



# **METROPOLITAN PLANNING COMMISSION**

## **REVISED 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

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

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## F. CONSENT AGENDA

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**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.

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## G. PREVIOUSLY DEFERRED ITEMS

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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

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## H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

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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

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## I. RECOMMENDATIONS TO METRO COUNCIL

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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

Current Status  
Not on Consent  
Public Hearing  
Open

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.

**Staff Recommendation: Defer Indefinitely**

### Zone Changes

#### 2. 2012Z-028PR-001

Map 083-06, Parcel(s) 380-386  
Council District 06 (Peter Westerholm)  
Staff Reviewer: Duane Cuthbertson

Current Status  
Consent  
Public Hearing  
Open

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.

**Staff Recommendation: Approve**

#### 3. 2013Z-017PR-001

Map 103-08, Parcel(s) 143  
Council District 24 (Jason Holleman)  
Staff Reviewer: Jason Swaggart

Current Status  
Consent  
Public Hearing  
Open

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.

**Staff Recommendation: Approve**

**4. 2013Z-018PR-001**

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

Current Status

Consent

Public Hearing

Open

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.

**Staff Recommendation: Approve**

**5. 2013Z-019PR-001**

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

Current Status

Consent

Public Hearing

Open

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.

**Staff Recommendation: Approve**

**6. 2013Z-020PR-001**

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

Current Status

Consent

Public Hearing

Open

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.

**Staff Recommendation: Approve**

**7. 2013Z-021PR-001**

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

Current Status

Consent

Public Hearing

Open

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.

**Staff Recommendation: Approve**

**8. 2013Z-022PR-001**

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

Current Status

Consent

Public Hearing

Open

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.

**Staff Recommendation: Approve**

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## J. PLANNING COMMISSION ACTIONS

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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

##### Current Status

Consent

##### Public Hearing

Open

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.

**Staff Recommendation: Approve**

### 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

##### Current Status

Consent

##### Public Hearing

Open

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.

**Staff Recommendation: Approve with conditions**

### 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

##### Current Status

Consent

##### Public Hearing

Open

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).

**Staff Recommendation: Approve**

### 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

##### Current Status

Not on Consent

##### Public Hearing

Open

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.

**Staff Recommendation: Defer Indefinitely**

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## L. OTHER BUSINESS

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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.

**Staff Recommendation: Defer Indefinitely**

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.

**Staff Recommendation: Approve**

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

**Staff Recommendation: Approve**

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

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## M. MPC CALENDAR OF UPCOMING MATTERS

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### June 26, 2013

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

3pm to 4:30pm, 800 Second Ave. South, 2<sup>nd</sup> 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

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## N. ADJOURNMENT

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