 2 between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and NCDC authorizing additional work on the development of booklets stemming from NCDC/UTK studio work.

MPC Action: Defer Indefinitely. 8-0

14. Resolution authorizing the expenditure of up to \$15,000 from the Advance Planning and Research Fund to the Greater Nashville Association of Realtors to match a Smart Growth grant from the National Association of Realtors for necessary research associated with the Nashville-Davidson County General Plan. The research will involve the utilization of the Georgia Tech School of Architecture to develop intervention strategies associated with the retrofit of suburban development patterns in several specified areas of Davidson County. The total of this authorization and the total committed in Planning Commission Resolutions RS2012-214 and RS2013-17 shall not exceed \$50,000.

MPC Action: Approve. 7-0-1

15. Employee contract renewals for Jason Swaggart and Bob Leeman.

MPC Action: Approve. 7-0-1

16. Historic Zoning Commission Report
17. Board of Parks and Recreation Report
18. Executive Committee Report
19. Executive Director Report
20. Legislative Update

M. MPC CALENDAR OF UPCOMING MATTERS

June 26, 2013

American Planning Association web-based seminar – 2013 Planning Law Review

3pm to 4:30pm, 800 Second Ave. South, 2nd Floor, Metro Office Building, Nashville Conference Room

June 27, 2013

MPC Meeting

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

July 25, 2013

MPC Meeting

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

N. ADJOURNMENT
