

Comments on January 26, 2016 Planning Commission agenda items, received January 23-25

Items 5a/b, Nashville Highlands

From: B <b.catanach@gmail.com>

Date: January 24, 2017 at 11:10:35 PM CST

To: <doug.sloan@nashville.gov>

Subject: Nashville Highlands

Good morning, Mr. Sloan.

I am an owner of a unit in Eagle Ridge at The Reserve. I am extremely pleased with the effort of the Planning Commission to preserve the beauty and integrity of the beauty of the ridge, protect the community, work to comply within the NashvilleNext plan, and provide a way for the landowner to reap some benefit of ownership. Not an easy task.

I particularly appreciate the effort to not only protect the natural beauty as much as possible, but also to make it more attractive by stipulating that the construction must be comparable to the community it fronts, The Reserve; and, that the HOA has the ability to have input on the final plans submitted.

I hope that the rezoning is approved to the SP on Thursday night, January 26.

Thank you.

Belinda Catanach
320 Old Hickory Blvd., Unit 511
37221

Item 10, Harpeth Village

From: WAYNE PLUMP [<mailto:WPLUMP60@hotmail.com>]

Sent: Tuesday, January 24, 2017 9:59 PM

To: Napier, Patrick (Planning)

Subject: case 2017SP-014-001.

Hi Mr. Napier

Just some thoughts on getting 30 to 50 more cars on Old Harding that is already somewhat of a traffic jam most of the day with traffic trying to make left turns either into or out of Poplar Creek Estates, only 30 to 50 yard down from the proposed access to the new 25 houses.

Old Harding is Mostly lined up in morning and evening with people dropping off/ picking up kids at the Harpeth Valley Elementary School and the Child care next door.

It is extremely difficult getting out of Poplar Creek Estates on to Old Harding during the day, especially trying to make a left turn to get into Bellevue as well as trying to make a left turn into Poplar Creek Estates.

Now you want to add 25 to 50 more vehicles to the mix a couple times a day only 30 to 50 yards down from Poplar Creek Estates Entrance.

There needs to be another entrance to this new area that does not use Old Harding Road. That could be HWY 100 or Temple Road. Most of the property on Temple road behind Advanced Auto was Flooded in 2010, so that may present another problem.

Thank you for your time and consideration.

Wayne Plump

From: bhopper@trendmarkconstruction.com [<mailto:bhopper@trendmarkconstruction.com>]

Sent: Monday, January 23, 2017 10:53 AM

To: Owensby, Craig (Planning); Napier, Patrick (Planning)

Subject: 2017SP-014-001

Patrick/Craig,

Good morning. Attached are a few letters of support for 2017SP-014-001. Thanks.

Brent Hopper
President

721 Hillwood Blvd
Nashville, TN 37205
p: 615.879.7503
f: 615.356.4055
bhopper@trendmarkconstruction.com
www.trendmarkconstruction.com



(6 attachments follow)

January 10, 2017

Planning Department, Metro Office Building

Attention: Patrick Napier

800 Second Avenue South

Nashville TN 37219-6300

Mr. Napier,

My name is Alix Sharp and I live at [redacted] in The Enclave at Harpeth Village. I understand the new development proposed at 7725 Old Harding Pike is to be of similar design and construction as my neighborhood. I think the addition of a similar community adjacent to The Enclave would be good for

the Bellevue area. Please consider this letter to be a voice in favor of the development being considered.

Sincerely,

Alex Sharp

1012 Pine Meadow

Nashville TN 37221

January 10, 2017

Planning Department, Metro Office Building
Attention: Patrick Napier
800 Second Avenue South
Nashville TN 37219-6300

Mr. Napier,

I am writing you to show my Support for Mr. Brent Hopper and his new development at 7725 Old Harding Pike (case #2017SP-014-001). As a former twelve year Bellevue resident and someone who looked intently at purchasing a townhome in the Enclave at Harpeth Village several years back, I believe this new development would be a welcome addition to Bellevue. Within the next year I most likely will be looking to move, and the Bellevue area has been home before and I would strongly consider purchasing one of the new townhomes Mr. Hopper is building.

Sincerely,

A handwritten signature in blue ink, appearing to read "Trey Spain".

Trey Spain
P.O. Box 1174
Franklin, TN 37064

January 10, 2017

Planning Department, Metro Office Building
Attention: Patrick Napier
800 Second Avenue South
Nashville TN 37219-6300

Mr. Napier,

I would like to take this opportunity to express my support for the zoning change proposed for 7725 Old Harding Pike (case #2017SP-014-001). As a property owner in The Enclave at Harpeth Village, it is my thought that the plan for the proposed use of the adjacent property compliments the existing Harpeth Village townhome community. This will be a nice addition to the Bellevue area.

Sincerely,

William Cobb

WILLIAM COBB
1010 PINE MEADOW CT
NASHVILLE, TN 37221

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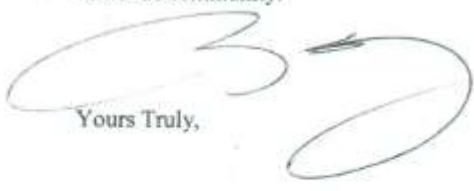
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11 January 2017

My name is Steve Jacobs and I am the Managing Partner for RE/MAX Masters of Nashville. I am fortunate to have been the listing agent for all the sales at the Enclave at Harpeth Village. I have enjoyed watching The Enclave at Harpeth Village turn into one of the area's premiere communities. The combination of location, price, and quality have made this community a home run. My team always sold ahead of construction. At times, I even had to do reservations for potential buyers waiting on units to be released for sale.

I would like to voice my support for the future phase. The product mix meets the needs of the area and will continue this success for years to come with a similar product and quality. Additionally, my office continues to receive numerous calls each month from buyers who are waiting on this new phase to open so they too can become homeowners in the community. The river views have drawn quite a lot of attention. I feel these additional units will sell quickly, thus adding value to the existing Phase I and II of the Enclave. I urge the Planning Commission to approve this project and once again allow me to help provide this outstanding product for more members of the Bellevue community.

Yours Truly,



640 GRASSMERE PARK SUITE 112 • NASHVILLE, TN 37211 • 615.447.8000



January 11, 2017


Re: Enclave Development

To Whom It May Concern:

Homeland Title has handled closings for many new construction homes in the Enclave. The buyers of these homes are always excited about their new homes and express their happiness with the quality of their home. They also speak highly of the home building experience. Many of these buyers have also expressed to us how the convenient and accessible location of their homes in this development was an important factor in their choice. We have never received any complaints from the new home owners of these homes before or after closing.

We believe that a new phase of the Enclave will enhance our community and continue to meet the needs of families in our area.

Sincerely,



Laura Perry
Attorney at Law

[Print](#) | [Close Window](#)

Subject: [FWD: Re: Enclave at Harpeth Village]
From: bhopper@trendmarkconstruction.com
Date: Wed, Jan 18, 2017 2:47 pm
To: bhopper@trendmarkconstruction.com
Attach: Final Signature.jpg
image001.gif

----- Forwarded message -----

From: "Sarah Milligan" <sarahdmilligan@me.com>
Date: Jan 18, 2017 9:47 AM
Subject: Re: Enclave at Harpeth Village

The Enclave at Harpeth Village is an excellent community with the type of homes that are desired and needed in the Bellevue community. There are many would-be-homeowners that are looking for housing that is low maintenance, with minimal yard work, quality floor plans and finishes and new construction. Enclave fits the bill in every way.



SARAH MILLIGAN

615.545.1133
sarahdmilligan@me.com
www.sarahmilligan.com

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REAL ESTATE SERVICES

Nashville/Green Hills [615-383-2050](tel:615-383-2050)

From: bhopper@trendmarkconstruction.com [mailto:bhopper@trendmarkconstruction.com]
Sent: Tuesday, January 24, 2017 4:22 PM
To: Owensby, Craig (Planning); Napier, Patrick (Planning)
Cc: Rosenberg, Dave (Council Member)
Subject: 2017SP-014-001

Craig/Patrick,

Attached is another support correspondence. Thanks.

Brent Hopper
President

721 Hillwood Blvd
Nashville, TN 37205

p: 615.879.7503

f: 615.356.4055

bhopper@trendmarkconstruction.com

www.trendmarkconstruction.com



(attachment follows)

January 24, 2017

Planning Department, Metro office Building
Attention: Patrick Napier
800 Second Avenue South
Nashville TN 37219-6300

Mr. Napier,

I would like to take this opportunity as a local business to express my support for the zoning change being proposed for 7725 Old Harding Pike (case #2017SP-014-001). As a local business, it is a positive to see new homeownership opportunities in the vicinity as our business relies heavily on local residents. Please consider this letter to be a voice in favor of the proposed development.

Thank You,

John Rafter
Brewhouse 100
8098 Hwy 100
Nashville TN 37221

A handwritten signature in black ink, appearing to be 'John Rafter', followed by a long horizontal line extending to the right.

From: jwbissinger@aol.com [<mailto:jwbissinger@aol.com>]
Sent: Tuesday, January 24, 2017 2:24 PM
To: Napier, Patrick (Planning)
Subject: Fwd: Harpeth Village Development Document Review

Mr. Napier,

After reviewing the comments on line I noticed my comments were not listed. Were they not put in the file for review? I will be re sending the comments again.

I noticed on the site plans a proposed 10 ft buffer zone. It seems to be a mistake as that buffer zone would be on my property. I didn't realize a developer could use another's property for their buffer zone.

I had two of my employees do a car count on Old Harding at the proposed entry to Harpeth Village for an hour last week. The car count was as follows northbound 791, southbound 803, and turning into Poplar Creek estates 165. Also four semi tractor trailers. This is a very congested area. It is complete insanity to allow anymore access to Old Harding from Hwy 100 to Sawyer Brown. We have a huge mess as it stands now. I do know I have seen four accidents in the last six months at the intersection of Poplar Trace and Old Harding. No telling how many I didn't see.

Also following are the latest comments from my Civil Engeer.

John Bissinger

7721 Old Harding Rd

Nashville Tn 37221

-----Original Message-----

From: Brandon LeMarr <blemarrfj40@yahoo.com>

To: John Bissinger <jwbissinger@aol.com>; Connie <conbissinger@aol.com>; Connie Bissinger <conbissinger@att.net>

Sent: Mon, Jan 23, 2017 10:27 am

Subject: Harpeth Village Development Document Review

John,

Please see the attached documents for the 1-26-17 Metro Planning Commission (MPC) Meeting related to the proposed Harpeth Village Development. The attached documents were pulled from the MPC website on 1-23-17, in which I have added a few comments/concerns in red. The comments that you previously submitted for the traffic, drainage, & buffer zone issues were NOT included in the comment log (through Jan 20) on the planning commission website. The plans have not been revised to incorporate any additional information needed to properly evaluate the impact on the adjoining properties, flood control, or traffic control. I would recommend that you re-send the email with the previous comments to Mr Napier/MPC as well as have a verbal conversation to ensure those items are fully addressed prior to approval of the proposed zoning change. In reviewing these documents further, I have noted additional comments & recommendations about the proposed plans below. In summary, the proposed plans remove previously proposed benefits, create several unaddressed negative impacts (previously submitted comments & below), and lack sufficient detail for the MPC (& Community) to provide a due diligence review of the proposed plans. In light of all the negative impacts, unaddressed concerns, and opposition to the proposed development, I would also recommend the proposed zoning change be deferred or disapproved until sufficient plans and impact studies have been completed that adequately address the concerns brought forth by the community. In addition, the community should be provided adequate time for review & comment of an accurate detailed site plan prior to bringing this before the MPC. Please let me know if you have any questions or concerns. Thanks!

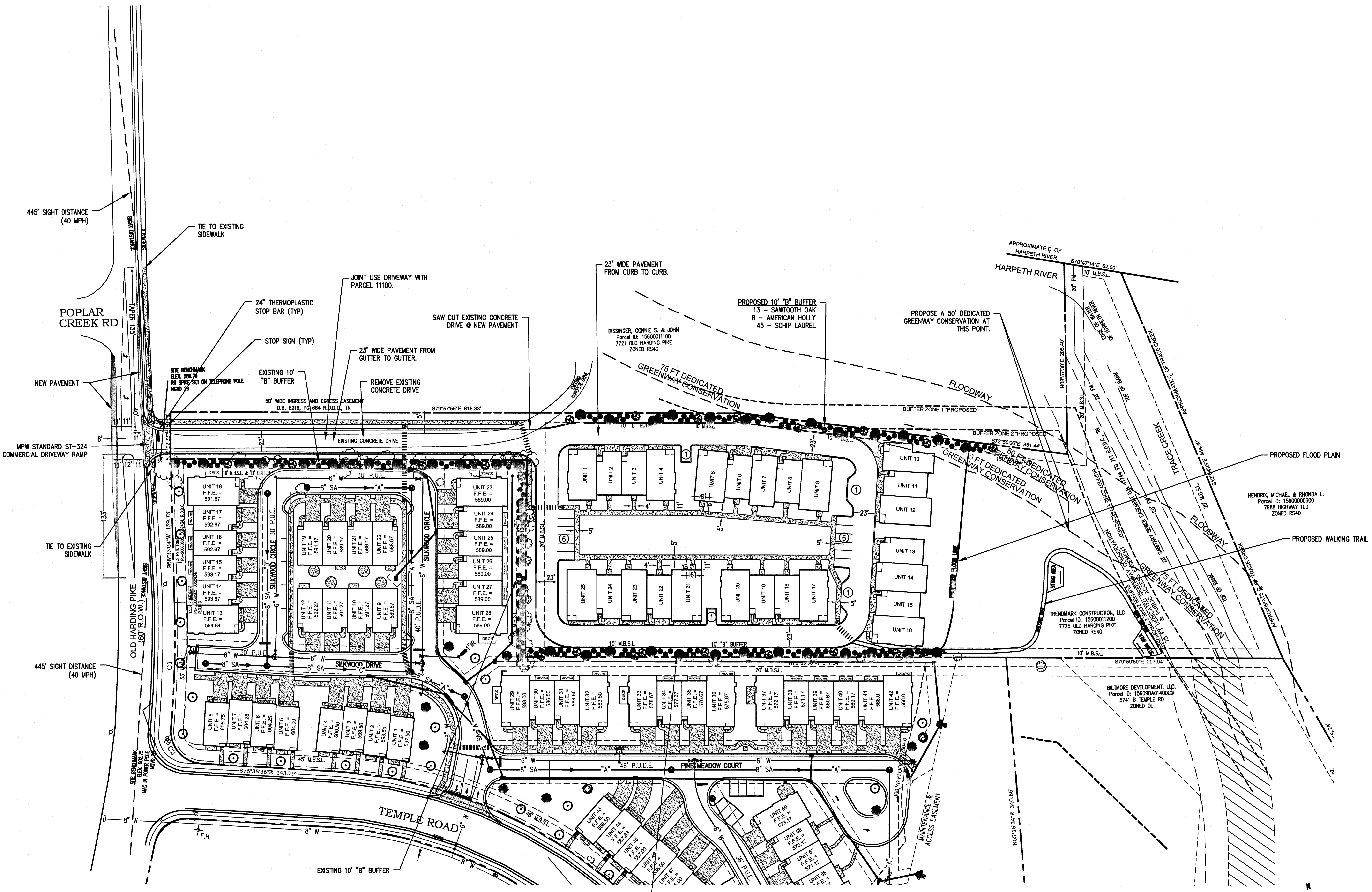
- The site plans in the Jan 12th & Jan 26th staff reports do not show the proposed retention pond or berm proposed in the details/site plan section of the Jan 26th staff report. I am unsure how the zoning change request could be approved without providing detailed plans that reflect adequate flood control measures to construct 25 units. Since the site plans provided to the community are inaccurate and do not reflect adequate flood control measures, I would recommend that the plans be updated to reflect an accurate representation of the proposed development & flood control measures prior to approving a zoning change.
- The site plans in the Jan 12th & Jan 26th staff reports show a revision to the flood plain that relaxes the flood plain requirements. The proposed flood plain alteration seems inconsistent with the fact that a large portion of the proposed construction area was underwater during the 2010 flooding and inadequate detail is supplied to resolve this conflict. I would recommend the plans be updated to reflect an accurate representation of the proposed development & flood control measures prior to approving a zoning change.
- There are no elevations shown on the proposed site plan included in the Jan 12th or 26th staff report. It is unclear how the proposed development could be adequately reviewed by the MPC (& Community) to ensure that 25 units can be constructed above the appropriate flood elevation without any elevation details on the proposed site plan? There does not appear to be

adequate information included on the proposed site plans to approve a zoning change to allow the construction 25 units, I would recommend the site plan be revised to include the appropriate elevations and flood information prior to approving a zoning change.

- The critical planning goals (presented in the Jan 12th staff report) to create walkable neighborhoods & provide pedestrian connections to the existing sidewalk network have been removed from the proposed zoning change (Jan 26th staff report). This reflects that the proposed development will NOT provide an alternate method of transportation to existing commercial uses and will increase traffic in this already overburdened area. The traffic measures provided in the proposed plan do not appear adequate to minimize traffic impact to the community. The proposed development does not enhance the existing traffic infrastructure in such a way to accommodate for increase in traffic in relation to existing traffic issues between the Temple Road red light and the Poplar Creek Estates subdivision. In line with previous comments submitted regarding the existing traffic congestion issues, I would propose a traffic and accident study be prepared for this area to ensure the proposed development is minimizing traffic impact to this heavily congested area.
- The proposed site plans (on both the Jan 12th & 26th site reports) show a new sidewalk on the East side of Old Harding Pike that will tie into an existing sidewalk. The proposed site plan is inaccurate in that there is not an existing sidewalk on the East side of Old Harding Pike. In addition, pedestrian benefits are minimized to providing the new development access to the existing pedestrian system as well as providing two sitting areas. There are no enhancements shown on the proposed plans that truly improve pedestrian, bicycle and vehicular connectivity for the Bellevue Community. I would recommend the plans be updated to reflect an accurate sidewalk configuration and provide additional pedestrian, bicycle, & vehicular connectivity improvements prior to rezoning approval.

Brandon LeMarr, PE <><

(8 attachments follow – mostly excerpts from our own agenda, staff reports, and posted comments)



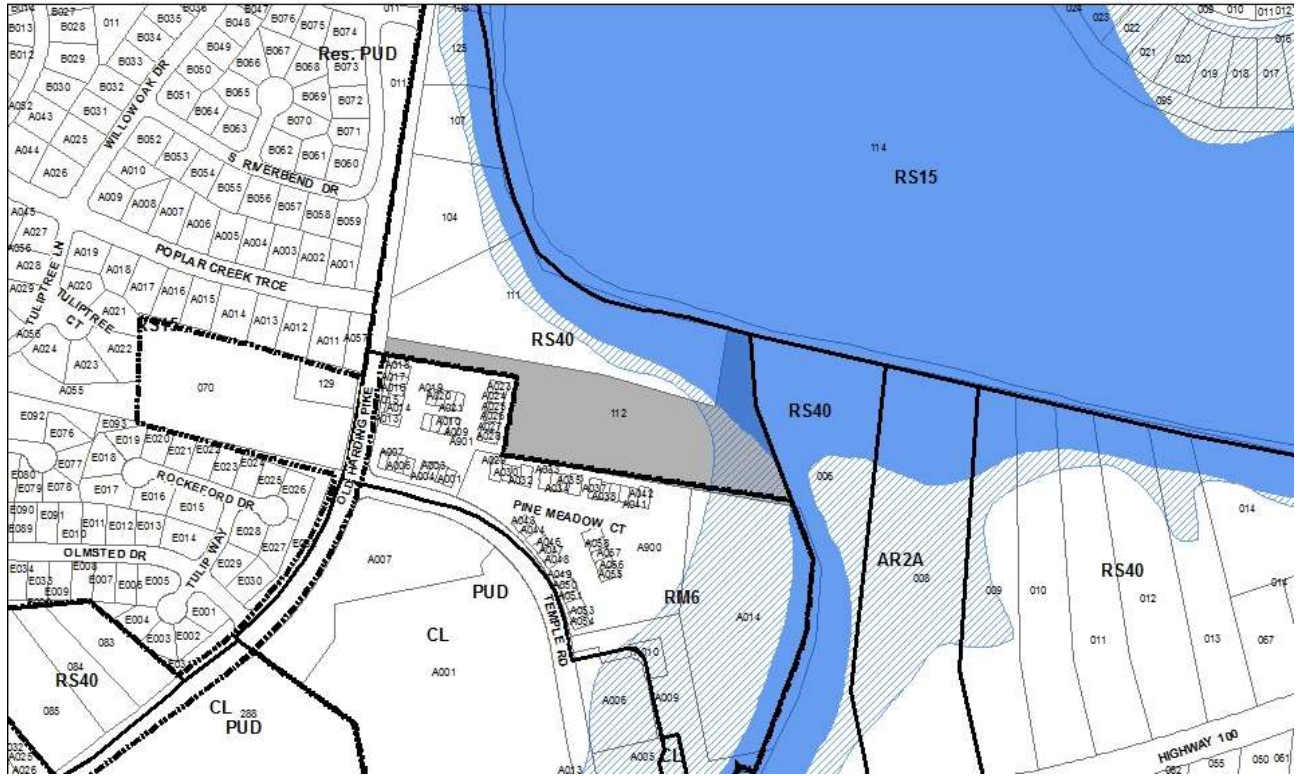
PROPOSED 10' "B" BUFFER
 13 - SAWTOOTH OAK
 8 - AMERICAN HOLLY
 45 - SCHIP LAUREL

ALL TRASH TO BE PICKED UP
 BY PRIVATE TRASH HAULER.





Metro Planning Commission Meeting of 01/26/2017



2017SP-014-001
HARPETH VILLAGE SP
Map 156, Parcel(s) 112
06, Bellevue
35, Dave Rosenberg



Project No. 2017SP-014-001
Project Name Harpeth Village
Council District 35 - Rosenberg
School District 09 – Frogge
Requested by Batson Engineering and Associates, applicant; Trendmark Construction, LLC, owner.

Deferrals This item was deferred at the January 12, 2017, Planning Commission meeting. No public hearing was held.

Staff Reviewer Napier
Staff Recommendation *Approve with conditions and disapprove without all conditions.*

APPLICANT REQUEST

Zone change to permit up to 25 residential units.

Preliminary SP

A request to rezone from Single-Family Residential (RS40) to Specific Plan-Residential (SP-R) zoning on property located at 7725 Old Harding Pike, approximately 315 feet northeast of Temple Road, (5.08 acres).

Existing Zoning

Single Family Residential (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. *RS40 would permit a maximum of 5 units.*

The critical planning goals to create walkable neighborhoods & provide pedestrian connections to the existing sidewalk network have been removed from the proposed zoning change (between Jan 12th &

Proposed Zoning *26th staffing reports). This removes community benefit from the previous proposal...*

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type.

BELLEVUE COMMUNITY PLAN

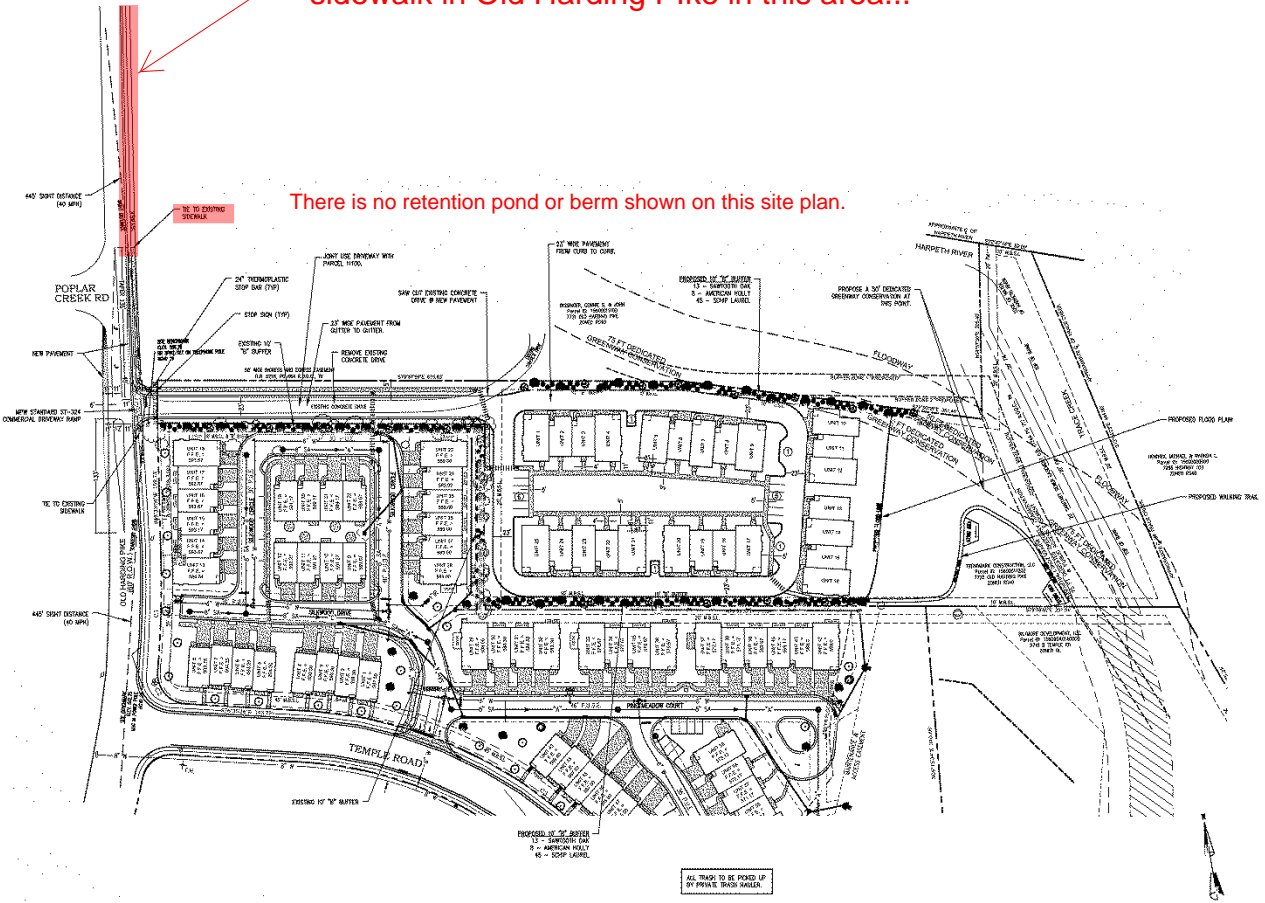
T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low to moderate density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.



Metro Planning Commission Meeting of 01/26/2017

The sidewalks shown is inaccurate. There is no existing sidewalk in Old Harding Pike in this area...



Proposed Site Plan

ALL TRUCKS TO BE POKE UP BY PRIVATE TRUCK GARAGE



Metro Planning Commission Meeting of 01/26/2017

Consistent with Policy?

Yes, this request is consistent with the T3 NM policy given the proposed height, setback, and type of residential structures shown on the proposed site plan. The T3 NM policy states, "Building height, form, and orientation fit in with the suburban character and development pattern of the specific area to which the T3 Suburban Neighborhood Maintenance policy has been applied." Given the adjacent development pattern of attached multifamily housing of similar scale and massing, the proposed site plan is consistent with the surrounding existing land use pattern and the guidelines for infill development found within the T3 NM policy description.

PLAN DETAILS

This request includes a total of 5.08 acres located at 7725 Old Harding Pike. The plan is proposing 25 attached residential units accessed from a private drive from old Harding Pike. The site is currently vacant. The surrounding land uses are primarily single and multi-family.

Site Plan

The site is located at 7725 Old Harding Pike approximately 315 feet northeast of Temple Road. The site plan proposes up to 25 residential units located on 5.08 acres. The site contains a single point of access via a private road connected to Old Harding pike. The plan provides a large central open space which is surrounded by pedestrian walk ways. A B level landscape buffer is being provided to buffer the adjacent multi-family units to the south and west as well as to the north where single family housing is located. This access forms a loop within the site to allow for vehicular circulation and access to all units. The site plan indicates a sidewalk along the access driveway will contain a sidewalk that meets the local road standards of the Major and Collector Street Plan, which requires a 4 foot wide grass strip and a 5 foot wide sidewalk. A pedestrian connection is being proposed with the existing neighborhood to the south. This connection will cross the entrance drive for the site and is shown on the site plan provide a direct connection with an existing sidewalk which fronts an existing street in the neighborhood to the south.

All units have pedestrian access connections which will provide a clear path of travel from the site to Old Harding Pike and to the rear of the site where two sitting areas are provided for the residents. Each unit will include a two car garage which satisfies the parking requirement of the Metro Zoning code. Sixteen guest parking spaces are provided in dedicated areas within the site.

The site plan attached to this staff report does not show the proposed retention pond or berm.

The site plan indicates the floodplain will be altered with the inclusion of a bio retention pond located to the rear of the site. This alteration will include a 12 foot berm as a part of the on-site bio retention pond.

ANALYSIS

The proposed plan is consistent with policy and the character of the surrounding neighborhood. The existing structures to the west and south of this site provide a pattern of development which this site will continue by providing similar setbacks, height, and coverage for the proposed structures. This plan achieves the goal of creating a walkable neighborhood by providing pedestrian connection which will allow future residents to access the commercial center located to the south of this site.

FIRE DEPARTMENT RECOMMENDATION

Approve with Conditions

- Fire Code issues will be addressed in the permit phase.



Metro Planning Commission Meeting of 01/26/2017

STORMWATER RECOMMENDATION

Approve with Conditions

- Please remove the old Floodway line.
- Label Floodway based on FEMA Map Number 47037C0337H, dated April 5, 2017.
- Cut and Fill in the Floodplain shall be balanced.
- The 100-Year Flood Elevation is 564.6' and the Minimum Finished Floor Elevation (FFE) is 568.6'

There are no elevations reflected on the proposed site plan. Has the proposed development been reviewed to ensure that the proposed plans can be constructed above the appropriate flood elevation.

HARPETH VALLEY UTILITY DISTRICT

Approve with conditions

- The developer will be required to participate in the upgrading of the pump station.
- The Developer must submit utility plans for any water and sewer improvements required to serve this development to the District for review and approval.
- The Developer must also submit hydraulic calculations, which indicate that the existing water system infrastructure and any required improvements will support domestic demands, meet fire flow requirements as set by the local building authority and maintain a minimum pressure of 50 psi within the public distribution system including all water service meters. The static hydraulic grade line used for these calculations must be 890 feet or less.

PUBLIC WORKS RECOMMENDATION

Approve

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- If sidewalks are required with this project then they are to be shown on the plans per the MCSP and per MPW standards and specifications. Sidewalks are to be located within dedicated ROW.

TRAFFIC AND PARKING RECOMMENDATION

Approve

Maximum Uses in Existing Zoning District: **RS40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	5.08	1.08 D	6 U	58	5	7

*Based on two-family lots

Maximum Uses in Proposed Zoning District: **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (230)	5.08	-	25 U	193	18	20



Metro Planning Commission Meeting of 01/26/2017

Traffic changes between maximum: RS40 and SP-R

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+19 U	+135	+13	+13

METRO SCHOOL BOARD REPORT

Projected student generation existing RS40 district: 1 Elementary 0 Middle 0 High
Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High

The proposed SP-R zoning district would generate no additional students than what is typically generated under the existing RS40 zoning district. Students would attend Harpeth Valley Elementary, McKissack Middle School and Hillwood High School. There is capacity for additional students in Harpeth Elementary and Hillwood High school. Bellevue Middle School is currently overcrowded however there is additional capacity within the Hillsboro Cluster. This information is based upon data from the school board last updated March 2016.

AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)

5. Will this project include any affordable or workforce housing units? No
6. If so, how many and what is the percentage of the entire development? N/A
7. How will you enforce the affordability requirements? N/A
8. Have any structures been demolished in the last 12 months? No

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

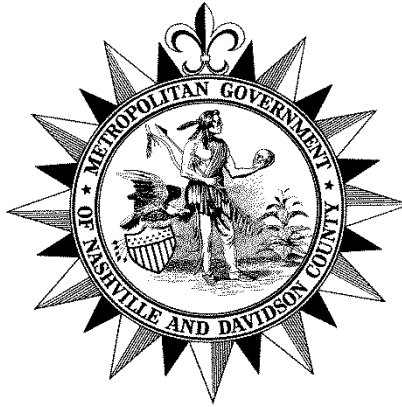
CONDITIONS

1. Permitted uses shall be limited to 25 dwelling units.
2. All building envelopes shall be located outside of any greenway conservation areas as shown on the preliminary site plan.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM6 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
6. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.



Metro Planning Commission Meeting of 01/26/2017

8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



METROPOLITAN PLANNING COMMISSION

DRAFT AGENDA

January 26, 2017
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.

Greg Adkins, Chair
Jessica Farr, Vice-Chair

Lillian Blackshear	Jim McLean
Stewart Clifton	Brian Tibbs
Brenda Diaz-Flores	Councilmember Burkley Allen
Jeff Haynes	Jennifer Hagan-Dier, representing Mayor Megan Barry

J. DOUGLAS SLOAN, III
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.

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 15 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: planning.commissioners@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 Human Relations at (615) 880-3370. For all employment-related

MEETING AGENDA

A: CALL TO ORDER

B: ADOPTION OF AGENDA

C: APPROVAL OF JANUARY 12, 2017 MINUTES

D: RECOGNITION OF COUNCILMEMBERS

E: ITEMS FOR DEFERRAL / WITHDRAWAL

1a. 2016CP-002-001
PARKWOOD - UNION HILL

1b. 2016SP-089-001
FOXFIRE

2. 2016Z-024TX-001

4. 2007SP-150-001
EVANS HILL

6. 2016SP-083-001
50 MUSIC SQUARE WEST

7a. 2016SP-090-001
PLATINUM STORAGE BRENTWOOD

7b. 2004P-021-003
PUD CANCEL

8. 2016SP-095-001
CLAY STREET PROPERTIES

12. 2017S-009-001
SOUTH PERIMETER PARK SECTION 4A RESERVE PARCELS 262, 263 AND PASCHALL
PROPERTY

13. 2017S-010-001
DEDMAN PROPERTY SUBDIVISION AMENDMENT

15. 2016CP-005-005
EAST NASHVILLE COMMUNITY PLAN AMENDMENT

- 18. 2016SP-060-001
2021 12TH AVENUE NORTH - RESIDENTIAL SP
- 19. 2017SP-004-001
6124 ROBERTSON AVENUE SP
- 20. 2017SP-007-001
6015 AND 6017 OBRIEN AVENUE
- 24a. 2017SP-017-001
NANDI HILLS
- 24b. 66-84P-002
NANDI HILLS PUD CANCEL
- 27. 2017HL-003-001
- 28. 2017NHC-001-001
- 29. 2017S-012-001
BINKLEY PROPERTY SUBDIVISION REPLAT OF LOT 1

F: CONSENT AGENDA ITEMS

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.

- 5a. 2016SP-081-001
- 5b. 95P-009-001
NASHVILLE HIGHLANDS
- 11. 2016S-255-001
BRYANT HEIGHTS RESUB OF LOT 1
- 21. 2017SP-011-001
504 AND 506 SOUTHGATE AVENUE
- 25. 2016HL-004-001
- 26. 2017HL-001-001

- 30a. 2017Z-007PR-001**
- 30b. 48-83P-002
PUD CANCELLATION**
- 31. 2017UD-001-001
WHITES CREEK AT LLOYD RD UDO ***FORMERLY WHITES CREEK WATERSHED*****
- 32. 2017Z-012PR-001**
- 33. 2017Z-013PR-001**
- 34. 2017Z-016PR-001**
- 35. 2017Z-017PR-001**
- 36. 2005P-008-009**
- 37. Contract Renewals for: Patrick Napier and Deborah Sullivan**
- 39. Memorandum of Agreement between Smart Growth America and the Metropolitan Government of Nashville and Davidson County (on behalf of the Nashville Area MPO) for the Integration of Public Health into the Transportation Planning Process**

G: ITEMS TO BE CONSIDERED

- 1a. 2016CP-002-001** On Consent: No
PARKWOOD - UNION HILL Public Hearing: Open
Council District 03 (Brenda Haywood)
Staff Reviewer: Marty Sewell

A request to amend the Parkwood - Union Hill Community Plan by changing to T3 Suburban Mixed-Use Corridor (T3 CM) Policy on a portion of properties located at 4045 Dickerson Pike and Dickerson Pike (unnumbered), approximately 1,300 feet northeast of Nesbitt Drive, zoned RS20 (2.50 acres), requested by Back Half, LLC, applicant; Jo H. Evans, owner. See associated case #2016SP-089-001).

Staff Recommendation: Defer Indefinitely

- 1b. 2016SP-089-001** On Consent: No
FOXFIRE Public Hearing: Open
Council District 03 (Brenda Haywood)
Staff Reviewer: Shawn Shepard

A request to rezone from CS and RS20 to SP-MU zoning on properties located at 4045 Dickerson Pike and Dickerson Pike (unnumbered), approximately 1,275 feet northeast of Nesbitt Drive, (11.8 acres), to permit an organized camp, requested by Back Half, LLC, applicant; Jo H. Evans, owner. (See associated case # 2016CP-002-001)

Staff Recommendation: Defer Indefinitely

- 2. 2016Z-024TX-001** On Consent: No
BL2016-496/Henderson Public Hearing: Open
Staff Reviewer: Carrie Logan

A request to amend Chapters 17.04, 17.20 and 17.40 of the Metropolitan Code pertaining to sidewalks (Proposal No. 2016Z-024TX-001), requested by Councilmember Angie Henderson.

Staff Recommendation: Defer to February 23, 2017 Planning Commission Meeting

- 3. 2016Z-025TX-001** On Consent: No
BL2016-491/Dowell Public Hearing: Closed
Staff Reviewer: Lisa Milligan

A request to amend Section 17.12.020 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to minimum glazing requirements in certain single and two-family residential zoning districts, requested by Councilmember Jacobia Dowell.

Staff Recommendation: Disapprove

- 4. 2007SP-150-001** On Consent: No
EVANS HILL Public Hearing: Open
Council District 12 (Steve Glover)
Staff Reviewer: Patrick Napier

A request to amend a previously approved SP for properties located at 1209 and 1213 Tulip Grove Road, Tulip Grove Road (unnumbered) and Valley Grove Road (unnumbered), approximately 200 feet northeast of Rockwood Drive, (72.01 acres), to permit up to 340 residential units consisting of 180 single-family lots and 160 multi-family units, requested by Wamble & Associates, PLLC, applicant; The Wise Group, Inc., owner.

Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting

5a. 2016SP-081-001

Council District 23 (Mina Johnson)
Staff Reviewer: Lisa Milligan

On Consent: Yes
Public Hearing: Open

A request to rezone from SCN to SP-MU zoning for property located at Old Hickory Boulevard (unnumbered), within a Planned Unit Development Overlay District (4.91 acres), to permit a mixed-use development, requested by Tune Entrekin & White, applicant; Nashville Highlands, LLC, owner. (See associated case #95P-009-001)

Staff Recommendation: Approve with conditions and disapprove without all conditions

5b. 95P-009-001

NASHVILLE HIGHLANDS
Council District 23 (Mina Johnson)
Staff Reviewer: Lisa Milligan

On Consent: Yes
Public Hearing: Open

A request for cancellation of a Planned Unit Development Overlay District on property located at Old Hickory Boulevard (unnumbered), approximately 3,100 feet southeast of Ridgelake Parkway, zoned SCN (4.91 acres), requested by Tune Entrekin & White, applicant; Nashville Highlands, LLC, owner. (See associated case # 2016SP-081-001)

Staff Recommendation: Approve if the associated zone change is approved. Disapprove if the associated zoned change is not approved

6. 2016SP-083-001

50 MUSIC SQUARE WEST
Council District 19 (Freddie O'Connell)
Staff Reviewer: Shawn Shepard

On Consent: No
Public Hearing: Open

A request to rezone from ORI to SP-C zoning on property located at 50 Music Square West, at the southeast corner of Music Square West and Chet Atkins Place, (0.53 acres), to permit a hotel and restaurant, requested by Barge Cauthen & Associates, applicant; O.I.C. 50 Music Square West Condominiums, owner.

Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting

7a. 2016SP-090-001

PLATINUM STORAGE BRENTWOOD
Council District 04 (Robert Swope)
Staff Reviewer: Lisa Milligan

On Consent: No
Public Hearing: Closed

A request to rezone from MUN and OL to SP-C zoning on properties located at 673, 675, 681 and 683 Old Hickory Boulevard, approximately 300 feet east of Cloverland Drive, partially within a Planned Unit Development Overlay District (2.81 acres), to permit a self-service facility with a maximum height of 4 stories, requested by Littlejohn Engineering & Associates, applicant; Hampton Falls Storage Partners, LLC, OHB Development Group, Inc. and O.I.C. President's Reserve Office Condominiums, owners. (See associated case # 2004P-021-003)

Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting

7b. 2004P-021-003 On Consent: No
PUD CANCEL Public Hearing: Open
Council District 04 (Robert Swope)
Staff Reviewer: Lisa Milligan

A request to cancel a portion of a Planned Unit Development Overlay District on property located at 673, 675, 681 and 683 Old Hickory Boulevard, approximately 300 feet east of Cloverland Drive, zoned MUN and OL (2.81 acres), requested by Littlejohn Engineering, applicant; Hampton Falls Storage Partners, LLC, owner. (See associated case # 2016SP-090-001)

Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting.

8. 2016SP-095-001 On Consent: No
CLAY STREET PROPERTIES Public Hearing: Closed
Council District 21 (Ed Kindall)
Staff Reviewer: Latisha Birkeland

A request to rezone from OR20 and R6 to SP-C zoning on properties located at 303, 305, 401 and 405 Clay Street, 405 Dominican Drive, 1919, 1920, 1922 and 1924 4th Avenue North, at the south corner of Dominican Drive and Clay street, (1.65 acres), to permit a hotel, requested by Ragan-Smith and Associates, applicant; B.V. Kumar, owner.

Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting

9. 2016SP-098-001 On Consent: No
BL2016-449/Davis, Kim, & Others Public Hearing: Open
Council District 05 (Scott Davis)
Staff Reviewer: Latisha Birkeland

A request to rezone from SP to SP zoning on properties located at 910, and 912 North 2nd Street, at the northwest corner of Cleveland Street and North 2nd Street (0.32 acres), to permit uses limited to one single-family or one two-family unit per parcel. Two-family units shall be fully connected and shall appear as one unit.

Staff Recommendation: Disapprove 2016Z-119PR-001 (Council Bill 2016-449) and disapprove current request 2016SP-098-001.

10. 2017SP-014-001 On Consent: No
HARPETH VILLAGE Public Hearing: Open
Council District 35 (Dave Rosenberg)
Staff Reviewer: Patrick Napier

A request to rezone from RS40 to SP-R zoning on property located at 7725 Old Harding Pike, approximately 315 feet northeast of Temple Road, (5.08 acres), to permit 25 residential units, requested by Batson Engineering and Associates, applicant; Trendmark Construction, LLC, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions

11. 2016S-255-001 On Consent: Yes
BRYANT HEIGHTS RESUB OF LOT 1 Public Hearing: Open
Council District 16 (Mike Freeman)
Staff Reviewer: Latisha Birkeland

A request for final plat approval to create four lots on property located at 2686 Hartford Drive, at the northeast corner of Hartford Drive and Whitsett Road, zoned RS10 (0.95 acres), requested by Q. Scott Pulliam, RLS, applicant; Jason Bockman, owner.

Staff Recommendation: Approve with conditions.

- 12. 2017S-009-001** On Consent: No
SOUTH PERIMETER PARK SECTION 4A RESERVE PARCELS 262, 263 AND PASCHALL PROPERTY Public
Hearing: Open
Council District 28 (Tanaka Vercher)
Staff Reviewer: Lisa Milligan

A request for final plat approval to shift lot lines and remove a reserve status on properties located at Perimeter Hill Drive (unnumbered), 1311 Antioch Pike and Antioch Pike (unnumbered), at the northwest corner of Antioch Pike and Perimeter Hill Drive, zoned CS (1.72 acres), requested by Crawford and Cummings, PC, applicant; Sherry and Michiel Paschall and Cameron Sorenson, owners.

Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting

- 13. 2017S-010-001** On Consent: No
DEDMAN PROPERTY SUBDIVISION AMENDMENT Public Hearing: Open
Council District 04 (Robert Swope)
Staff Reviewer: Patrick Napier

A request for subdivision amendment approval to amend subdivision notes 7 and 8 on property located at 5959 Edmondson Pike, approximately 640 feet northwest of Mt. Pisgah Road, zoned R40 (3.17 acres), requested by Elite Homes, LLC, applicant and owner.

Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting

- 14. 2016Z-135PR-001** On Consent: No
Council District 19 (Freddie O'Connell) Public Hearing: Open
Staff Reviewer: Shawn Shepard

A request to rezone from IG to MUL-A on property located at 93 Taylor Street, at the southeast corner of 1st Avenue North and Taylor Street, (1.74 acres), requested by Advani Management Group, LLC, applicant; Melanie Tummons and M.A. Haynes, owners.

Staff Recommendation: Disapprove

- 15. 2016CP-005-005** On Consent: No
EAST NASHVILLE COMMUNITY PLAN AMENDMENT Public Hearing: Open
Council District 05 (Scott Davis); 08 (Nancy VanReece)
Staff Reviewer: Anita McCaig

A request to amend the East Nashville Community Plan by adding a Special Policy area allowing Trail Oriented Development and by changing the T3 Suburban Neighborhood Evolving policy at key nodes to T3 Suburban Neighborhood Center policy on various properties located along Broadmoor Drive, Ben Allen Road, and Hart Lane, west of Ellington Parkway, zoned One and Two-Family Residential (R10), Single-Family Residential (RS10), Single-Family Residential (RS7.5), and Specific Plan-Mixed Use (SP-MU), and partially within a Planned Unit Development Overlay District (269.76 acres), requested by Dale and Associates, applicant; various property owners.

Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting

- 16. 2017Z-002TX-001** On Consent: No
BL2017-559/Hastings
Staff Reviewer: Lisa Milligan Public Hearing: Closed

An request to amend Section 17.40.060 of Title 17 of the Metropolitan Code, Zoning Regulations, to allow members of the metropolitan council to initiate applications to amend the official zoning map of property owned by the metropolitan government, requested by Councilmember DeCosta Hastings, applicant.

Staff Recommendation: Pending ongoing legislative research with Metro Legal

17. 2016SP-047-002
DOUGLAS AND LISCHEY SP
Council District 05 (Scott Davis)
Staff Reviewer: Patrick Napier

On Consent: No
Public Hearing: Open

A request to amend a portion of the Douglas and Lischey Specific Plan District on property located at 1300 Lischey Avenue, approximately 200 feet east of Stainback Avenue, (0.69 acres), to permit up to 16 residential dwelling units and 3,800 square feet of retail and office space, requested by Dale & Associates, Inc., applicant; Jim McLean, owner.
Staff Recommendation: Defer to the February 9, 2017, Planning Commission meeting unless a recommendation or approval is received from all review agencies. If a recommendation of approval is received from all reviewing agencies, staff recommends approval with conditions and disapproval without all conditions.

18. 2016SP-060-001
2021 12TH AVENUE NORTH - RESIDENTIAL SP
Council District 02 (DeCosta Hastings)
Staff Reviewer: Latisha Birkeland

On Consent: No
Public Hearing: Open

A request to rezone from R6 to SP-R zoning for property located at 2021 12th Avenue North, at the southwest corner of Cass Street and 12th Avenue North, (0.33 acres), to permit up to four residential units, requested by 4Site, Inc., applicant; L.A.N.D. Group, LLC, owner.
Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting

19. 2017SP-004-001
6124 ROBERTSON AVENUE SP
Council District 20 (Mary Carolyn Roberts)
Staff Reviewer: Shawn Shepard

On Consent: No
Public Hearing: Open

A request to rezone from R6 and R8 to SP-R zoning on properties located at 6124 Robertson Avenue and Robertson Avenue (unnumbered), approximately 340 feet east of Waco Drive, (0.78 acres), to permit up to 12 multi-family dwelling units, requested by Richland South, LLC, applicant; Adam and Bridget Anderson, owners.
Staff Recommendation: Defer Indefinitely

20. 2017SP-007-001
6015 AND 6017 OBRIEN AVENUE
Council District 20 (Mary Carolyn Roberts)
Staff Reviewer: Shawn Shepard

On Consent: No
Public Hearing: Open

A request to rezone from R8 to SP-R zoning on properties located at 6015 and 6017 Obrien Avenue, approximately 220 feet north of Charlotte Pike, (0.8 acres), to permit up to nine residential units, requested by Dale & Associates, applicant; Lee M. Beckham Jr., Etux, owner.
Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting

- 21. 2017SP-011-001** On Consent: Yes
504 AND 506 SOUTHGATE AVENUE Public Hearing: Open
 Council District 17 (Colby Sledge)
 Staff Reviewer: Gene Burse

A request to rezone from R6 to SP-R zoning on properties located at 504 and 506 Southgate Avenue, approximately 350 feet east of Rains Avenue, (0.7 acres), to permit up to nine residential units, requested by Dale & Associates, applicant; Bijan Ferdowsi, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions

- 22. 2017SP-015-001** On Consent: No
2407 BRASHER AVENUE SP Public Hearing: Closed
 Council District 05 (Scott Davis)
 Staff Reviewer: Shawn Shepard

A request to rezone from R6 to SP-MU zoning on property located at 2407 Brasher Avenue, approximately 140 feet northeast of Strouse Avenue (0.23 acres), to permit an accessory detached recording studio in addition to all uses permitted by the R6 zoning district, requested by Tune, Entrekin and White, PC, applicant; Elijah Shaw, owner.

Staff Recommendation: Disapprove

- 23. 2017SP-016-001** On Consent: No
3233 KNOBVIEW DRIVE SP Public Hearing: Open
 Council District 15 (Jeff Syracuse)
 Staff Reviewer: Shawn Shepard

A request to rezone from RS20 to SP-MU zoning on property located at 3233 Knobview Drive, at the northwest corner of Capella Court and Knobview Drive (0.57 acres), to permit an accessory hair salon in addition to all uses permitted by the RS20 zoning district, requested by Tune, Entrekin and White, PC, applicant; Harold and Patricia Raynor, owners.

Staff Recommendation: Disapprove

- 24a. 2017SP-017-001** On Consent: No
NANDI HILLS Public Hearing: Open
 Council District 22 (Sheri Weiner); 23 (Mina Johnson)
 Staff Reviewer: Latisha Birkeland

A request to rezone from R20 and RM4 to SP-R zoning on property located at Old Hickory Boulevard (unnumbered), approximately 1,045 feet south of Ridgelake Parkway (123.01 acres), to permit residential uses and include environmentally sensitive design standards within the SP, requested by Councilmember Mina Johnson, applicant; Nandi Hills Associates, owner. (See associated case # 66-84P-002)

Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting

- 24b. 66-84P-002** On Consent: No
NANDI HILLS PUD CANCEL Public Hearing: Open
 Council District 22 (Sheri Weiner); 23 (Mina Johnson)
 Staff Reviewer: Latisha Birkeland

A request to cancel a portion of a Planned Unit Development Overlay District on property located at Old Hickory Boulevard (unnumbered), approximately 1,045 feet south of Ridgelake Parkway, zoned RM4 and R20 (123.01 acres), requested by Councilmember Mina Johnson, applicant; Nandi Hill Associates, owner. (See associated case # 2017SP-017-001)

Staff Recommendation: Defer to February 9, 2017 Planning Commission Meeting

- 25. 2016HL-004-001** On Consent: Yes
Council District 18 (Burkley Allen) Public Hearing: Open
Staff Reviewer: Shawn Shepard

A request to apply a Historic Overlay District on property located at 2808 Belmont Boulevard, at the southeast corner of Belmont Boulevard and Kirkwood Avenue, zoned R8 and within the Belmont-Hillsboro Neighborhood Conservation Overlay District (0.2 acres), requested by Kelly Noser, applicant; Kelly Noser and Adam Carter, owners.

Staff Recommendation: Approve

- 26. 2017HL-001-001** On Consent: Yes
BL2017-578/Robert Swope Public Hearing: Open
Council District 04 (Robert Swope)
Staff Reviewer: Patrick Napier

A request for a Historical Landmark Overlay District on property located at 10604 Concord Road, approximately 600 feet southwest of Nolensville Pike, zoned AR2a (1.6 acres), requested by Councilmember Robert Swope, applicant; Iglesia Cristiana EL Shaddai Christian Church, owner.

Staff Recommendation: Approve

- 27. 2017HL-003-001** On Consent: No
Council District 04 (Robert Swope) Public Hearing: Open
Staff Reviewer: Shawn Shepard

A request for a Historical Landmark Overlay District on a portion of property located at 621 A Hill Road, approximately 360 feet east of Trousdale Drive, zoned R40 and within a Planned Unit Development Overlay District (10.66 acres), requested by Ragan-Smith and Associates, applicant; Cornelius-Granberry Properties, LP, ET AL Trustees, owner.

Staff Recommendation: Defer to the February 9, 2017, Planning Commission meeting

- 28. 2017NHC-001-001** On Consent: No
BL2017-557/Colby Sledge Public Hearing: Open
Council District 17 (Colby Sledge)
Staff Reviewer: Latisha Birkeland

A request to apply a Neighborhood Conservation Overlay District on various properties along Hillview Heights, Cisco Street and Inverness Avenue, northeast of Vaulx Lane and Dewees Avenue, zoned R10 (approximately 13.76 acres), requested by Councilmember Colby Sledge, applicant; various owners.

Staff Recommendation: Defer to February 23, 2017 Planning Commission Meeting

- 29. 2017S-012-001** On Consent: Yes
BINKLEY PROPERTY SUBDIVISION REPLAT OF LOT 1 Public Hearing: Open
Council District 03 (Brenda Haywood)
Staff Reviewer: Latisha Birkeland

A request for final plat approval to create three lots on property located at 1227 Old Hickory Boulevard, approximately 360 feet northwest of Marydale Drive, zoned RS20 (2.65 acres), requested by Clint T. Elliott Surveying, applicant; Connerth Construction, LLC, owner.

Staff Recommendation: Defer to the February 9, 2017, Metro Planning Commission meeting unless a recommendation of approval is received from all Metro Agencies. If a recommendation of approval is received from all Metro Agencies, staff recommends approval with conditions

30a. 2017Z-007PR-001

BL2017-551/Jeff Syracuse
Council District 15 (Jeff Syracuse)
Staff Reviewer: Patrick Napier

On Consent: Yes
Public Hearing: Open

A request to rezone from OR20 to R15 zoning on properties located at 2203, 2205 A and 2207 Pennington Bend Road, at the northwest corner of Pennington Bend Road and McGavock Pike, within a Planned Unit Development Overlay District (2.52 acres), requested by Councilmember Jeff Syracuse, applicant; Pennington Bend Partners One and Tony and Pamela Adams, owners. (See associated case 48-83P-002).

Staff Recommendation: Approve

30b. 48-83P-002

BL2017-550/Jeff Syracuse
PUD CANCELLATION
Council District 15 (Jeff Syracuse)
Staff Reviewer: Patrick Napier

On Consent: Yes
Public Hearing: Open

A request for cancellation of a Planned Unit Development Overlay District on properties located at 2203, 2205 A and 2207 Pennington Bend Road, at the northwest corner of Pennington Bend Road and McGavock Pike, zoned OR20 (2.52 acres), requested by Councilmember Jeff Syracuse, applicant; Pennington Bend Partners One and Tony and Pamela Adams, owners. (See associated case 2017Z-007PR-001)

Staff Recommendation: Approve subject to the approval of the associated zone change. Disapprove if the associated zone change is not approved.

31. 2017UD-001-001

WHITES CREEK AT LLOYD RD UDO
*****FORMERLY WHITES CREEK WATERSHED*****
Council District 01 (Nick Leonardo)
Staff Reviewer: Jessica Buechler

On Consent: No
Public Hearing: Open

A request to apply an Urban Design Overlay District on various properties located along Clarksville Pike, Buena Vista Pike, Dry Fork Road and Lloyd Road, at the southeast corner of Lloyd Road and Clarksville Pike, zoned RS10 and RS15 (125.56 acres), requested by Councilmember Nick Leonardo, applicant; various owners.

Staff Recommendation: Approve

32. 2017Z-012PR-001

BL2017-545/Russ Pulley
Council District 25 (Russ Pulley)
Staff Reviewer: Latisha Birkeland

On Consent: Yes
Public Hearing: Open

A request to apply a Contextual Overlay District on various properties along Graybar Lane, southeast of the intersection of Draughon Avenue and Granny White Pike, zoned R10 (11.31 acres), requested by Councilmember Russ Pulley, applicant; various owners.

Staff Recommendation: Approve

- 33. 2017Z-013PR-001** On Consent: Yes
BL2017-546/Russ Pulley Public Hearing: Open
Council District 25 (Russ Pulley)
Staff Reviewer: Latisha Birkeland

A request to rezone from R10 to RS10 zoning on various properties along Graybar Lane, southeast of the intersection of Granny White Pike and Draughon Avenue, (11.31 acres), requested by Councilmember Russ Pulley, applicant; various owners.

Staff Recommendation: Disapprove as submitted. Approve with a substitute ordinance to remove all parcels containing legal duplexes from the zone change.

- 34. 2017Z-016PR-001** On Consent: Yes
Council District 21 (Ed Kindall) Public Hearing: Open
Staff Reviewer: Gene Burse

A request to rezone from RS5 to RM20-A zoning on property located at 2800 Delaware Avenue, at the northwest corner of Delaware Avenue and 28th Avenue North (0.22 acres), requested by John Solberg, applicant; John Solberg and Kristin Solberg, owners.

Staff Recommendation: Approve

- 35. 2017Z-017PR-001** On Consent: Yes
Council District 03 (Brenda Haywood) Public Hearing: Open
Staff Reviewer: Abbie Rickoff

A request to rezone from CS to MUL-A zoning on properties located at 3962, 3968 and 3976 Dickerson Pike and Dickerson Pike (unnumbered), approximately 1,140 feet southwest of Hunters Lane (7.67 acres), requested by Fulmer Engineering, LLC, applicant; Mary King Family Limited Partnership and Patricia Frensley, owners.

Staff Recommendation: Approve

- 36. 2005P-008-009** On Consent: Yes
Council District 35 (Rosenberg) Public Hearing: Open
Staff Reviewer: Gene Burse

A request to revise the preliminary plan and for final site plan approval for a portion of a Planned Unit Development Overlay District located at 7996 Highway 100, at the northeast corner of Temple Road and Highway 100, zoned CL (1.32 acres), to permit a restaurant.

Staff Recommendation: Approve with Conditions

H: OTHER BUSINESS

37. Contract Renewals for: Patrick Napier and Deborah Sullivan
38. Historic Zoning Commission Report
39. Memorandum of Agreement between Smart Growth America and the Metropolitan Government of Nashville and Davidson County (on behalf of the Nashville Area MPO) for the Integration of Public Health into the Transportation Planning Process
40. Board of Parks and Recreation Report
42. Executive Committee Report
43. Accept the Director's Report and Approve Administrative Items
44. Legislative Update

I: MPC CALENDAR OF UPCOMING EVENTS

February 9, 2017

MPC Meeting

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

February 23, 2017

MPC Meeting

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

March 09, 2017

MPC Meeting

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

March 23, 2017

MPC Meeting

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

J: ADJOURNMENT

Item 10, Harpeth Village

From: Steve Nathan [<mailto:theprez@comcast.net>]

Sent: Wednesday, January 18, 2017 7:41 PM

To: Sloan, Doug (Planning); Planning Commissioners; Napier, Patrick (Planning)

Cc: Rosenberg, Dave (Council Member); dave@daveforbellevue.com

Subject: re: Harpeth Village Amendment at 7725 Old Harding Pike

I understand that this rezoning issue (Harpeth Village Amendment at 7725 Old Harding Pike) is on the agenda for the 1/26/17 Planning Commission meeting, and I suspect you have heard from many local residents in opposition. Having been around for a while, I am aware that these things are typically opposed by neighboring residents, for all the usual reasons, but in my experience, they tend to get approved and come to pass regardless. Once built, this development will add to the current nearly unmanageable traffic mess in that area, and I'd like to suggest a solution that I believe will help a great deal.

Poplar Creek Estates is one of the largest subdivisions in Bellevue (over 500 homes I believe). Cars attempting to exit the subdivision during peak traffic times, and turn left onto northbound Old Harding Pike (OHP) have a great deal of difficulty finding a break in the oncoming traffic. Cars traveling north on OHP are numerous, and when the light at Temple Rd. turns, numerous cars turn right from Temple onto OHP. During morning and afternoon rush hour, the stream is seemingly endless. In addition, in the afternoon, the northbound traffic on OHP "bottlenecks" at Poplar Creek Trace as the Poplar Creek Estates residents sit and wait for a break in the southbound traffic in order to turn into their neighborhood. It's a mess that will only get worse with another 30-50 cars added from the new development.

In my opinion, this could all be made better by installing a traffic light at the intersection of OHP and Poplar Creek Trace (the entrance to Poplar Creek Estates). The light could be set to detect the presence of cars on Poplar Creek Trace, and only trigger when needed.

This would prevent unnecessary hindrance of OHP traffic throughout the day.

In addition, if the southbound traffic on OHP had a left turn arrow, that would allow cars to get into Poplar Creek Estates without backing up the southbound OHP traffic behind them.

I took one of your maps and drew on it a little to hopefully help illustrate my suggestion, and I'm attaching that to this email. Please know that this is an ongoing problem. If the development is approved (as I suspect it will be), it will certainly make the issue worse, but even if the development is not approved, this traffic jam needs a solution.

Thank you for your time,

Steve Nathan

205 Sweetgum Ct.

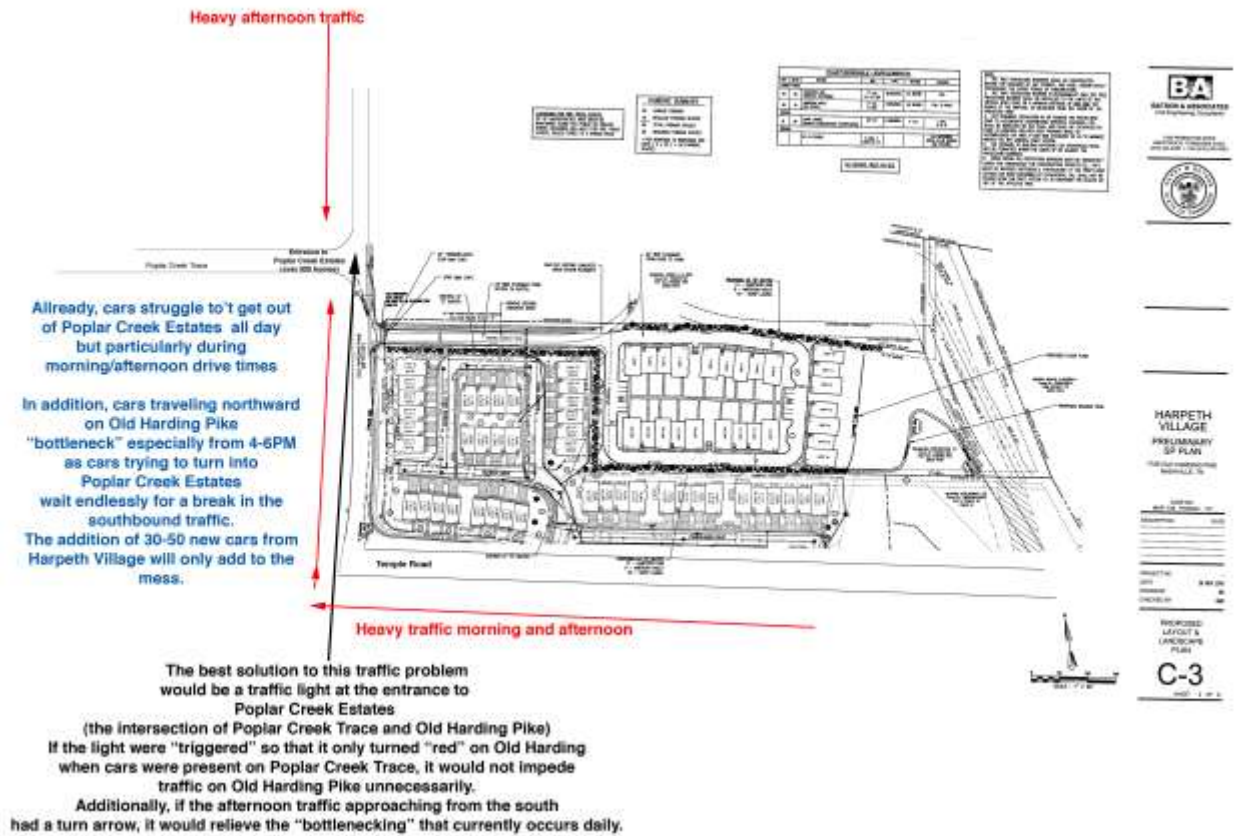
Nashville, TN 37221

615-662-1371

615-423-1275 cell

(attachment follows)

HARPETH VILLAGE AMMENDMENT AT 7725 OLD HARDING PIKE Bellevue 37221



From: Steven Spears [mailto:spears_surveying@yahoo.com]
Sent: Tuesday, January 17, 2017 10:32 AM
To: Planning Staff; Dave Rosenberg; Napier, Patrick (Planning)
Subject: Case 2017SP-014-001

Dear Planning staff, attached is a copy of proposed plan with the May 2010 flood waters overlaid. No matter where the flood line is placed, facts are facts. I previously sent you a photo from the maps.nashville.gov/parcel/viewer/ web site showing the extents of the May 2010 flood waters. It is beyond common sense that you would consider a development in this area. Also, they are trying to push there way through our development with pedestrian traffic. This is unwanted! I hope you will take a closer look at this and the traffic hazards of this access onto Old Harding.

SPEARS SURVEYING

Steven Spears

1005 Pine Meadow Ct.

Nashville, TN 37221

615-830-6182

spears_surveying@yahoo.com

(attachment follows)



**EXTENT OF MAY 2010 FLOOD WATERS
AS SHOWN ON METRO AERIAL PHOTO
maps.nashville.gov/Parcel/Viewer/**

MAP OF EXTENDED APPLICABLE PARCELS
FROM THE CITY OF NASHVILLE, TENNESSEE
AS OF THE DATE OF THE AERIAL PHOTO
TAKEN ON MAY 10, 2010. THE EXTENT OF
FLOODING IS SHOWN AS TO CORRELATE
WITH THE AERIAL PHOTO.



From: Monikashaw@bellsouth.net [mailto:Monikashaw@bellsouth.net]
Sent: Wednesday, January 11, 2017 12:32 PM
To: Sloan, Doug (Planning)
Cc: Rosenberg, Dave (Council Member)
Subject: Request for deferral of month of case number 2017SP-014-001

Mr. Sloan,

I am a homeowner directly adjacent to the proposed Project **2017SP-014-001**. **This item is on your agenda for January 12th, 2017**

I respectfully request deferral until next month's Planning Commission meeting of the above-referenced project, for the following documented reasons:

1. The Public Notice sign on the Property regarding the meeting states the an incorrect meeting date. The Planning Commission meeting date shown on the sign is December 10, 2015.

Please see attached images

This inaccurate date obviously defeats the purpose of the sign. Nearby neighbors who did not receive postal mailings would be led to believe the relevant Planning Commission meeting had already occurred.

2. Only yesterday, the Planner who prepared the Staff Report recommending approval was made aware that through an administrative error in Storm Water Management, the Planner had used inaccurate floodplain information in preparing his recommendation for approval. Comments he had made part of this case were actually to be applied to another case.

See email below from Steve Mishu, head of Storm Water Management, to Planner Patrick Napier:

Patrick,

It looks like I have incorrectly placed comments in the SP case. Those comments should belong to another project.

This project was reviewed (or to be reviewed) by Jennifer in our office. I've copied her. She can be of more assistance. And I believe she will be going this Thursday too.

Thanks

Mishu

In March 2016, former Planner Jason Swaggart had prepared a staff recommendation recommending disapproval for the same physical plan on the same parcel. Floodplain issues were one of the critical factors in Jason Swaggart's recommended disapproval. At that time, the case number was: **#2005P-008-007**. It was resubmitted by the developer and applicant, Brent Hopper, under case number 2017SP-014-001.

A one-month deferral would allow the Planner to thoroughly review proposal **2017SP-014-001** with consideration given to the **correct** floodplain information, since the current staff recommendation was made using incorrect floodplain information, as documented in the email above from Storm Water Management head Steve Mishu.

Respectfully submitted,

Monika Shaw

902 Silkwood Circle

(2 attachments follow)

ZONING HEARING

WWW.NASHVILLE.GOV

Howard Office Building
700 Second Avenue South

December 10, 2015

4:00 PM

From : RS40

To: SP

862-7190

862-6885
Español



ONING HEARING

WWW.NASHVILLE.GOV

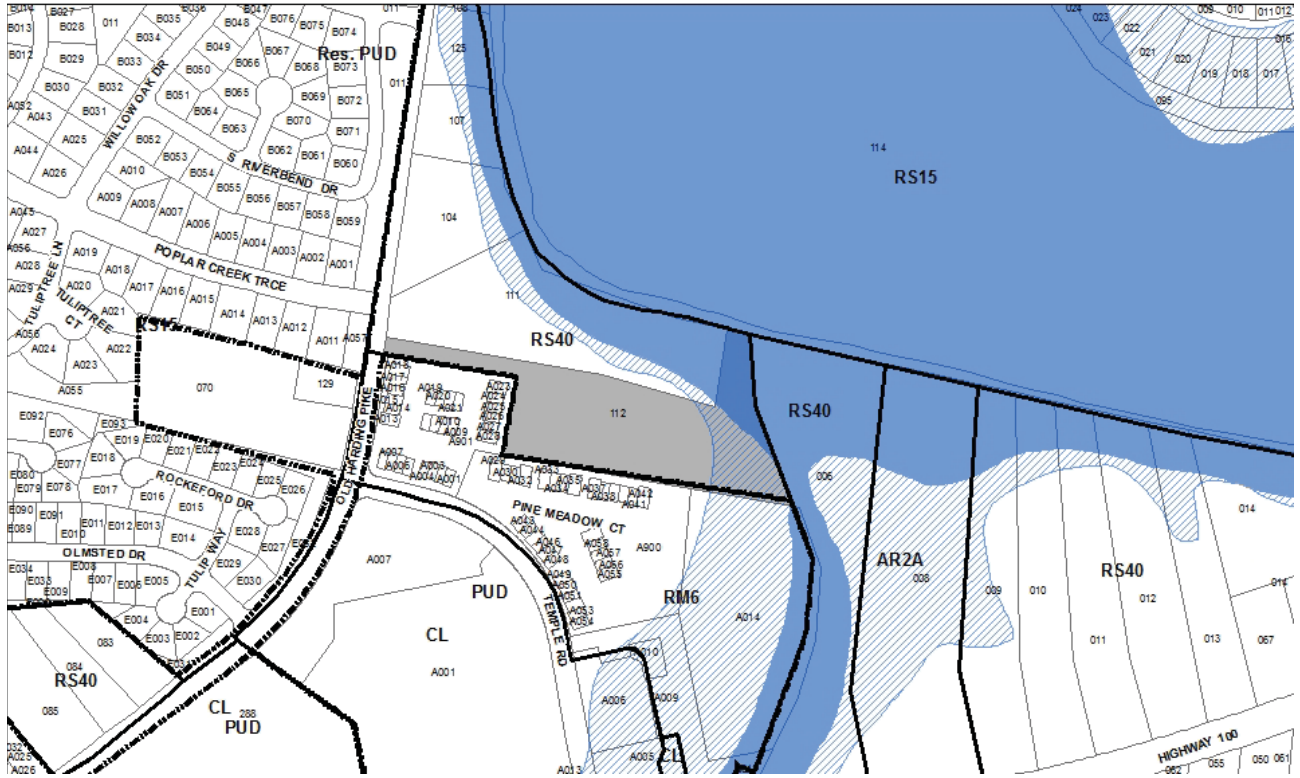
Howard Office Building
700 Second Avenue South
December 10, 2015
From : RS40
To: SP
4:00 PM

862-7190

862-6885



Metro Planning Commission Meeting of 01/12/2017



2017SP-014-001

HARPETH VILLAGE SP

Map 156, Parcel(s) 112

06, Bellevue

35, Dave Rosenberg



Project No.	Specific Plan 2017SP-014-001
Project Name	Harpeth Village SP
Council District	35 - Rosenberg
School District	09 – Frogge
Requested by	Batson Engineering and Associates, applicant; Trendmark Construction, LLC, owner.
Staff Reviewer	Napier
Staff Recommendation	<i>Approve with conditions and disapprove without all conditions.</i>

APPLICANT REQUEST

Zone change to permit up to 25 residential units.

Preliminary SP

A request to rezone from Single-Family Residential (RS40) to Specific Plan–Residential (SP-R) zoning on property located at 7725 Old Harding Pike, approximately 315 feet northeast of Temple Road, (5.08 acres), **to permit 25 residential units.**

Existing Zoning

Single-Family Residential (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. *RS40 would permit a maximum of 5 units.*

Proposed Zoning

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type.

CRITICAL PLANNING GOALS

- **Creates walkable neighborhoods**

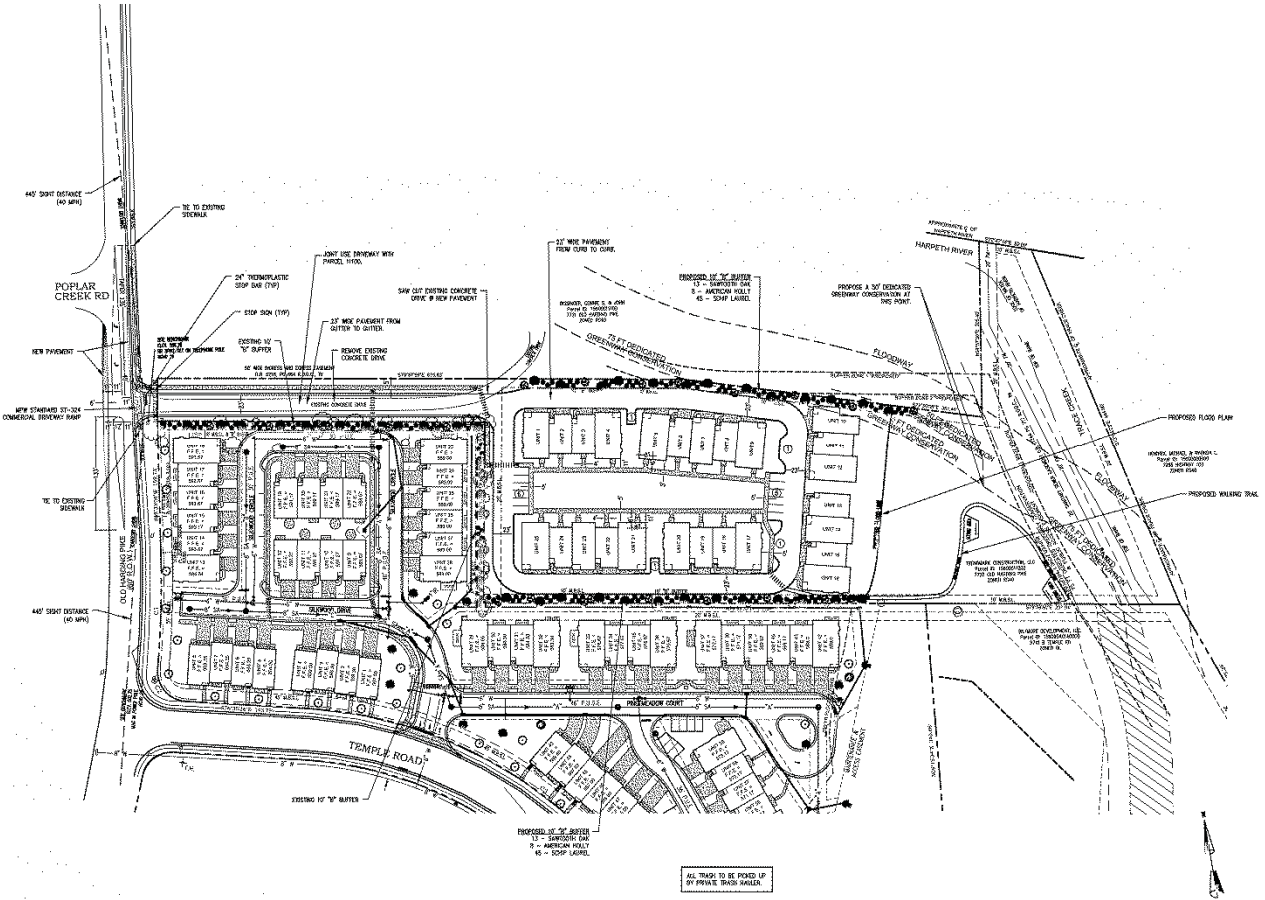
The proposal achieves the critical planning goal of creating walkable neighborhoods by providing pedestrian connections to the existing sidewalk network along Old Harding Pike. This connection will provide an alternative method of transportation to existing commercial uses in close proximity to this site.

BELLEVUE COMMUNITY PLAN

T3 Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low to moderate density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.



Metro Planning Commission Meeting of 01/12/2017



Proposed Site Plan



Metro Planning Commission Meeting of 01/12/2017

Consistent with Policy?

Yes, this request is consistent with the T3 NM policy given the proposed height, setback, and type of residential structures shown on the proposed site plan. Given the adjacent development pattern of attached multifamily housing of similar scale and massing, the proposed site plan is consistent with the surrounding existing land use pattern and the guidelines for infill development found within the T3 NM policy description.

PLAN DETAILS

This request includes a total of 5.08 acres located at 7725 Old Harding Pike. The site is currently vacant. The surrounding land uses are primarily single and multi-family.

Site Plan

The site plan proposes up to 25 residential units located on 5.08 acres. The site contains a single point of access via a private road connected to Old Harding Pike. The plan provides a large central open space which is surrounded by pedestrian walk ways. A B level landscape buffer is being provided to buffer the adjacent multi-family units to the south and west as well as to the north where single-family housing is located. This access forms a loop within the site to allow for vehicular circulation and access to all units. The site plan indicates a sidewalk along the access driveway will contain a sidewalk that meets the local road standards of the Major and Collector Street Plan. This requires a 4 ft. wide grass strip and a 5ft. wide sidewalk.

All units have pedestrian access connections which will provide a clear path of travel from the site to Old Harding Pike through the site to two sitting areas and a future greenway. Each unit will include a 2 car garage which satisfies the parking requirement of the Metro Zoning Code. Sixteen guest parking spots are provided in dedicated areas within the site.

ANALYSIS

The proposed plan is consistent with policy and the character of the surrounding neighborhood. The existing structures to the west and south of this site provide a pattern of development which this site will continue by providing similar setbacks, height, and coverage for the proposed structures. This plan achieves the goal of creating a walkable neighborhood by providing pedestrian connection which will allow future residents to access the commercial center located to the south of this site.

FIRE DEPARTMENT RECOMMENDATION

Approved with Conditions

- Fire Code issues will be addressed in the permit phase.

STORMWATER RECOMMENDATION

Approved with Conditions

- May need storm improvements within the ROW (GIS indicates a ditch network).

HARPETH VALLEY UTILITY DISTRICT

Approved with conditions

- The developer will be required to participate in the upgrading of the pump station.
- The Developer must submit utility plans for any water and sewer improvements required to serve this development to the District for review and approval.



Metro Planning Commission Meeting of 01/12/2017

- The Developer must also submit hydraulic calculations, which indicate that the existing water system infrastructure and any required improvements will support domestic demands, meet fire flow requirements as set by the local building authority and maintain a minimum pressure of 50 psi within the public distribution system including all water service meters. The static hydraulic grade line used for these calculations must be 890 feet or less.

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.
- If sidewalks are required with this project then they are to be shown on the plans per the MCSP and per MPW standards and specifications. Sidewalks are to be located within dedicated ROW.

TRAFFIC AND PARKING RECOMMENDATION

Approved

Maximum Uses in Existing Zoning District: **RS40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two- Family Residential* (210)	5.08	1.08 D	6 U	58	5	7

*Based on two-family lots

Maximum Uses in Proposed Zoning District: **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (230)	5.08	-	25 U	193	18	20

Traffic changes between maximum: **RS40** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+19 U	+135	+13	+13

METRO SCHOOL BOARD REPORT

Projected student generation existing RS40 district: 1 Elementary 0 Middle 0 High

Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High

The proposed SP-R zoning district would generate no additional students than what is typically generated under the existing RS40 zoning district. Students would attend Harpeth Valley Elementary, McKissack Middle School and Hillwood High School. There is capacity for additional students in Harpeth Elementary and Hillwood High school. Bellevue Middle School is currently



Metro Planning Commission Meeting of 01/12/2017

overcrowded however there is additional capacity within the Hillsboro Cluster. This information is based upon data from the school board last updated November of 2016.

AFFORDABLE AND WORKFORCE HOUSING REPORT (information provided by applicant)

1. Will this project include any affordable or workforce housing units? No
2. If so, how many and what is the percentage of the entire development? N/A
3. How will you enforce the affordability requirements? N/A
4. Have any structures been demolished in the last 12 months? No

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Permitted uses shall be limited to a maximum of 25 dwelling units.
2. Building footprint areas shall be located outside of all greenway conservation building footprint.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM6 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council approved plan
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone
6. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

14. **2017SP-002-001** On Consent: Yes
6TH AVENUE NORTH SP Public Hearing: Open
Council District 19 (Freddie O'Connell)
Staff Reviewer: Gene Burse

A request to rezone from R6 to SP-R zoning on properties located at 1719, 1721 and 1723 6th Avenue North, approximately 150 feet southeast of Buchanan Street, (0.59 acres), to permit up to eleven residential units, requested by Dale and Associates, applicant; Michael Murphy, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions.

15. **2017SP-005-001** On Consent: No
THE LIVERY AT 5TH AND MONROE Public Hearing: Open
Council District 19 (Freddie O'Connell)
Staff Reviewer: Latisha Birkeland

A request to rezone from MUN to SP-MU zoning on property located at 1235 5th Avenue North, located within the Germantown Historic Preservation Overlay District, approximately 530 feet north of Madison Street (0.19 acres), to permit a mixed-use development, requested by Civil-Site Design, applicant; The Livery at 5th & Monroe, owner.

Staff Recommendation: Defer to the February 9, 2017, Planning Commission meeting.

16. **2017SP-006-001** On Consent: No
SCOVEL STREET ROW HOMES Public Hearing: Open
Council District 19 (Freddie O'Connell)
Staff Reviewer: Patrick Napier

A request to rezone from R6 to SP-R zoning on properties located at 1000, 1002, 1006, 1008, 1010, 1012, 1014 and 1018 Scovel Street, at the northwest corner of Scovel Street and 10th Avenue North, within the Phillips-Jackson Street Redevelopment District (1.04 acres), to permit 26 residential units, requested by Civil-Site Design Group, applicant; Fifteenth Avenue Baptist Church, Inc., owner.

Staff Recommendation: Defer to the January 26, 2017, Planning Commission meeting.

17. **2017SP-009-001** On Consent: No
BASHAW VILLAGE Public Hearing: Open
Council District 08 (Nancy VanReece)
Staff Reviewer: Shawn Shepard

A request to rezone from RS-10 to SP-R zoning for property located at 710 Due West Avenue North, approximately 150 feet from Old Due West Avenue (0.58 acres), to permit ten residential units, requested by Mike Gilbert, applicant; Robert Vaughan, owner.

Staff Recommendation: Defer to the January 26, 2017, Planning Commission meeting unless recommendations of approval are received from all reviewing agencies. If recommendations of approval from all reviewing agencies are received, staff recommends approval with conditions and disapproval without all conditions.

18. **2017SP-014-001** On Consent: No
HARPETH VILLAGE Public Hearing: Open
Council District 35 (Dave Rosenberg)
Staff Reviewer: Patrick Napier

A request to rezone from RS40 to SP-R zoning on property located at 7725 Old Harding Pike, approximately 315 feet northeast of Temple Road, (5.08 acres), to permit 25 residential units, requested by Batson Engineering and Associates, applicant; Trendmark Construction, LLC, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions.

Item 18, Harpeth Village

From: Bill Arth [<mailto:williamjarth@gmail.com>]
Sent: Thursday, January 05, 2017 12:00 AM
To: Napier, Patrick (Planning)
Subject: Neighbor Concerns re 7725 Old Harding Pike Proposal

January 04, 2017

Patrick Napier, Planner
Metro Nashville Planning Department
Land Development

Re: Proposed Addition to Harpeth Village PUD at 7725 Old Harding Pike

Dear Mr. Napier,

My name is Bill Arth and I am a resident of Poplar Creek Estates in Bellevue. I write to express my concern about a proposed amendment to the Harpeth Village PUD that I understand will come before the Metro Planning Commission at its January 12 meeting.

As you know, the proposal drafted for 25 units at 7725 Old Harding Pike would rely on a single point of ingress/egress a literal stone's throw from Poplar Creek's own primary access point at the corner of Old Harding Pike and Poplar Creek Drive (incorrectly labeled Poplar Creek Road in the plan I've seen). I am concerned about the impact that this addition would have on my neighbors' ability to safely turn left out of our neighborhood, particularly during the morning rush hour.

In addition to being a homeowner I currently serve as the President of the Poplar Creek Homeowners' Association. While I am not writing in that formal capacity, I know from my involvement in the HOA that exiting the neighborhood at this intersection is already a perennial grievance of our homeowners. Long waiting times are currently very common during the morning commute to I-40 East, and adding dozens of vehicles that will be able to turn right onto Old Harding Road just upstream of our exit threatens to worsen a traffic environment that already encourages (and sometimes necessitates) risk-taking and can be particularly treacherous in poor driving conditions.

I have no personal expertise in land use, but it is my understanding that a very similar plan was submitted and recommended for denial in March 2016 due to conflicts with Bellevue's established development policies and the plan's immediate proximity to the Harpeth River and Trace Creek. I hope you will add this safety and quality-of-life concern for Poplar Creek Estates residents to your

consideration as you prepare your recommendation to the Planning Commission.

I intend to notify our HOA Board and homeowners of the January 12 meeting in the coming days; if I can be of service to you by directing their communications to a particular recipient, or in any other way, please do not hesitate to contact me. Additionally, if I am incorrect in my understanding of the proposal as described above, I welcome any correction you would offer.

Thank you for your time,

Bill Arth

6912 Collinswood Drive
Nashville, Tennessee 37221
216-374-9538
williamjARTH@gmail.com

From: Steven Spears [mailto:spears_surveying@yahoo.com]

Sent: Monday, December 19, 2016 1:11 PM

To: Napier, Patrick (Planning); Rosenberg, Dave (Council Member); Planning Staff

Subject: case # 2017SP-014-001 (Harpeth Village)

Dear Patrick, planning staff and councilman Rosenberg

Find attached letter and two pictures in reference to case #2017SP-014-001 (Harpeth Village). Note on the picture of the May 2010 flood that the water has already receded some. On the access picture note how close the intersection of Poplar Creek Trace is to the proposed access to Harpeth Village, also the shared driveway to Bissinger Residence parcel 15600011100. This is the second year the developer has pulled this in the holiday season and winter when it is harder to get people out. Last winter I had a petition that 18 of the 20 Enclave at Harpeth Village Residents that live adjoining the field signed against the rezoning of this property from RS40 (see attached). I am not going to dampen my holiday season or theirs by trying to get signatures again. I would hope you will take a good look at the traffic and flood dangers that are real with this proposed development. Thanks for your time, I hope all of you have a great holiday.

SPEARS SURVEYING

Steven Spears

1005 Pine Meadow Ct.

Nashville, TN 37221

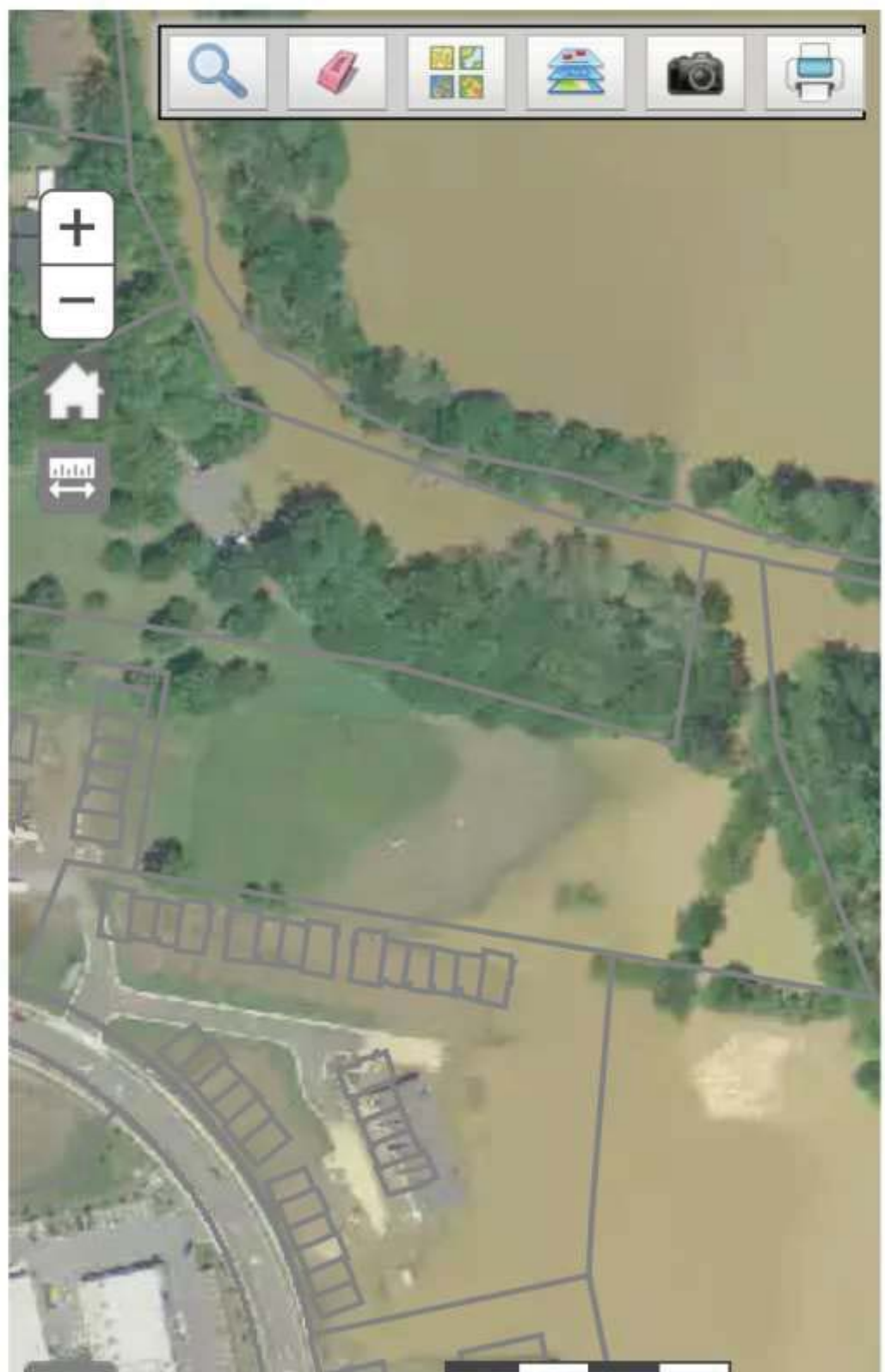
615-830-6182

spears_surveying@yahoo.com

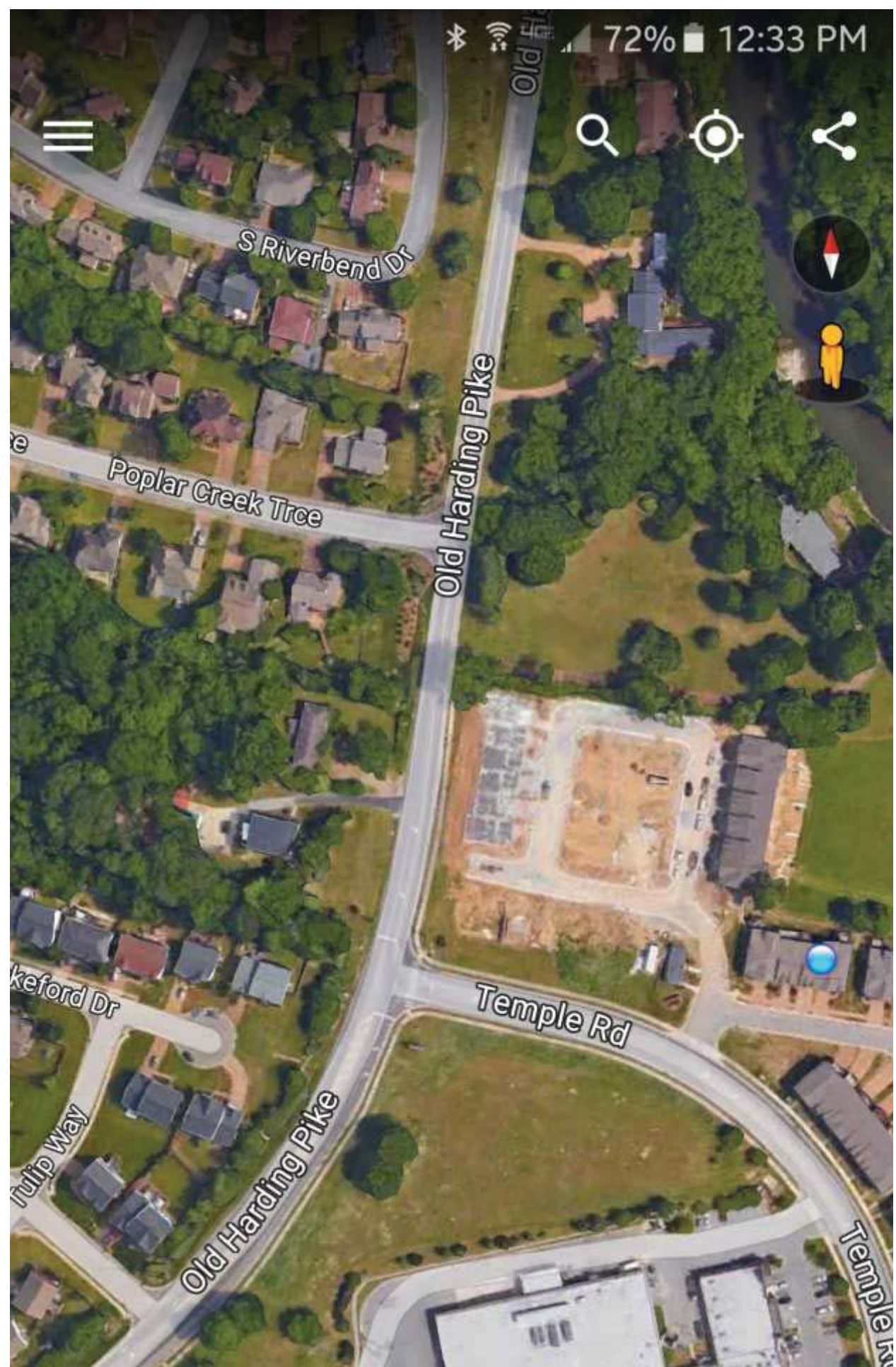
(attachments follow)

Parcel Viewer

maps.nashville.gov



72% 12:33 PM



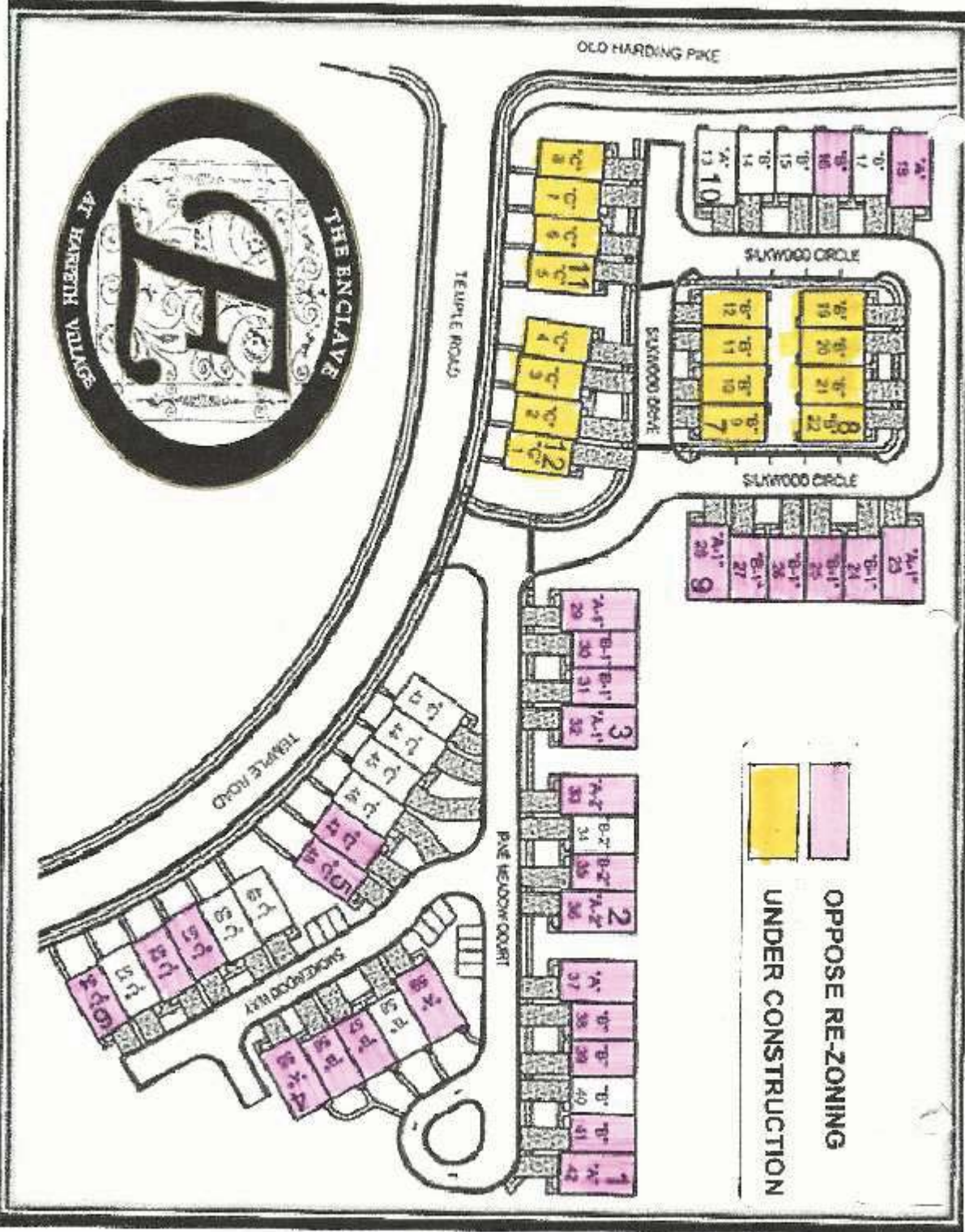
keford Dr

tulip Way

Old Harding Pike

Temple Rd

Temple



Dear Planning Commission,

RE: 2017SP-014-001 (HARPETH VILLAGE)

Thank you for giving the residents around this property an opportunity to have their voices heard.

You would be hard pressed today to drive a mile in any direction in Davidson County and not see some form of construction. This city is growing faster than the road and infrastructure can keep up with. We depend on the planning staff to protect us from development that is unwanted or badly planned. This property is both!

I find it hard to believe that this project is even being considered. When it tried last year the planning staff recommended disapproval (Jason Swaggart, staff reviewer).

Traffic is a main concern of existing residents living near the intersection of Temple Road and Old Harding Pike. We have been told that a P.U.D. that would access onto Old Harding Pike would not be allowed by the roads current condition. There is also an easement that has rights with an adjoining property owner (Bissinger's). I challenge you to enter said property (along shared driveway to adjoining residence) and try to exit during any of the three peak traffic times. Now imagine there are several cars in line to exit, not to mention the Bissinger's that now have to get in line to leave their home!

They are proposing to build two buildings (seven units) in an area that was proven to flood in May of 2010. It is risky to guess how water will react when displaced by alterations to the flood plain area. There were few months in 2016 that the news didn't report about 100 and 500 year flood events somewhere in the country. Is it safe to take the chance and let an area directly beside the Harpeth River to be developed?

In conclusion, I feel there are some properties that are just not meant for high density development. This property has many existing burdens attached to it. Just the other side of the tree line is the Harpeth River and everything beyond that is flood plain. The environmental impact has yet to be determined. We are not so naïve as to think this property will never be developed, and we are not opposed to three to five homes as currently zoned. Thank you for considering our safety and quality of life in Bellevue.

Sincerely,

Steven Spears

1005 Pine Meadow Ct.

Nashville, TN 37221

From: Richard Brent Clinkenbeard [<mailto:richard.clinkenbeard@axiomlaw.com>]
Sent: Wednesday, January 04, 2017 2:17 PM
To: Napier, Patrick (Planning)
Subject: Case #2017SP-014-001

Patrick,

My name is Brent Clinkenbeard and I am a resident of the Enclave in Bellevue. As you know, there is an upcoming proposal (Case #2017SP-014-001) to have the land rezoned to allow for the building of 25 additional units on this parcel.

There is significant history regarding this proposal. This is the 9th time that Mr. Hopper has indicated his intent to move forward with a proposal, only to withdraw at the last minute. Our residents have corresponded with Mr. Hopper dating as far back as July 2015. Over this entire 18-month period, and in spite of opposition from the majority of owners, Mr. Hopper has not made any concessions or offered to meet and discuss a development that would be a more appropriate use of the land. Given the number of deferrals and inconsistent information that was being spread regarding this proposal our Councilman, Dave Rosenberg, actually wrote and hand-delivered the attached letter to Enclave residents.

As I'm sure you know, this proposal was reviewed in March 2016 by Jason Swaggart and recommended for disapproval. A large portion of this property is located within both the 100 and 500 year flood plains. As proposed, several units would be located within the flood plains and would require alteration of the flood plain boundary. Alteration to the flood plain is not consistent with land designated as Conservation (CO) in the Bellevue Community Plan. Additionally, the proposed zoning doesn't provide a transition from low to higher density zones.

Finally, the proposed development shows Ingress/Egress onto Old Harding Pike. The traffic congestion on this road is already significant and will only increase once the St. Thomas Medical Offices are built at the intersection of Old Harding and Temple Rd. Adding another entryway for an additional 25 homes so close to this intersection would affect not only residents of the Enclave, but also residents in all neighboring subdivisions, such as Poplar Creek whose residents have also voiced their concern regarding this proposal.

One final question – has Mr. Hopper submitted a final proposal in advance of the 1/12 meeting or has he chosen to defer for the 10th time?

Thank you for your time and willingness to meet with some of us to go over this latest proposal.

Best Regards,

Brent

axiom

law redefined

Brent Clinkenbeard

295 Lafayette Street | Suite 700

New York, NY 10012


T: 615.525.5431

richard.clinkenbeard@axiomlaw.com

<http://www.axiomlaw.com>

Twitter: [Axiom Law](#)

(attachment follows)



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

One Public Square, Suite 204
Nashville, Tennessee 37201
dave.rosenberg@nashville.gov

P.O. Box 210901
Nashville, Tennessee 37221
(615) 427-2705

DAVE ROSENBERG
Councilman, District 35

June 27, 2016

Enclave Residents:

For those of you who I haven't had the opportunity to meet, my name is Dave Rosenberg and I am your Metro Councilman. In that role, any legislation to allow rezoning of the property adjacent to the Enclave at Harpeth Village will need to bear my signature.

It has come to my attention that many of you have concerns regarding communications you have received with respect to the aforementioned property. I'd like to take a moment to make a few points:

- None of the three options presented to you will be built without the approval of the community. Your choices are not "Plan 1, Plan 2, and Plan 3." Your choices are "Plan 1, Plan 2, Plan 3, or another plan more to the community's liking."
- There are no circumstances under which mobile homes or self-storage will be built on that property as long as I am in office.
- As of today, there have been no substantive conversations between the developer and the Planning Department – or between the developer and me – for several months.

It was my hope that the time since Plan 3 was proposed would be used to develop a new plan that would offer concessions or value to the community, given your resistance to the previous plans presented. Clearly, that is not the case.

Please understand that you are in control of what happens here—within reason—and any attempts to deceive you into believing otherwise will only make it more difficult for the developer to move forward with any project on the adjacent property. If you receive any future communications for the developer that you feel might include dubious information, please do not hesitate to e-mail me at dave.rosenberg@nashville.gov.

Sincerely,



Dave Rosenberg

From: Monikashaw@bellsouth.net [mailto:Monikashaw@bellsouth.net]

Sent: Wednesday, December 28, 2016 3:26 PM

To: Napier, Patrick (Planning)

Subject: Request for a brief meeting RE: Case #2017SP-014-001

Mr. Napier,

thank you so much for taking the time to speak with me this afternoon.

At first glance, it seems unexplainable that a developer should be able to re-submit a proposal that had already been disapproved and use public moneys and resources to to it. I assume it is similar to someone appealing a court decision, provided there is new and pertinent information. I suppose that is what you are sorting out right now and the process has be to be allowed to take place.

Thank you again for your time. I will check in with you the first week in January for any new developments.

Happy New Year!

Monika Shaw

From: Monikashaw@bellsouth.net

Sent: Wednesday, December 14, 2016 12:06 PM

To: patrick.napier@nashville.gov

Subject: Request for a brief meeting RE: Case #2017SP-014-001

Mr. Napier,

The residents of The Enclave at Harpeth Valley have just learned from our **Councilman, Dave Rosenberg**, that the developer, **Trendmark LLC/Brent Hopper** has submitted a new request to your office under the case number **2017SP-014-001**. With that, we also learned that Jason Swaggart is no longer at your office and that you will be handling the review. I know you have many, many cases on your desk at any one time, and this particular case has a long history and is connected to case **#2005P-008-007**. It is basically the same request to build 25 units in an area adjacent to our development. This property has many significant barriers to a development, to include being in a flood plain, ingress/egress problems with an existing easement right of a neighbor and traffic issues onto Old Harding Road. The Planning Staff had recommended **disapproval** of this proposal last year.

The residents of the Enclave continue to be very opposed to this development, along with the neighbor who holds the easement rights, and we have the strong support from our councilman, Dave Rosenberg. Prior to this case being heard by the Planning Commission on January 12th, we would very much appreciate a few minutes for two or three of us to provide you with salient points around this case and explain our continued opposition. I know your schedule is full, but we hope that a 15 or 30 minute conversation would also be beneficial to you as you prepare for this hearing.

We are flexible and can meet at your convenience. I know with Christmas activities, the rest of December may not be possible. If not, perhaps we could speak the first week of January.

I am looking forward to hearing from you.

Thank you so much.

Monika Shaw

615-299-7921

615-646-1964

Monikashaw@bellsouth.net

Item 18, Harpeth Village

From: Deb Shields [mailto:debshields@comcast.net]
Sent: Saturday, January 07, 2017 1:34 PM
To: Napier, Patrick (Planning)
Subject: Poplar creek and new subdivision proposal

I certainly hope you are putting in a wider road, another stoplight, and also taking into consideration drainage issues, flooding, and impact on the integrity of the Harpeth River. As a lifelong resident of Bellevue I am certainly not for this proposal. It oftentimes takes me 5 minutes to attempt to turn left from my subdivision onto Old Harding. Thank you for your consideration.
Deb Shields

From: gwen@gwenflaniken.com [mailto:gwen@gwenflaniken.com]
Sent: Monday, January 09, 2017 4:34 PM
To: Napier, Patrick (Planning)
Subject: Harpeth Village SP Plan 2017SP-014-001

Hi Patrick,

I am a resident in Poplar Creek Estates off of Old Harding which is across from this proposed development of 25 homes. I wanted to express my thoughts on this new development since I will not be able to attend the meeting. I have no issue with the proposed plan or the density but I do oppose the point of ingress/egress. There are accidents and near misses all the time at the intersection of Old Harding and Poplar Creek Trace which is just across the street from this driveway.

There is a light at Temple and Old Harding which affects the flow of traffic already and especially at rush hour. Adding another 25-50 more cars turning onto Old Harding without a light is going to wreak havoc on an already busy and dangerous stretch of road. There is a slight rise on Old Harding at Temple which makes visibility less than ideal now. This plan of additional cars pulling onto Old Harding without traffic control is going to result in more accidents. Has anyone considered the number of accidents that have occurred in this area already?

I don't know if it would be possible but the ideal thing would be to have traffic from the new development diverted through Silkwood in the adjacent development of the Enclave. This way cars going to Old Harding would be controlled by the traffic light.

I have looked at this physically and there appears to be room to extend Silkwood to that neighboring drive if that could be arranged with The Enclave.

Please have this taken into consideration before final approval. Perhaps someone needs to make a visit to this site to see it in person and the proximity to Poplar Creek Trace and Temple Road.

Thank you and I appreciate your consideration and time,

Gwen Flaniken

7225 Poplar Creek Trace 37221

Item 21, Binkley Property Subdivision Replat of Lot 1

From: Sharp, Karimeh (Planning)

Sent: Monday, January 09, 2017 11:19 AM

To: Birkeland, Latisha (Planning)

Subject: 2017S-012-001

Hi Latisha,

I spoke with the 89 year old neighbor (the William Edward Owen property). She is very concerned about the development, largely because

- a) She has been maintaining part of the property for 60 years and they just tore out the fence. I explained that this is still their property, even though she has maintained it.

Item 17, Douglas & Lischey SP

From: Napier, Patrick (Planning)

Sent: Tuesday, January 24, 2017 5:15 PM

To: Planning Commissioners

Subject: Memo to Update Staff's Recommendation for Case 2016SP-047-002 Douglas & Lischey SP - ITEM 17

Planning Commissioners,

Please see the attached memo, Case 2016SP-047-002 Douglas & Lischey has received a recommendation of approval from Public Works. Therefore the staff recommendation for this case has been updated to *"Approve with conditions and disapprove without all conditions."* A hard copy will be sent to you from our office.

Patrick Napier

Planner

Land Development

**Metro Planning Department
800 2nd Avenue South**

P.O. Box 196300

Nashville, TN 37219-6300

(attachment follows)

MEMORANDUM

TO: PLANNING COMMISSIONERS
FROM: PATRICK NAPIER
SUBJECT: CASE NO. 2016SP-047-002
DATE: JANUARY 24, 2017

Planning staff received a recommendation of approval from, Public Works, after publication of the staff report. Planning staff recommends approval, including the updated approval from, Public Works. The updated complete staff report is attached.

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, in effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on field conditions.

- ROW dedication is to be recorded prior to MPW sign off on the building permit. Prior to Final SP,

- Show and label the existing signs, poles, fire hydrants, etc. within the ROW. These items are to be relocated out of the proposed sidewalk.

CONDITIONS (if approved)

1. Uses within this SP shall be limited to 16 residential dwelling units and 3,800 square feet of retail and office space
2. The maximum allowable Floor Area Ratio (FAR) shall be 1.4.
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.

4. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application.
5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
1. and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Item 32, Graybar Lane contextual overlay

From: Ken Savage [mailto:ken@savageconstructiongroup.com]

Sent: Tuesday, January 24, 2017 9:18 PM

To: Birkeland, Latisha (Planning); Planning Commissioners

Subject: Letter from our neighbor Martha Nocton

Dear Latisha Birkeland and the Planning Commissioners,

My name is Martha Nocton. I live at 1018 Graybar Lane and my family and I have lived here since 1962. While I have seen a lot of changes in Nashville over my many years, the one comforting and constant in my life has been coming home to my charming street. I do not have many more years left, I would love my home area to remain the same.

I am writing to say I am strongly in favor of two cases coming up for approval. My home lies within the two case areas. The cases are:

- Contextual Overlay Case 2017Z-012PR-001
- RS10 Case 2017Z-013PR-001

Additionally supporting argument in favor of this:

- Our homes are mostly 1-1/2 story homes, between 20' and 25' tall. Current zoning allows a 45' tall home to be built in our neighborhood. Contextual Overlay limits the height to a reasonable height in relation to the surrounding homes.
- The homes on our street are original, built in the late 30's and early 40's and are charming.
- Graybar Lane immediately to the west and east of us are both zoned RS. Changing our part of Graybar from R to RS continues the RS zoning designation on Graybar.
- This area was affected by the 2010 flood. Allowing more density in this area will result in more impervious surface, which slows storm-water run-off and increases the chance of flooding.

- 100% of neighbors who returned the survey are in favor of Contextual Overlay. 81% in favor of RS10. The 5 opponents of RS10 are in favor of the Contextual Overlay.

Sincerely,

Martha Nocton

1018 Graybar Lane

Nashville, Tn

From: KK Savage [mailto:kk.savage.19@harpethhall.org]

Sent: Tuesday, January 24, 2017 8:57 PM

To: Birkeland, Latisha (Planning); Planning Commissioners

Subject: Contextual Overlay Case 2017Z-012PR-001 and RS10 Case 2017Z-013PR-001

Dear Latisha Birkeland and the Planning Commissioners,

Hi, my name is Kathryn Savage. I am 16 years old and a sophomore in high school. I have lived at 1100 Graybar Lane my entire life and this is my home. My family and I am strongly in favor of two cases coming up for approval. My home lies within the two case areas. The cases are:

- Contextual Overlay Case 2017Z-012PR-001
- RS10 Case 2017Z-013PR-001

I have friends who live on other sections of Graybar Lane that are zoned for only one home. We want the same rights and protection of our properties as they have. It makes me very sad to see the homes being torn down on Grandview, a street directly south of ours. I have friends on that street and the homes being built are so oversized compared to the homes on this street and our neighborhood.

We now have the first big home built directly behind a small tutor house on our section of the street. It looks terrible. I can only imagine a large home being built behind one of the houses next to us. I would lose the beautiful view I have out of my window while I study.

I have told my parents that I do not want to stay on this street should it become more populated and disfigured. This is my home where I have grown up. I want to stay here and come home to it when I have kids of my own.

Please help us keep our street the same by approving both cases. Thanks Kathryn Savage.

Here are some additional points my parents wanted me to add:

- Our homes are mostly 1-1/2 story homes, between 20' and 25' tall. Current zoning allows a 45' tall home to be built in our neighborhood. Contextual Overlay limits the height to a reasonable height in relation to the surrounding homes.
- The homes on our street are original, built in the late 30's and early 40's and are charming. We have had one monstrosity built behind a home on our street and it looks ridiculous.
- Graybar Lane immediately to the west and east of us are both zoned RS. Changing our part of Graybar from R to RS continues the RS zoning designation on Graybar.
- This area was affected by the 2010 flood. Allowing more density in this area will result in more impervious surface, which slows storm-water run-off and increases the chance of flooding.
- 100% of neighbors who returned the survey are in favor of Contextual Overlay. 81% in favor of RS10. The 5 opponents of RS10 are in favor of the Contextual Overlay.

Sincerely,

Kathryn Savage – Age 16

1100 Graybar Lane

Nashville, TN

From: amy cisternino [mailto:amycisternino@gmail.com]

Sent: Tuesday, January 24, 2017 4:45 PM

To: Planning Commissioners; Birkeland, Latisha (Planning); Pulley, Russ (Council Member)

Subject: GRAYBAR LANE I Council Bill #: BL2017-545 Case #:2017Z-012PR-001 & Council Bill # BL2017-546 Case #: 2017Z-013PR-001

To: Metro Planning Commission

Re: Council Bill #: BL2017-545 Case #:2017Z-012PR-001 & Council Bill # BL2017-546 Case #: 2017Z-013PR-001

Dear Members of the Metro Planning Commission,

There are currently two proposals (Contextual Overlay: Case 2017Z-012PR-001) & R10 to RS10 Case: 2017Z-013PR-001), for Graybar Lane, between Leland Dr. and Granny White. We ask for your support in passing both of these bills in order to preserve the integrity of the neighborhood on Graybar Lane between Granny White Pike & Lealand Lane, a section of 2 blocks.

I reside with my husband at 1011 Graybar Lane (which is in the boundary of the contextual overlay and RS10 proposal) and have lived here for almost 4 years. Initially when we were looking for a home we fell in love with the character, charm, and privacy that the homes on Graybar Lane possessed. We adored the quiet street, the quaint homes, and the yard to home ratio each lot p

I am strongly in favor of the two rezoning proposals (contextual overaly & RS10) due to several reasons. The most important being that we desire to maintain our privacy rights as a homeowner. We use our backyard quite often in the spring, summer, and fall months. Our private and spacious backyard was one of the main reasons we purchased our home - that however, would not be enjoyable should we have a home directly behind one of our neighbors that allows someone to always see into our space and us into their home. This has already been the case for one home on our street and I would hate to see it happen again.

Secondly, Nashville is a city full of history and charm. Our street is a piece of that. These homes have been here since the 1930's and this street has such a wonderful group of people residing in those homes that value the character or this neighborhood and desire to keep it contextually that way. The construction of these tall skinny homes block light from our houses, take away our privacy, and feel out of place on our street.

We ask for your support in passing these bills in order to keep the integrity of our street and preserve our property and privacy rights as the homeowner. Thank you for your consideration.

Best Regards,

Amy May

From: Stephen May [mailto:maysp20@gmail.com]

Sent: Tuesday, January 24, 2017 3:59 PM

To: Planning Commissioners; Birkeland, Latisha (Planning)

Subject: Graybar Lane: Contextual Overlay Case# 2017Z-012PR-001 & RS10 Case# 2017Z-013PR-001)

January 24, 2017

To: Metro Planning Commission

Re: Contextual Overlay Council Bill #: BL2017-545 Case #:2017Z-012PR-001 &

RS10 Council Bill # BL2017-546 Case #: 2017Z-013PR-001

Dear Members of the Metro Planning Commission,

Please see my attached letter in support of the Contextual Overlay and RS10 Rezoning Proposals.

Best Regards,

Stephen May

(attachment follows)

January 24, 2017

To: Metro Planning Commission

Re: Council Bill #: BL2017-545 Case #:2017Z-012PR-001 &

Council Bill # BL2017-546 Case #: 2017Z-013PR-001

Dear Members of the Metro Planning Commission,

There are currently two proposals (Contextual Overlay: Case 2017Z-012PR-001) & R10 to RS10 Case: 2017Z-013PR-001), for Graybar Lane, between Leland Dr. and Granny White. We ask for your support in passing both of these bills in order to preserve the integrity of the neighborhood on Graybar Lane between Granny White Pike & Lealand Lane, a section of 2 blocks. My wife and I live at 1011 Graybar Lane and are in the boundary of the contextual overlay and RS10 proposal. We have lived in this neighborhood for 3.5yrs and love the charm of this street. The quaint and quiet street is what made us fall in love with our house and this neighborhood. Our home is a charming tudor home and fits in well with all of the homes on our street, and we feel as though we are part of this street's family.

We are strongly **in favor** of the two proposed rezoning proposals (contextual overaly & RS10) due to the recent development of several properties on Graybar Lane, as well as a street running perpendicular to Graybar Lane, Ackerman. Below are two specific senarios that impose a threat to the context of our neighborhood & property right for privacy in our home.

- 1) Several houses down from our home, a developer bought a house on Graybar Lane which backs up to Grandview. This developer was able to begin construction on a house in between the Graybar house and the Grandview property. This directly impacts the context of Graybar Lane, between Leland and Granny White. There is no other property on the street that has a house, directly behind another house.
- 2) There are two houses being constructed on Ackerman that are much taller than the ones on either side of the property. The houses are completely out of context of the street, and with the height of the houses, it is imposing on our property right to privacy. With the contextual overlay and RS10 Rezoning for Graybar proposals, it will help limit this happening to others.

Again, I ask for your support in passing these bills in order to keep the integrity of our street and preserve our property rights. Thank you for your consideration.

Best Regards,

Stephen May

From: Ted Karpynek [mailto:tkarpynek@gmail.com]

Sent: Tuesday, January 24, 2017 1:05 PM

To: Planning Commissioners

Subject: Graybar Lane - Contextual Overlay and RS10 Zoning - 2017Z-012PR-001 and 2017Z-013PR-001

Dear Planning Commissioners,

I submit this letter in **support** of two separate bills proposed for Graybar Lane between Granny White Pike and Leland Avenue: a proposed Contextual Overlay (Case# 2017Z-012PR-001) and a proposed change to RS10 zoning (Case# 2017Z-013PR-001). My property is located within the area designated for these changes, which, I believe, will result in a positive impact to not only my property, but to the

neighborhood overall, as it will provide some measure of protection against the recent trend of excessive development within Nashville's early twentieth-century residential neighborhoods. These two measures will serve to protect the original intended density of our neighborhood and thus, maintain the quality of life that we all currently enjoy.

The area scheduled for the contextual overlay and rezoning is characterized by a collection of Colonial and Tudor Revival style houses that were constructed in the early 1940s. Since this time, all the houses within this segment of Graybar are extant and have not been demolished and replaced by so-called "tall/skinny" development. Accordingly, the area targeted for the proposed overlay and zoning changes retains its original appearance through the retention of its historic building stock, street setbacks, and spacious lots.

Additionally, these houses range between 1 and 1.5 stories tall, or 20' and 25' in height. However, Metro Codes would currently allow for a new house to be constructed on our street to reach a maximum height of 3 stories, or 45'. Naturally, the construction of such a building would be out of scale to the rest of the neighborhood, thus disrupting the visual continuity of its historic appearance. Changing the current zoning from R10 to RS10 would help provide some level of protection against unsympathetic construction as it will require the height of new houses to conform to the height characteristics of the existing neighborhood. In addition, these bills would prevent the construction of multiple dwellings on a single lot, which is not in keeping with the original design of the neighborhood.

As currently allowed by Metro Code, the construction of multiple housing units on a lot that has traditionally contained a single, 1-1.5 story residence, would adversely affect the quality of life of our neighborhood by leading to the following:

- An increase in building density, which would destroy the historic appearance of the street;
- An increase in vehicular traffic, which will diminish the walkability of the neighborhood;
- An increase in noise levels through construction activity and from a rise in the number of new residents.

I cast my support for these two bills along with the majority of my neighbors. Following two community meetings led by Councilman Pulley, a survey was undertaken of the property owners. The results of the survey revealed that 81% percent of the respondents support changing the zoning to RS10 Zoning and 100% approve the Contextual Overlay. Moreover, the passage of these two bills will be in keeping with the goals of Metro Nashville's planning staff's *Green Hills-Midtown Community Plan*, which encourages:

- A maintenance plan, "... intended to preserve the general character of developed suburban neighborhoods;
- Efforts "...to retain the exiting character of the neighborhood";
- "Any change should not disrupt the overall established development pattern" of existing neighborhoods.

Thank you for your consideration, and I hope you will vote in favor of the passage of these two bills.

Ted Karpynec

1104 Graybar Lane

From: ckarpynec@comcast.net [mailto:ckarpynec@comcast.net]
Sent: Tuesday, January 24, 2017 2:52 PM
To: Planning Commissioners; Birkeland, Latisha (Planning)
Subject: Graybar Lane Photos

Good Afternoon Latisha,

The photos of Graybar Lane between Granny White and Leland are attached for the commissioners. Thank you for taking care of our two cases!

(attachment follows)







Non-agenda items

Short-term rentals

From: suspurgeon@comcast.net [mailto:suspurgeon@comcast.net]
Sent: Wednesday, January 25, 2017 12:06 PM
To: Council Members; Murphy, Kathleen (Council Member); Shulman, Jim (Council Member); Mendes, Bob (Council Member); Hurt, Sharon (Council Member); Cooper, John (Council Member); Gilmore, Erica (Council Member)
Cc: mayor.barry@nashville.gov; Planning Commissioners
Subject: Short term rentals

Metro Council members

I am a 30 year resident of Cherokee Park. I am also a short term rental user when I travel out of town.

While short term rentals serve an important role in housing visitors to our city, non-owner occupied rentals in residential neighborhoods create multiple problems of noise, trash, traffic and enforcement issues as well as displacing residents who need housing and would be valuable contributors to a neighborhood.

I do not have an issue with owner occupied rentals where guest numbers are limited. I frequently use such airbnbs when visiting my son in Seattle. However, "party houses" have no place in residential neighborhoods where working people are trying to sleep and where they expose children to miscreant behavior. STRs that are not owner occupied are the equivalent of motels, and like similar businesses should be prohibited in residential areas.

Thank you for considering this.

Susan Spurgeon
243 Lauderdale Road
Nashville

From: Denise [mailto:denise@denisegore.com]
Sent: Tuesday, January 24, 2017 12:30 PM
To: Planning Commissioners
Subject: Short Term Rentals

Planning Commissioners,

I am very very concerned that the Council seems determine to control my property rights. I own a home in East Nashville. It has been a short term rental for over 2 years. My renters are screened including other places they have rented. Some renters had not been accepted for various reasons. I have never had a complaint for any neighbors. Have received great reviews from all my renters. You may read some of these on Airbnb and VRBO under East Side Escape.

I also have a permit to operate as required by Codes. Had a home inspection required by Codes. I have a business license also required by codes. Have been paying occupancy and sales tax since receiving my permit.

It seems those homes that do not have permits and not properly managed are causing all the troubles for the rest of us. Codes needs to enforce the rules they made. They also need to reread the Landlord and Tennant Act. Landlords have responsibilities plus rights. Prior to converting my house to a short term rental I had several long term renters. I did the same process of screen and managed the property as per guidelines.

As a property owned I do not understand how the Council can rule how I handle my property as long as I am following the guidelines that Metro set for landlords. All landlords know Codes does not have enough staff to enforce the laws they have established. So it seems the Council wants to ban short term rentals because Codes lack of staff. I don't feel property owners should be shafted because it is more convenient for Codes and the Council. Right now they are attacking 'type 2' properties yet we all know this is their first step and the others will follow. Obviously those wanting to ban rentals have never owned property. Rentals are investments. If landlords are paying taxes, we too are contributing to growth in Metro. Guess they don't want growth and prefer less incoming taxes.

Nashville is experience fantastic tourism. Hotels cannot accommodate this demand especially at reasonable rates for a family of 4-6. Banning short term rentals will have a definite negative impact on tourism.

I was unable to attend the recent meeting. My husband is a 100% disabled veteran and I am his caregiver.

I would appreciate you taking my views to the council. It is not right to punish the many for the few. Just enforce the codes.

Respectfully,

Denise Gore

615-356-5568

denise@denisegore.com

From: G. Renshaw [mailto:grenshaw55@gmail.com]

Sent: Tuesday, January 24, 2017 3:07 PM

To: Council Members; Planning Commissioners; Mayor (Mayor's Office)

Subject: Airbnb has 61 Nashville STR listngs for 16 people or more when the legal limit is 12

Dear Metro Council and Planning Commissioners:

It took me less than 2 minutes to locate 60 houses and one yard available on Airbnb for short-term rental to groups of 16 or more adults: https://www.airbnb.com/s/Nashville--Tennessee--US?guests=16&ss_id=n3zf2jr7&ss_preload=true&adults=16&children=0&infants=0&checkin=04%2F06%2F2017&checkout=&source=bb&page=1&s_tag=HtLYJVet&allow_override%5B%5D=

The legal upper limit for these properties is 12 adults. Which is already too many renters for any property in a residential neighborhood, even a large house.

You will hear from many STR owners and investors in the coming weeks.

I ask that when you do, you think of the 61 properties currently advertised for parties of 16 to 20 people.

Some of these STRs may be operating with Type 2 permits. (Some may also be operating with Type 1 permits, but with no resident onsite--a common way STR investors dodge the legal cap on Type 3 permits.)

But none of these renters are voluntarily complying with the occupancy limits Metro has established for these properties.

And even if they revise their STR listings to reflect legal occupancy limits, there is no effective way to police STRs to ensure legal occupancy limits are observed.

If these properties are phased out, the enforcement regime becomes much simpler:

- First, close down the illegal properties.
- Then, work with neighbors and neighborhood associations to monitor properties renting to large groups until their permits expire.

Please protect neighborhoods from becoming weekend party zones and event venues.

Thank you for listening to us.

Regards -

Grace Renshaw,

My favorite is the "wild back yard for camping" advertised for up to 16 people--with no access to bathroom or

kitchen: <https://www.airbnb.com/rooms/9079961?checkin=04%2F06%2F2017&checkout=&guests=16&adults=16&children=0&infants=0&s=HtLYJVet>

Since it also advertises itself as being near a Kroger and Planet Fitness, wonder how the neighbors deal with tent campers who must relieve themselves outdoors?