



METROPOLITAN PLANNING COMMISSION

ACTION AGENDA

Thursday, October 23, 2014

4:00 pm Regular Meeting

2601 Bransford Avenue

Metropolitan Public Schools Administration Building

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
Greg Adkins, Vice-Chair

Lillian Blackshear
Stewart Clifton
Derrick Dalton
Jessica Farr

Hunter Gee
Jeff Haynes
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

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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 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

- A. CALL TO ORDER
 - B. ADOPTION OF AGENDA
 - C. APPROVAL OF OCTOBER 9, 2014 MINUTES
 - D. RECOGNITION OF COUNCILMEMBERS
 - E. NASHVILLENEXT UPDATE
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H. 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. 2014SP-041-001

1212 HAWKINS STREET

Map 093-13, Parcel(s) 276-277, 299

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Jason Swaggart

A request to rezone from RM20 to SP-R zoning for properties located at 1212 Hawkins Street and 1119 and 1121 Sigler Street, approximately 330 feet west of 12th Avenue South, (0.71 acres), to permit up to 19 multifamily units, requested by Barge Cauthen & Associates, applicant; Gulchetto Enterprises, Inc., owner.

MPC Action: Approve with conditions and disapprove without all conditions. (9-0)

2. 2014SP-046-001

CHURCH STREET TOWNHOMES

Map 171, Parcel(s) 041-042, 071, 072, 100, 105, 114

Map 171-02, Parcel(s) 005, 006 and P/O 002, 003 and 004

Council District 04 (Brady Banks)

Staff Reviewer: Jason Swaggart

A request to rezone from R40 to SP-MR zoning for properties located at 500, 524, 532, 554, 558, 552, 556 Church Street East, 5665, 5669, 5671 Valley View Road and 5693, 5689 Cloverland Drive, (17.58 acres), to permit up to 107 residential units, requested by Lands End, applicant; various property owners.

MPC Action: Open the public hearing. (9-0) Disapprove. (8-0-1)

Urban Design Overlays

3. 2004UD-002-006

VILLAGES OF RIVERWOOD, PH 5, 6, & 7

Map 097-00; Parcel (s) 163

Council District 14 (James Bruce Stanley)

Staff Reviewer: Latisha Birkeland

A request for revision to preliminary UDO for Phases 5, 6 and 7 and final site plan approval for Phase 6 only for a portion of the Villages of Riverwood Urban Design Overlay located at Hoggett Ford Road (unnumbered), at the terminus of Stonewater Drive (23.55 acres), to permit 228 dwelling units, zoned Multi-Family Residential (RM9), requested by Ragan-Smith-Associates Inc., applicant; Beazer Homes Corp., owner.

MPC Action: Approve with conditions. (9-0)

4. 2014DT-001-001

US BANK (DTC SIGNAGE MODIFICATION APPEAL)

Map 093-06-2, Parcel(s) 007

Council District 19 (Erica S. Gilmore)

Staff Reviewer: Andrew Collins

A request to appeal the denial of a modification to the Downtown Code Signage Regulations to allow for signage for 'U.S. Bank' for property located at 333 Commerce Street, at the southeast corner of 4th Avenue North and Commerce Street, zoned DTC and located within the Capitol Mall Redevelopment District, requested by Joslin Sign Company, applicant; Prefco XIV Limited Partnership, et al, owners.

MPC Action: Withdraw. (9-0)

Subdivision: Final Plats

5. 2014S-162-001

AMBERWOOD APARTMENTS, RESUB RESERVE PARCEL A

Map 128, Parcel(s) 141

Council District 23 (Emily Evans)

Staff Reviewer: Jason Swaggart

A request for final plat approval to remove the reserve status and create one lot on property located at Old Hickory Boulevard (unnumbered), approximately 2,430 feet north of Highway 70 South, zoned R15 (4.13 acres), requested by Chapdelaine & Associates, applicant; Edmund and Anne Attebury, owner.

MPC Action: Defer to the January 8, 2015, Planning Commission meeting. (9-0)

I. 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).

Community Plan Amendments

6a. 2014CP-005-004

EAST NASHVILLE PLAN AMENDMENT

Map 083-05, Parcel(s) 131

Council District 05 (Scott Davis)

Staff Reviewer: Cynthia Wood

A request to amend the East Nashville Community Plan: 2006 Update by changing the Community Character Policy from T4 Urban Neighborhood Maintenance to T4 Urban Community Center for a portion of the property located at 1034 W. Eastland Avenue, approximately 200 feet west of Gallatin Avenue (2.92 acres), requested by Smith Gee Studio, applicant; Sophia's Heart Foundation, Inc., owner.

MPC Action: Approve. (7-0)

6b. 2014SP-075-001

1034 WEST EASTLAND (LIV EAST)
Map 083-05, Parcel(s) 131
Council District 05 (Scott Davis)
Staff Reviewer: Lisa Milligan

A request to rezone from OR20 to SP-MU zoning for property located at 1034 W. Eastland Avenue, approximately 200 feet west of Gallatin Avenue, (4.66 acres), to permit a mixed-use development, requested by Smith Gee Studio, applicant; Sophia's Heart Foundation, Inc., owner (See Also Community Plan Amendment Case # 2014CP-005-004).

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

7a. 2014CP-007-006

WEST NASHVILLE PLAN AMENDMENT
Map 091-15, Parcel(s) 039-040
Council District 24 (Jason Holleman)
Staff Reviewer: Tifinie Capehart

A request to amend the West Nashville Community Plan: 2009 Update by changing the Community Character Policy from a T4 Urban Neighborhood Maintenance policy to a T4 Urban Mixed Use Corridor policy for properties located at 333 and 335 53rd Avenue North, approximately 260 feet south of Charlotte Avenue and partially located within the Floodplain Overlay District (0.34 acres), requested by Dale & Associates, applicant; Henry and Sarah Hood, owners.

MPC Action: Defer to the November 13, 2014, Planning Commission meeting. (9-0)

7b. 2014SP-062-001

53RD AVENUE NORTH
Map 091-15, Parcel(s) 039-040
Council District 24 (Jason Holleman)
Staff Reviewer: Melissa Sajid

A request to rezone from OR20 and CS to SP-C zoning for properties located at 333 and 335 53rd Avenue North, approximately 260 feet south of Charlotte Avenue and partially located within the Floodplain Overlay District, (0.34 Acres), to permit a restaurant and grocery store, requested by Dale & Associates, applicant; Henry and Sarah Hood, owners.

MPC Action: Defer to the November 13, 2014, Planning Commission meeting. (9-0)

J. 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

8. 2014Z-020TX-001

BL2014-908\Dowell, Johnson, Bedne
CASH ADVANCE, CHECK CASHING, PAWNSHOP & TITLE LOAN
Staff Reviewer: Lisa Milligan

A request to amend Chapters 17.04, 17.08 and 17.16 of the Metropolitan Zoning Code to designate cash advance, check cashing, pawnshop, and title loans as uses permitted with conditions and adding conditions applicable to these uses, requested by Councilmembers Jacobia Dowell, Karen Johnson and Fabian Bedne, applicants.

MPC Action: Approve with an amendment. (8-0)

9. 2014Z-021TX-001

BL2014-909\Allen, Tygard
SHORT TERM RENTAL PROPERTY
Staff Reviewer: Jason Swaggart

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to Short Term Rental Property, requested by Councilmember Burkley Allen, applicant.

MPC Action: Disapprove as submitted; Approve substitute ordinance. (8-0-1)

Specific Plans

10. 2014SP-076-001

BL2014-896\S. Davis

CLEVELAND PARK/MCFERRIN SP

Council District 5 (Scott Davis)

Staff Reviewer: Melissa Sajid

A request to rezone from RS5 to SP-R zoning for various properties located along Arrington Street, Berry Street, Cleveland Street, Douglas Avenue, Evanston Avenue, Joseph Street, Lischey Avenue, Meridian Street, Montgomery Avenue, N. 2nd Street, N. 5th Street, N. 6th Street, N. 7th Street, N. 8th Street, Pennock Avenue, Richardson Avenue, Stainback Avenue, Stockell Street, Treutland Avenue, Vaughn Street and Vernon Winfrey Avenue, south of Douglas Avenue, (238.26 acres), to allow detached accessory dwelling units with all other standards of the RS5 district being applicable, requested by Councilmember Scott Davis, applicant; various property owners.

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

K. PLANNING COMMISSION ACTIONS

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

Planned Unit Developments: final site plans

11. 98P-007-007

SEVEN SPRINGS WEST

Map 160, Parcel(s) 287

Council District 04 (Brady Banks)

Staff Reviewer: Jason Swaggart

A request for revision to preliminary and final site plan approval for a portion of the Seven Springs Commercial Planned Unit Development Overlay District for property located at 340 Seven Springs Way, approximately 150 feet north of Old Hickory Boulevard (3.65 acres), zoned MUL, to permit the development of a 7-story, 203,000 square foot office building and an associated parking garage, requested by Barge Cauthen & Associates, applicant; Highwoods Realty Limited Partners, owner.

MPC Action: Approve with conditions. (9-0)

Subdivision: Final Plats

12. 2014S-205-001

LAUREL ACRES, RESUB LOT 39

Map 119-11, Parcel(s) 096

Council District 16 (Tony Tenpenny)

Staff Reviewer: Jason Swaggart

A request for final plat approval to create two lots on property located at 2624 Ennis Road, approximately 400 feet south of Malden Drive, zoned RS10 (0.91 acres), requested by Brackman Land Surveying, applicant; Larissa Lentile, owner.

MPC Action: Defer to the November 13, 2014, Planning Commission meeting. (9-0)

L. OTHER BUSINESS

13. New employee contract for Alex Deus

MPC Action: Approve. (9-0)

14. Contract amendment for Brandon Burnette

MPC Action: Approve. (9-0)

15. Reinstate Lexon Insurance Company, which was excluded from providing surety bonds for one year pursuant to Section 6-1.2.d of the Metro Subdivision Regulations at the January 9, 2014, Metropolitan Planning Commission meeting, to be permitted to provide surety bonds.
MPC Action: Approve. (9-0)

16. Sidewalk in-lieu fee update – Information only.

17. Historic Zoning Commission Report

18. Board of Parks and Recreation Report

19. Executive Committee Report

20. Accept the Director's Report and Approve Administrative Items
MPC Action: Approve. (9-0)

21. Legislative Update

M. MPC CALENDAR OF UPCOMING MATTERS

Location change for the following MPC meeting:

October 23, 2014

Metropolitan Public Schools Administration Building
2601 Bransford Avenue

November 13, 2014

MPC Meeting

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

December 11, 2014

MPC Meeting

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

January 8, 2015

MPC Meeting

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

N. ADJOURNMENT
