



METROPOLITAN PLANNING COMMISSION AGENDA

Thursday, November 8, 2012

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 OCTOBER 25, 2012 MINUTES
 - D. RECOGNITION OF COUNCILMEMBERS
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- E. ITEMS FOR DEFERRAL / WITHDRAWAL
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- 8. 2012SP-028-001
GREEN AND LITTLE
 - 11. 2012SP-032-001
NASHVILLE WEST END
 - 18. 2012S-130-001
NOELTON
-

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. 2012S-133-001
BARNETT SUBDIVISION
- 4. 2012Z-024TX-001
BL2012-292 / BARRY, STEINE
RECORDING STUDIOS AS HOME OCCUPATION
- 5. 2012Z-025TX-001
BL2012-313 / CLAIBORNE
ZONING CODE ENFORCEMENT
- 7. 2012SP-027-001
515 SOUTHGATE AVENUE
- 10. 2012SP-031-001
WATERFORD ASSISTED LIVING
- 12. 2012Z-025PR-001
BL2012-307 / GLOVER
931 OLD LEBANON DIRT ROAD
- 13. 2012Z-026PR-001
1624 16TH AVENUE SOUTH

14. 2012Z-027PR-001

1808, 1809 & 1810 MORENA STREET, 925 & 929 DR D.B. TODD JR. BOULEVARD

19. Employee contract renewals for Jennifer Carlat and Kathryn Withers

20. Amendment to the Rules and Procedures, Section VII.K, Rehearings

21. New employee contract for Amy Diaz-Barriga

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.

Specific Plans

1. 2008SP-009G-06

BLUFFS ON SAWYER BROWN

Map 128, Parcel(s) 045
Council District 22 (Sheri Weiner)
Staff Reviewer: Brenda Bernards

Current Status
Not on Consent
Public Hearing
Open

The periodic review of an approved Specific Plan (R) district known as "Bluffs on Sawyer Brown", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at Sawyer Brown Road (unnumbered), (39.09 acres), approved for 130 townhouse units via Council Bill BL2008-196 adopted on August 19, 2008, review initiated by the Metro Planning Department.

Staff Recommendation: Find the SP district inactive and direct staff to prepare a report to the Council recommending the property be rezoned to RS80.

Subdivision: Final Plats

2. 2012S-133-001

BARNETT SUBDIVISION

Map 159, Parcel(s) 047
Council District 34 (Carter Todd)
Staff Reviewer: Greg Johnson

Current Status
Consent
Public Hearing
Open

A request for final plat approval to create three lots on property located at 5440 Granny White Pike, approximately 275 feet south of Camelot Road (3.44 acres), zoned R40, requested by Wendell Barnett Et ux, owners, Crawford & Cummings, P.C., surveyor.

Staff Recommendation: Approve with conditions and approve variance to the Subdivision Regulations for lot frontage.

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.

Zoning Text Amendments

3. 2012Z-022TX-001

BL2012-291 / STANLEY
RECYCLING FACILITY
Staff Reviewer: Duane Cuthbertson

Current Status
Not on Consent
Public Hearing
Open

A request to amend Sections 17.04.060 and 17.16.110 of the Metropolitan Code, Zoning Regulations, to amend the definition of "recycling facility" to clarify that it does not include the conversion of material into a fuel product or asphalt, and to prohibit such activity on construction/demolition landfill property, requested by Councilmember James Bruce Stanley, applicant.

Staff Recommendation: Disapprove

4. 2012Z-024TX-001

BL2012-292 / BARRY, STEINE
RECORDING STUDIOS AS HOME OCCUPATION
Staff Reviewer: Brenda Bernards

Current Status
Consent
Public Hearing
Open

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations, by amending Sections 17.04.060 and 17.16.250 pertaining to recording studios as a home occupation accessory use in residential districts, requested by Councilmembers Megan Barry and Ronnie Steine, applicants.

Staff Recommendation: Approve

5. 2012Z-025TX-001

BL2012-313 / CLAIBORNE
ZONING CODE ENFORCEMENT
Staff Reviewer: Brenda Bernards

Current Status
Consent
Public Hearing
Open

A request to amend Section 17.40.010 of the Metropolitan Code of Laws to require construction, application and enforcement of the Zoning Code in accordance with federal law, requested by the Metropolitan Legal Department, applicant.

Staff Recommendation: Approve

Specific Plans

6. 2006SP-152-003

NOLENSVILLE ROAD AUTOMART (AMENDMENT #2)
Map 119-09, Parcel(s) 042, 062-063
Council District 16 (Tony Tenpenny)
Staff Reviewer: Duane Cuthbertson

Current Status
Not on Consent
Public Hearing
Open

A request to amend the Nolensville Road Automart Specific Plan District for properties located at 2721 and 2725 Nolensville Pike and at 2722 Grandview Avenue, at the northwest corner of Nolensville Pike and McClain Avenue (0.82 acres), to allow for one 25 foot tall pole mounted on-premise sign and to allow for the existing monument sign and building sign to remain, requested by Ronald J. Haislip and Alfred J. Haislip, owners.

Staff Recommendation: Disapprove

7. 2012SP-027-001

515 SOUTHGATE AVENUE

Map 105-11, Parcel(s) 190
Council District 17 (Sandra Moore)
Staff Reviewer: Jason Swaggart

Current Status
Consent
Public Hearing
Open

A request to rezone from R6 to SP-R zoning, property located at 515 Southgate Avenue, at the southwest corner of Southgate Avenue and Carvell Avenue (0.46 acres), to permit 6 residential units, requested by Dale & Associates, applicant, 515 Southgate, LLC, owner.

Staff Recommendation: Approve the SP with conditions and disapprove without all conditions

8. 2012SP-028-001

GREEN AND LITTLE

Map 117-10, Parcel(s) 115-116 Map 117-14, Parcel(s) 042
Council District 25 (Sean McGuire)
Staff Reviewer: Greg Johnson

Current Status
Not on Consent
Public Hearing
Open

A request to rezone from OR20 to SP-MU zoning properties located at 2400 Crestmoor Road and at 3813 and 3815 Cleghorn Avenue, at the southwest corner of Crestmoor Road and Cleghorn Avenue (2.09 acres), to permit hotel, office, retail, and restaurant uses utilizing most bulk standards of the MUG-A district, requested by Gresham Smith and Partners, applicant, Green & Little, L.P. Et Al and GLCZ Cleghorn, L.P., owners.

Staff Recommendation: Defer to the December 13, 2012, Planning Commission meeting

9. 2012SP-030-001

IRIS AVENUE (PRELIM & FINAL)

BL2012-309 / JERNIGAN
Map 053-16, Parcel(s) 048
Council District 11 (Darren Jernigan)
Staff Reviewer: Jason Swaggart

Current Status
Not on Consent
Public Hearing
Open

A request to rezone from Mixed Use Limited (MUL) to Specific Plan – Auto (SP-A) zoning and for final site plan approval for property located at 100 Iris Avenue, at the northeast corner of Iris Avenue and Old Hickory Boulevard (0.24 acres), to permit the sale of new and used tires and all uses of the MUL zoning district, requested by Jean Y. Oatsvall, Trustee, and the Metro Planning Department, applicants.

Staff Recommendation: Approve the SP with conditions and disapprove without all conditions

10. 2012SP-031-001

WATERFORD ASSISTED LIVING

Map 086, Parcel(s) 140
Council District 14 (James Bruce Stanley)
Staff Reviewer: Jason Swaggart

Current Status
Consent
Public Hearing
Open

A request to rezone from RS10 to SP-MR zoning property located at 3778 Central Pike, approximately 450 feet west of Dodson Chapel Road (10.88 acres), to permit an assisted-care living facility and up to 21 single-family lots, requested by Civil Site Design Group, applicant, Barbara Terry, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions

11. 2012SP-032-001

NASHVILLE WEST END

Map 092-16, Parcel(s) 234, 238, 242-245
Council District 19 (Erica S. Gilmore)
Staff Reviewer: Greg Johnson

Current Status
Not on Consent
Public Hearing
Open

A request to rezone from MUI-A to SP-MU zoning properties located at 204 and 208 21st Avenue South and at 2003, 2005, 2007 and 2009 Division Street, at the northeast corner of Grand Avenue and 21st Avenue South (1.75 acres), to permit a mixed-use development containing a hotel, multifamily and office and commercial uses, requested by Littlejohn Engineering Associates, applicant, LaGasse Family Partners, LLC, owner.

Staff Recommendation: Defer to the December 13, 2012, Planning Commission meeting

Zone Changes

12. 2012Z-025PR-001

BL2012-307 / GLOVER
931 OLD LEBANON DIRT ROAD
Map 076, Parcel(s) 052
Council District 12 (Steve Glover)
Staff Reviewer: Jason Swaggart

Current Status
Consent
Public Hearing
Open

A request to rezone from RS15 to AR2a zoning property located at 931 Old Lebanon Dirt Road, approximately 650 feet north of N. New Hope Road (6.0 acres), requested by Councilmember Steve Glover, applicant, James and Allison Scarlett, owners.

Staff Recommendation: Approve

13. 2012Z-026PR-001

1624 16TH AVENUE SOUTH
Map 104-08, Parcel(s) 358
Council District 17 (Sandra Moore)
Staff Reviewer: Duane Cuthbertson

Current Status
Consent
Public Hearing
Open

A request to rezone from OR20 to OR40 zoning property located at 1624 16th Avenue South, approximately 200 feet north of Wedgewood Avenue (0.24 acres) and located within the South Music Row Neighborhood Conservation Overlay District, requested by Barbara Louv, owner.

Staff Recommendation: Approve

14. 2012Z-027PR-001

1808, 1809 & 1810 MORENA STREET, 925 & 929 DR D.B. TODD JR. BOULEVARD
Map 092-03, Parcel(s) 308-311, 408
Council District 21 (Edith Taylor Langster)
Staff Reviewer: Duane Cuthbertson

Current Status
Consent
Public Hearing
Open

A request to rezone from RM20 to RM40-A zoning for properties located at 1808, 1809 and 1810 Morena Street and 925 and 929 Dr. D.B. Todd Jr. Boulevard, approximately 200 feet north of Herman Street (3.42 acres), requested by Don Hardin Group, applicant, Meharry Medical College, owner.

Staff Recommendation: Approve

Planned Unit Developments

15. 74-79P-009

BL2012-302 / JOHNSON
NASHBORO VILLAGE (SITE 15)
Map 135, Parcel(s) 418
Council District 29 (Karen Y. Johnson)
Staff Reviewer: Brenda Bernards

Current Status
Not on Consent
Public Hearing
Open

A request to amend a portion of the Nashboro Village Planned Unit Development Overlay District for property located at Nashboro Boulevard (unnumbered), at the southwest corner of Nashboro Boulevard and Flintlock Court, zoned R10 (3.46 acres), to permit neighborhood retail uses not to exceed one story, where 27,600 square feet of commercial uses were previously approved, requested by Councilmember Karen Johnson, applicant, Vastland Nashboro Development, LLC, owner.

Staff Recommendation: Disapprove as submitted, Approve with amendments

16. 74-79P-010

BL2012-301 / JOHNSON
NASHBORO VILLAGE (SITE 14)
Map 135, Parcel(s) 276
Council District 29 (Karen Y. Johnson)
Staff Reviewer: Brenda Bernards

Current Status
Not on Consent
Public Hearing
Open

A request to amend a portion of the Nashboro Village Planned Unit Development Overlay District for property located at Nashboro Boulevard (unnumbered), at the southeast corner of Nashboro Boulevard and Flintlock Court, zoned R10 (4.48 acres), to permit an assisted/independent living facility and multifamily residential townhome uses not to exceed two stories, where 144 multifamily units in two six-story buildings was previously approved, requested by Councilmember Karen Johnson, applicant, Flintlock Investors LLC, LLC, owner.

Staff Recommendation: Disapprove as submitted, approve with amendments

17. 74-79P-011

BL2012-303 / JOHNSON
NASHBORO VILLAGE (SITE 27)
Map 135, Parcel(s) 317
Council District 29 (Karen Y. Johnson)
Staff Reviewer: Brenda Bernards

Current Status
Not on Consent
Public Hearing
Open

A request to amend a portion of the Nashboro Village Planned Unit Development Overlay District for property located at Nashboro Boulevard (unnumbered), approximately 1,600 feet east of Murfreesboro Pike, zoned RM6 (1.7 acres), to add conditions applicable to the daycare use previously approved for this site, requested by Councilmember Karen Johnson, applicant, Vastland Nashboro Development, LLC, owner.

Staff Recommendation: Disapprove. If approved, approve with amendments

J. PLANNING COMMISSION ACTIONS

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

Subdivision: Final Plats

18. 2012S-130-001

NOELTON
Map 118-09, Parcel(s) 180
Council District 25 (Sean McGuire)
Staff Reviewer: Duane Cuthbertson

Current Status
Not on Consent
Public Hearing
Open

A request for final plat approval to create five lots on property located at 3400 Lealand Lane, at the southeast corner of Lealand Lane and Noelton Avenue (1.42 acres), zoned R10, requested by Clifford O. Richmond, owner, Patrick Coode and Company, LLC, surveyor.

Staff Recommendation: Defer to December 13, 2012, Planning Commission meeting

K. OTHER BUSINESS

19. Employee contract renewals for Jennifer Carlat and Kathryn Withers
20. Amendment to the Rules and Procedures, Section VII.K, Rehearings
21. New employee contract for Amy Diaz-Barriga
22. Historic Zoning Commission Report
23. Board of Parks and Recreation Report
24. Executive Committee Report
25. Executive Director Report
26. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

November 8, 2012

MPC Meeting

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

November 12, 2012

Community Meeting- Tanksley Ave Land Use Policy

6:00 pm to 7:00 pm, 384 Thompson Lane, Coleman Community Center

December 13, 2012

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

November 8, 2012 Meeting

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