



METROPOLITAN PLANNING COMMISSION

ACTION AGENDA

Thursday, March 28, 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
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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 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 MARCH 14, 2013 MINUTES
 - D. RECOGNITION OF COUNCILMEMBERS
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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

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-013-001

51st & ILLINOIS AVENUE

Map 091-11, Parcel(s) 055-056

Council District 20 (Buddy Baker)

Staff Reviewer: Duane Cuthbertson

A request to rezone from R6 and CS to SP-MU zoning for properties located at 5100 and 5104 Illinois Avenue, at the northwest corner of Illinois Avenue and 51st Avenue North (0.36 acres), to permit a mixture of uses, requested by John G. Brittle, Jr., applicant, Eugene Nelson and Stephen and Janice Matheny, owners.

MPC Action: Waive Planning Commission Rules and Procedures Sections VII.A.3 and VIII.C.3 for the following extraordinary reasons: the Councilmember will have an additional community meeting and Council public hearing, that the applicant has been in process for four months, deferral would be a detriment to the applicant, and staff had the case on the consent agenda. 4-2

Approve with conditions, including a condition to add to the Building Materials provisions in Phase II: "All new buildings and/or additions shall consist of at least sixty percent wood, brick, stone or a 'hardie type' board" and disapproved without all conditions. 6-0

J. PLANNING COMMISSION ACTIONS

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

Planned Unit Developments: Final Site Plans

2. 2004P-013-003

MILL CREEK TOWNE CENTER (MCDONALD'S)

Map 181, Parcel(s) 255
Council District 31 (Fabian Bedne)
Staff Reviewer: Greg Johnson

A request to revise the preliminary plan and for final approval for a portion of the Mill Creek Town Centre Commercial Planned Unit Development Overlay District located on a portion of property at 6704 Nolensville Pike, approximately 800 feet north of Pettus Road, zoned SCC (1.27 acres), to permit the development of a 4,365 square foot fast food restaurant, requested by TSquare Engineering, applicant, for Legg Investments-Nolensville LLC, owner.

MPC Action: Approve with conditions. 6-0

Subdivision: Final Plats

3. 2013S-041-001

LINDEN PLACE, RESUB LOTS 6 AND 7

Map 104-15, Parcel(s) 234-235
Council District 18 (Burkley Allen)
Staff Reviewer: Greg Johnson

A request for final plat approval to create three lots on property located at 2108 and 2110 Sunset Place, approximately 305 feet west of 21st Avenue South, zoned RS7.5 (0.7 acres), requested by Lawrence Kamm and Helen Rogers, owners, Elite Surveying Services, LLC, surveyor.

MPC Action: Approve. 6-0

4. 2013S-042-001

ELYSIAN PARK, RESUB LOT 15

Map 133-14, Parcel(s) 084
Council District 26 (Chris Harmon)
Staff Reviewer: Jason Swaggart

A request for final plat approval to create three lots on property located at 4832 Corning Drive, at the northeast corner of Corning Drive and Welshwood Drive, zoned RS10 (1.33 acres), requested by Kelvin Pennington, owner, Campbell, McRae & Associates, surveyor.

MPC Action: Approve with conditions. 6-0

Subdivision: Amendments

5. 2013S-034A-001

WEST MEADE FARMS LOT 40B, SETBACK AMENDMENT

Map 129-07, Parcel(s) 061
Council District 23 (Emily Evans)
Staff Reviewer: Jason Swaggart

A request to amend the street setback along Vaughns Gap Road from 100 feet to 50 feet and to permit a driveway cut along Robin Hill Road for property located at 197 Robin Hill Road (2.05 acres), at the northwest corner of Robin Hill Road and Vaughns Gap Road, zoned RS80, requested by Mary Wester, applicant, Tara and Gary Cavazos, owners.

MPC Action: Defer Indefinitely. 6-0

K. OTHER BUSINESS

6. Employee contract renewal for David Edwards
MPC Action: Approve. 6-0
7. Employee contract amendment for Duane Cuthbertson
MPC Action: Approve. 6-0
8. Historic Zoning Commission Report
9. Board of Parks and Recreation Report
10. Executive Committee Report
11. Executive Director Report
12. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

April 8, 2013

General Plan Meeting-NashvilleNext Speakers' Series

Creating Livable and Healthy Communities through Retrofitting Suburbia- Prof. Ellen Dunham-Jones, MSUD Coordinator, Georgia Tech School of Architecture
5:30 pm, 1008 19th Ave. South, Laskey Building, Scarritt-Bennett Center

April 11, 2013

MPC Meeting

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

April 22, 2013

General Plan Meeting-NashvilleNext Speakers' Series

The High Cost of America's Inefficient Development Patterns- William Fulton, AICP, Vice President and Director of Policy Development & Implementation, Smart Growth America
5:30 pm, 25 Middleton Street, Nashville Children's Theater

M. ADJOURNMENT

Consent = Consent Agenda
Closed = Public Hearing was previously held and closed
Defer = Applicant requests to defer 1 or 2 meetings

March 28, 2013 Meeting

Defer Indef = Applicant requests to defer indefinitely
Open = Public hearing is to be held
Withdraw = Applicant requests to withdraw application