



METROPOLITAN PLANNING COMMISSION

ACTION AGENDA

Thursday, May 23, 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 9, 2013 MINUTES
 - D. RECOGNITION OF COUNCILMEMBERS
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- E. ITEMS FOR DEFERRAL / WITHDRAWAL
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7. Contract amendment No. 2 between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and NCDC to the existing Contract L-2781 to authorize 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. **2009SP-021-003**
BLAKEMORE PRIMITIVE BAPTIST (AMENDMENT)
- 3. **2013Z-016PR-001**
3533 BRICK CHURCH PIKE
- 4. **2013S-072-001**
LINDEN PLACE, RESUB LOTS 8 & 9
- 5. **2013S-068A-001**
LOCUSTWOOD, REV TO LOT 134, LOT 2 AMENDMENT

6. Contract between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and Nashville MTA for federal planning grant funds to the Nashville MTA for their participation in regional transit planning activities.

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.

Community Plan Amendments

1a. 2013CP-007-001

WEST NASHVILLE COMMUNITY PLAN AMENDMENT

Map 103-04, Parcel(s) 161-162
Council District 24 (Jason Holleman)
Staff Reviewer: Anita McCaig

A request to amend the West Nashville Community Plan: 2009 Update by changing the Community Character Policy from Urban Neighborhood Maintenance (T4-NM) to Urban Neighborhood Center policy for properties located at 132 and 134 46th Avenue North, at the southeast corner of Utah Avenue and 46th Avenue North (0.54 acres), requested by Laodice, LLC, owner and applicant.

MPC Action: Approve. 7-0-1

1b. 2013SP-012-001

46TH AND UTAH

Map 103-04, Parcel(s) 161-162
Council District 24 (Jason Holleman)
Staff Reviewer: Greg Johnson

A request to rezone from RS7.5 and CN to SP-MU zoning for properties located at 132 and 134 46th Avenue North, at the southeast corner of Utah Avenue and 46th Avenue North (.54 acres), to permit up to three single-family residential units, office, restaurant, and or retail uses; requested by Laodice, LLC, owner and applicant.

MPC Action: Approve with conditions, including a condition to restrict Tenant Space B to 2,300 square feet gross floor area, and disapprove without all conditions. 4-3-1

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

2. 2009SP-021-003

BLAKEMORE PRIMITIVE BAPTIST (AMENDMENT)

Map 104-07, Parcel(s) 391
Council District 18 (Burkley Allen)
Staff Reviewer: Greg Johnson

A request to amend the Blakemore Primitive Baptist Specific Plan District for property located at 2411 B Blakemore Avenue, approximately 330 feet west of 24th Avenue South, (0.2 acres), to construct a roof over an outdoor terrace along Blakemore Avenue and to modify conditions in the original SP approval pertaining to outdoor music, hours of operation, the allowance of outdoor events, and notice to Metro Nashville Public Schools and Metro Parks and Recreation regarding event dates, requested by Dragon Park, LLC, owner and applicant.

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

Zone Changes

3. 2013Z-016PR-001

3533 BRICK CHURCH PIKE
Map 050-02, Parcel(s) 001
Council District 03 (Walter Hunt)
Staff Reviewer: Duane Cuthbertson

A request to rezone from RS7.5 to R6 zoning for property located at 3533 Brick Church Pike, approximately 685 feet north of Westchester Drive (0.2 acres), requested by O'Neill Property Management, applicant; Russell and Gayle L. Jones, owners.

MPC Action: Approve. 7-0

J. PLANNING COMMISSION ACTIONS

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

Subdivision: Final Plats

4. 2013S-072-001

LINDEN PLACE, RESUB LOTS 8 & 9
Map 104-15, Parcel(s) 232-233
Council District 18 (Burkley Allen)
Staff Reviewer: Duane Cuthbertson

A request for final plat approval to create three lots on properties located at 2112 and 2114 Sunset Place, approximately 475 feet west of 21st Avenue South, zoned RS7.5 (0.6 acres), requested by John and Cheryl Smith and Ethan Dunham and Jill Farnham-McLester, owners; Elite Surveying Services, LLC, surveyor.

MPC Action: Approve. 7-0

Subdivision: Amendments

5. 2013S-068A-001

LOCUSTWOOD, REV TO LOT 134, LOT 2 AMENDMENT
Map 148-10, Parcel(s) 154
Council District 30 (Jason Potts)
Staff Reviewer: Greg Johnson

A request to amend the recorded plat for property located at 235 Haywood Lane to remove a note restricting Lot #2 to single-family residential uses only, at the southeast corner of Haywood Lane and East Ridge Drive (0.48 acres), zoned R10, requested by Jamal Aldarbashi, owner.

MPC Action: Approve with a condition. 8-0

K. OTHER BUSINESS

6. Contract between the Nashville-Davidson County Metropolitan Planning Commission on behalf of the Nashville Area MPO and Nashville MTA to pass-through MPO federal planning grant funds to the Nashville MTA for their participation in regional transit planning activities.

MPC Action: Approve. 7-0

7. 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: Deferred to the June 13, 2013, Planning Commission meeting. 7-0

8. Election of Officers

- 9. Historic Zoning Commission Report
- 10. Board of Parks and Recreation Report
- 11. Executive Committee Report
- 12. Executive Director Report
- 13. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

June 13, 2013

MPC Meeting

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

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

M. ADJOURNMENT

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

May 23, 2013 Meeting

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