



# **METROPOLITAN PLANNING COMMISSION**

## **ACTION AGENDA**

**Thursday, May 22, 2014**

**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  
Derrick Dalton  
Hunter Gee  
Lillian Blackshear

Jeff Haynes  
Phil Ponder  
Councilmember Walter Hunt  
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 [josie.bass@nashville.gov](mailto:josie.bass@nashville.gov). For Title VI inquiries, contact Tom Negri, interim executive director of Human Relations at (615) 880-3374. For all employment-related inquiries, call 862-6640

# MEETING AGENDA

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- A. CALL TO ORDER
  - B. ADOPTION OF AGENDA
  - C. APPROVAL OF MAY 8, 2014 MINUTES
  - D. RECOGNITION OF COUNCILMEMBERS
  - E. NASHVILLENEXT UPDATE
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## H. 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.

### Specific Plans

#### 1. 2006SP-077-001

##### **ROLLING HILLS (AMENDMENT)**

Map 164, Parcel(s) 062

Council District 33 (Robert Duvall)

Staff Reviewer: Jason Swaggart

A request to amend the Rolling Hills Specific Plan district for property located at 3485 Hamilton Church Road, approximately 1,205 feet west of Hobson Pike, (11.93 Acres), to permit up to 56 single-family residential lots and 7 townhomes where 27 single-family lots, 16 cottage lots and 8 townhomes were previously approved, requested by Dale & Associates, applicant; J2K Builders, LLC, and William Wallis, owners.

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

#### 2. 2014SP-025-001

##### **1209 MONTGOMERY AVENUE**

Map 071-16, Parcel(s) 292

Council District 05 (Scott Davis)

Staff Reviewer: Jason Swaggart

A request to rezone from RS5 to SP-R zoning for property located at 1209 Montgomery Avenue, approximately 290 feet north of Richardson Avenue, (0.18 acres), to permit up to two single-family dwelling units on separate lots, requested by Dale & Associates, applicant; Regal Homes Co., owner.

**MPC Action: Disapprove. 8-0**

#### 3. 2014SP-026-001

##### **1102 JOSEPH AVENUE**

Map 082-03, Parcel(s) 032

Council District 05 (Scott Davis)

Staff Reviewer: Jason Swaggart

A request to rezone from RS5 to SP-R zoning for property located at 1102 Joseph Avenue, approximately 80 feet north of Evanston Avenue, (0.16 acres), to permit one single-family dwelling or a detached two-family dwelling, requested by Dale & Associates, applicant; Regal Homes Co., owner.

**MPC Action: Approve with conditions and disapprove without all conditions. 8-0**

**4. 2014SP-032-001**

**EWING DRIVE TOWNHOMES**

Map 060, Parcel(s) 001  
Council District 02 (Frank R. Harrison)  
Staff Reviewer: Melissa Sajid

A request to rezone from RS7.5 to SP-R zoning for property located at Ewing Drive (unnumbered), at the northwest corner of Ewing Drive and Gwynnwood Drive and partially located within the Floodplain Overlay District, (3.74 acres), to permit up to 28 residential units, requested by Gerald G. Bucy, applicant; James T. McLean and William Wallis, owners.

**MPC Action: Approve with conditions and disapprove without all conditions. 7-0-1**

**Subdivision: Final Plats**

**5. 2014S-082-001**

**MOSS PLACE**

Map 150, Parcel(s) 006, Part of 007 Map 150-02, Parcel(s) 032, 093-094  
Council District 29 (Karen Y. Johnson)  
Staff Reviewer: Melissa Sajid

A request for concept plan approval to create 17 lots and open space on properties located at 2929 Moss Spring Drive, Moss Spring Drive (unnumbered) and on a portion of property located at 3120 Bluewater Way, on the south side of Moss Spring Drive, zoned R10 and AR2a (6.23 acres), requested by Moss Spring, LLC, owner; Batson & Associates, applicant.

**MPC Action: Defer to the June 12, 2014, Planning Commission meeting. 8-0**

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**I. 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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**J. 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.

**Zoning Text Amendments**

**6. 2014Z-015TX-001**

BL2014-772 \ WEINER  
**CONSTRUCTION/DEMOLITION LANDFILL AND RECYCLING FACILITIES**  
Staff Reviewer: Duane Cuthbertson

A request to amend Chapter 17.16 of Title 17 of the Metropolitan Code, Zoning Regulations, to modify the conditions pertaining to lot size, setbacks, street standard, landscaping, and hours of operation for construction/demolition landfills and recycling facilities, requested by Councilmember Sheri Weiner, applicant.

**MPC Action: Defer to the June 12, 2014, Planning Commission meeting. 8-0**

**7. 2014Z-016TX-001**

**CULTURAL HERITAGE OVERLAY DISTRICT**  
Staff Reviewer: Carrie Logan

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations, to create the Music City Cultural Heritage Overlay District, and to apply such Overlay District to approximately 17.22 acres of property located on Broadway, Second Avenue North, and Printer's Alley, requested by the Metro Planning Department, applicant.

**MPC Action: Disapprove; Re-refer back to the Metro Planning Commission only if there are changes after the Council Public Hearing. 6-1-1**

## Specific Plans

### 8. 2009SP-022-008

BL2014-767 \ HUNT

#### **THE MANSION AT FONTANEL (AMENDMENT 4)**

Map 49, Parcels 140, 200.01, 319; Map 40, Part of parcel 40

Council District 03 (Walter Hunt)

Staff Reviewer: Jason Swaggart

A request to amend the Mansion at Fontanel Specific Plan District for properties located at 4105, 4125, and 4225 Whites Creek Pike, approximately 1,000 feet north of Lloyd Road (136.04 acres) and located within the Floodplain Overlay District, to add approximately 1.97 acres into the SP (from approximately 136.04 acres to 138.01 acres total), relocate a private drive, increase the total number of resort rooms from 140 to 150, and amend various limitations for the Seasonal Performance Entertainment Venue, requested by EDGE Planning, Landscape Architects, applicant; Fontanel Properties LLC, owner.

**MPC Action: Approve including all staff conditions with an additional condition placing a limit of three total weekday events per calendar year and that any weekday event can only be held during the summer break as designated on the official Metro school calendar and re-refer back to the Metro Planning Commission for reconsideration after the Council Public Hearing or disapproved without all conditions as amended. 6-0-1**

### 9. 2014SP-033-001

#### **1813 BEECH AVE**

Map 105-10, Parcel(s) 014

Council District 17 (Sandra Moore)

Staff Reviewer: Latisha Birkeland

A request to rezone from R8 to SP-R zoning for property located at 1813 Beech Avenue, approximately 390 feet north of Wedgewood Avenue (0.49 acres), to permit up to seven detached residential units, requested by Dale and Associates, applicant; Anthony Ewing, owner.

**MPC Action: Approve with conditions, including a new condition 14. as follows:**

**Units 1 and 2 shall be limited to a maximum of 2.5 stories in 35 feet of maximum height, measured to the ridge.**

**Architecture shall be bungalow or craftsman in style to blend in with the adjacent homes along Beech Avenue, and disapprove without all conditions. 7-0**

### 10. 2014SP-034-001

#### **942 RIVERSIDE DRIVE**

Map 083-07, Parcel(s) 090

Council District 06 (Peter Westerholm)

Staff Reviewer: Melissa Sajid

A request to rezone from SP-R to SP-R zoning for property located at 942 Riverside Drive, approximately 170 feet south of Rosebank Avenue, (0.59 acres), to permit up to 11 dwelling units, requested by Dale & Associates, applicant; Venita Axley Teague, owner.

**MPC Action: Approve with conditions and disapprove without all conditions. 7-0**

### 11. 2014SP-035-001

#### **7347 CHARLOTTE PIKE**

Map 114, Parcel(s) 148

Council District 22 (Sheri Weiner)

Staff Reviewer: Melissa Sajid

A request to rezone from R15 to SP-MU zoning for property located at 7347 Charlotte Pike, approximately 395 feet east of Old Hickory Boulevard, (1.74 acres), to permit an office and retail development, requested by Dale & Associates, applicant; Akm and Abu Fakhruddin, owners.

**MPC Action: Approve with conditions and disapprove without all conditions. 8-0**

### 12. 2014SP-037-001

#### **1, 7, 9 & 11 MUSIC SQUARE WEST**

Map 092-16, Parcel(s) 391-394

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Carrie Logan

A request to rezone from CF and ORI to SP-MU zoning for properties located at 1, 7, 9 and 11 Music Square West, at the corner of Division Street and 17th Avenue South, (1.04 acres), to permit a mixed use development, requested by NV Music Row, LLC, owner.

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

May 22, 2014 Meeting

Page 5 of 9

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

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

## Zone Changes

### 13. 2013Z-008PR-001

BL2013-392 / WEINER  
**SAWYER BROWN ROAD (UNNUMBERED)**  
Map 128, Parcel(s) 045  
Council District 22 (Sheri Weiner)  
Staff Reviewer: Jason Swaggart

A request to rezone from SP to RS80 zoning for property located at Sawyer Brown Road (unnumbered), approximately 540 feet north of Meadow Lane Drive (39.09 acres), requested by the Metro Planning Department and Councilmember Sheri Weiner, applicants; Community Bank & Trust, owner.

**MPC Action: Defer to the August 14, 2014, Planning Commission meeting. 8-0**

### 14. 2014Z-021PR-001

BL2014-766 \ POTTS  
**PACKARD DRIVE DOWNZONING**  
Map Various, Parcels Various  
Council District 30 (Jason Potts) Staff Reviewer: Melissa Sajid

A request to rezone from R10 to RS10 zoning for various properties located along Cedar Hill Road, Crosby Lane, Cypress Drive, Fairlane Drive, Gillette Road, Madeline Drive, Melpar Drive, Packard Drive, Pearson Place, Raywood Lane, Strasser Drive, Tusculum Road, Yorktown Road and a portion of property located at 4930 Nolensville Pike, on the east side of Nolensville Pike (approximately 156 acres), requested by Councilmember Jason Potts, applicant; various property owners.

**MPC Action: Disapprove as submitted; Approve with a substitute ordinance. 8-0**

### 15. 2014Z-036PR-001

BL2014-761 \ TODD  
**WALLACE LANE DOWNZONING**  
Map 116-16, Parcel(s) 136-138, 140, 141, 143, 144, 147, 149  
Council District 34 (Carter Todd)  
Staff Reviewer: Jason Swaggart

A request to rezone from RS20 to RS30 zoning for properties located at 3914, 3916, 3920, 4002, 4004, 4008, 4010, 4016 and 4128 Wallace Lane, south of Abbott Martin Road (approximately 11 acres), requested by Councilmember Carter Todd, applicant; various property owners.

**MPC Action: Approve. 8-0**

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## **K. PLANNING COMMISSION ACTIONS**

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

### Planned Unit Developments: Final Site Plans

#### 16. 94P-020-002

**FED EX GROUND**  
Map 049, Parcel(s) 326  
Council District 03 (Walter Hunt)  
Staff Reviewer: Melissa Sajid

A request to revise the preliminary plan and for final site plan approval for the Commercial Planned Unit Development Overlay District located on a portion of property at 3301 Knight Drive, at the northeast corner of Briley Parkway and Knight Drive (96.22 acres), zoned IWD and partially located within the Floodplain Overlay District, to permit a 4,000 square foot addition to an existing warehouse and an expansion to an existing parking lot, requested by Ragan-Smith Associates, applicant; Caleast Nat, LLC, owner.

**MPC Action: Approve with conditions. 8-0**

## **Subdivision: Final Plats**

### **17. 2014S-043-001**

**RUSSWOOD HEIGHTS, RESUB LOT 6**  
Map 131-01-0-S, Parcel(s) 001-002, 900  
Council District 34 (Carter Todd)  
Staff Reviewer: Duane Cuthbertson

A request for final plat approval to create two lots on properties located at 3331 and 3331 B Trimble Road and 2302 Castleman Drive, at the northwest corner of Trimble Road and Castleman Drive, zoned RS20 (1.01 acres), requested by Stanley K. Draper, applicant; Angelo Formosa III, owner.  
**MPC Action: Disapprove. 7-0**

### **18. 2014S-084-001**

**300 TILLMAN**  
Map 083-07, Parcel(s) 149  
Council District 06 (Peter Westerholm)  
Staff Reviewer: Melissa Sajid

A request for final plat approval to create three lots on property located at 300 Tillman Lane, at the southeast corner of Tillman Lane and Skyview Drive, zoned R6 (0.57 acres), requested by Dale & Associates, applicant; Graham C. Gray and James Carson Gray, owners.  
**MPC Action: Defer to the June 12, 2014, Planning Commission meeting. 8-0**

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## **L. OTHER BUSINESS**

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19. Historic Zoning Commission Report

20. Board of Parks and Recreation Report

21. Executive Committee Report

22. Accept the Director's Report and Approve Administrative Items

**MPC Action: 1<sup>st</sup> motion: In accordance with Section VI K 2 of the Planning Commission's Rules and Procedures, motion to place on the June 12, 2014 agenda consideration of whether sufficient new evidence exists to rehear 2014S-021-001 Vista Cluster Lot Subdivision. Failed 2-5  
2<sup>nd</sup> motion to Accept the Director's Report and Approve Administrative Items. Approved 7-0**

23. Legislative Update

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

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### **May 22, 2014**

#### MPC Meeting

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

### **June 12, 2014**

#### MPC Meeting

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

### **June 26, 2014**

#### MPC Meeting

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

#### **Location change for the following MPC meetings:**

July 24, 2014 & October 23, 2014

MDHA Training Center

1419 Rosa Parks Boulevard

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## **N. ADJOURNMENT**

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May 22, 2014 Meeting

Page 7 of 9

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