

Comments on March 9, 2017 Planning Commission agenda items, received March 8-9

Items 5a/b, Nandi Hills

From: Rebekah Porter [mailto:texasporter@yahoo.com]
Sent: Thursday, March 09, 2017 11:38 AM
To: Planning Commissioners
Subject: 2017SP-017-001

Hello,

I am writing in regards to 2017SP-017-001. I am opposed to 128 units being built on this property off Old Hickory Blvd. The slope on this property is very steep and grading would cause a lot of soil erosion for the surrounding properties.

Bellevue is changing and getting too many apartments, but not affordable housing. Please consider this before voting.

This hill is a nice rocky green space to beautify Bellevue. Please don't let all the green spaces be converted to buildings. We love the country look and don't want more traffic along Old Hickory. There would have to be another light added to allow people to turn in and out. That would cause accidents as people come down the steep part of Old Hickory.

Thank you,

Rebekah Porter

From: ndcharney@gmail.com [mailto:ndcharney@gmail.com] **On Behalf Of** Noah Charney
Sent: Wednesday, March 08, 2017 1:30 PM
To: Planning Commissioners
Cc: Birkeland, Latisha (Planning); Sloan, Doug (Planning)
Subject: Protecting Nandi Hills, 2017SP-017-001 and 66-84P-002

Dear Metro Planning Commissioners,

Please find the letter and maps in the attached PDF. On behalf of Radnor To River, I am writing to support items 2017SP-017-001 and 66-84P-002 which offer important protection to natural features contained on the Nandi Hills property.

Nandi Hills contains 123 acres of contiguous mature forest, valleys, hills, and Razorblade Cave which supports bats and sensitive cave-obligate species. This property abuts Nashville Highlands, forming part of an ecological corridor encompassing Radnor Lake, Warner Parks, the Cumberland River, Beaman Park, and other important natural areas. This landscape buffers downstream communities against flooding and offers the potential for future hikers to have a wilderness experience within the city limits.

The features that have prevented people from building on Nandi Hills in the past are the same features that make much of this property unsuitable for building today: steep slopes and unstable soils.

Across the entire property, the average slope is 30% (with areas in excess of 60%), a grade that triggers the most stringent protection (see attached map of slopes). Moreover, most of the soils on the property are particularly unstable and prone to landslides (see attached map of landslide prone soils). Many landslides have been documented on abutting properties, and landslides in 2003 damaged apartments built in the first phase of this same PUD (see attached article from the Tennessean).

Preventing development on steep slopes and unstable soils is critical to maintain the safety and health of not only the residents within this property but also all Nashvillians downstream in the watershed. We now know that disturbing such features aggravates landslides, flooding, and pollution, and this knowledge forms the basis of our current environmental standards. However, for a window of time in the last half century, environmental regulations did not keep pace with the growing capacity and willingness of developers to place large projects in inappropriate locations, allowing PUDs such as Nandi Hills to be approved.

We now have the opportunity to bring this proposed development in line with current standards, and our organization supports cancelling the old PUD and replacing it with an SP that adheres to the strongest environmental protections for these sensitive features. We believe that the zoning change currently on the agenda intends to do just that.

Many thanks to the staff of the Planning Commission, Councilmember Mina Johnson, Councilmember Sheri Weiner and the other community members who worked to bring this change about.

We sincerely hope that you will join us in support of this zoning change.

Sincerely,

Noah Charney, PhD

Executive Director

Radnor to River

www.Radnor2River.org

(attachment follows)



Radnor To River
408 Wayside Court
Nashville Tennessee, 37205
(615) 351-6913
Radnor2River@gmail.com

March 7, 2017

RE: Protecting Nandi Hills, 2017SP-017-001 and 66-84P-002

Dear Metro Planning Commission,

On behalf of Radnor To River, I am writing to support items 2017SP-017-001 and 66-84P-002 which offer important protection to natural features contained on the Nandi Hills property.

Nandi Hills contains 123 acres of contiguous mature forest, valleys, hills, and Razorblade Cave which supports bats and sensitive cave-obligate species. This property abuts Nashville Highlands, forming part of an ecological corridor encompassing Radnor Lake, Warner Parks, the Cumberland River, Beaman Park, and other important natural areas. This landscape buffers downstream communities against flooding and offers the potential for future hikers to have a wilderness experience within the city limits.

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Many thanks to the staff of the Planning Commission, Councilmember Mina Johnson, Councilmember Sheri Weiner and the other community members who worked to bring this change about.

We sincerely hope that you will join us in support of this zoning change.

Sincerely,



A handwritten signature in black ink, appearing to read "Noah Charney". The signature is fluid and cursive, with a long horizontal stroke at the end.

Noah Charney, PhD
Executive Director

Attachments:

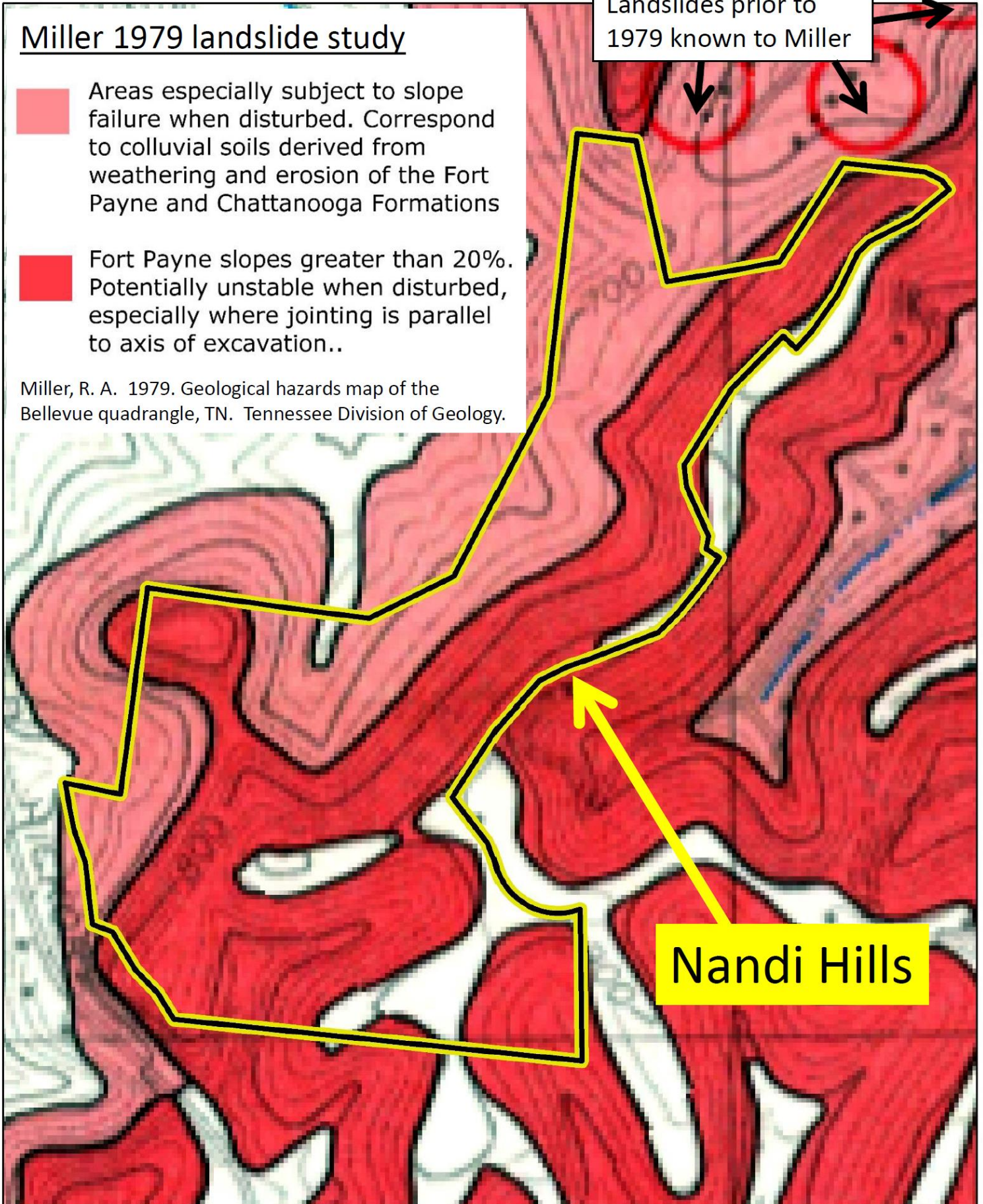
- (1) Map of landslide prone soils,
- (2) Map of slopes,
- (3) Tennessean article about landslides on this PUD

Miller 1979 landslide study

-  Areas especially subject to slope failure when disturbed. Correspond to colluvial soils derived from weathering and erosion of the Fort Payne and Chattanooga Formations
-  Fort Payne slopes greater than 20%. Potentially unstable when disturbed, especially where jointing is parallel to axis of excavation..

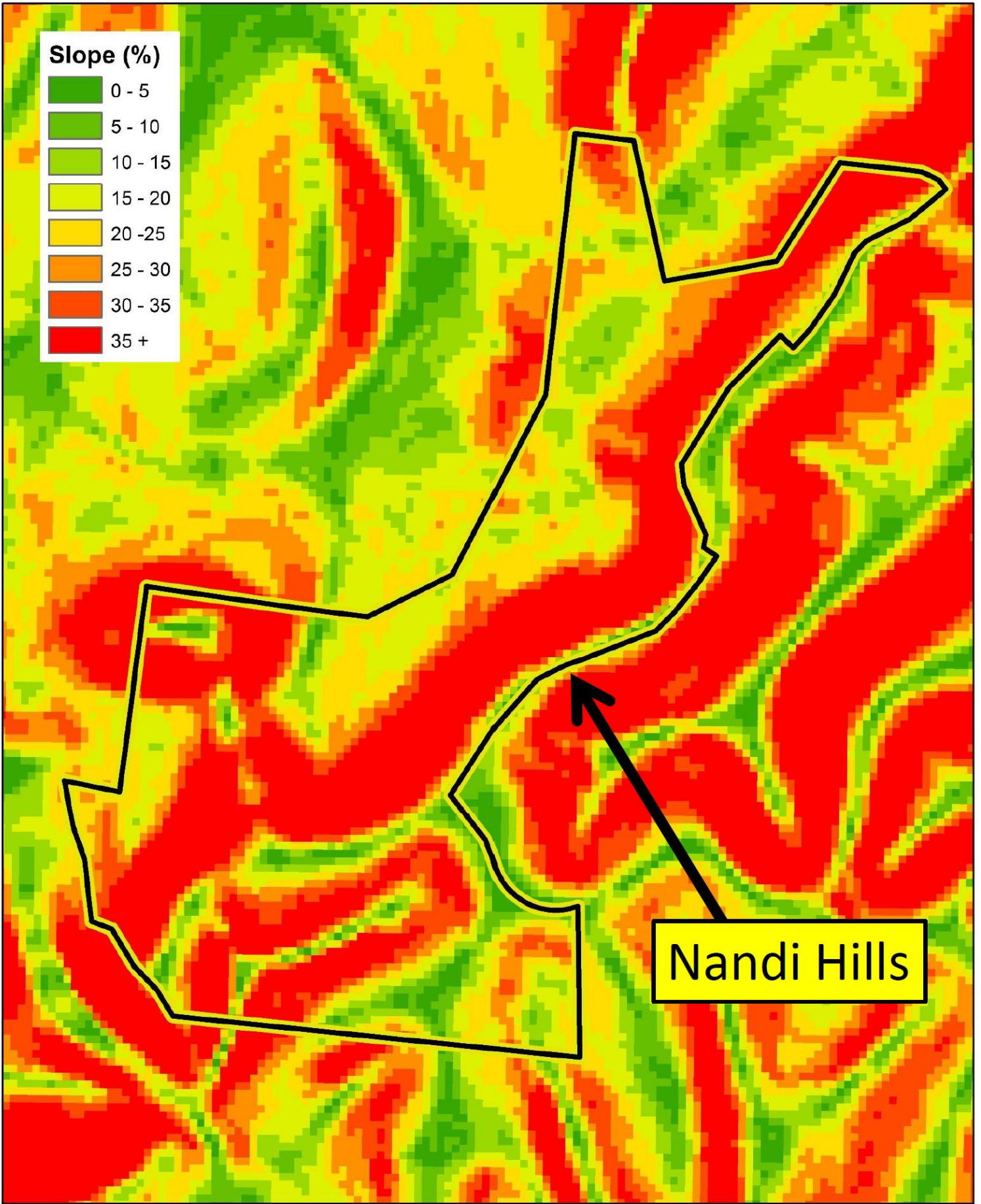
Miller, R. A. 1979. Geological hazards map of the Bellevue quadrangle, TN. Tennessee Division of Geology.

Landslides prior to 1979 known to Miller



0 0.1 0.2 0.3 0.4 0.5 Miles





Bellevue has a lot of hillside development but has had trouble with this type of building. The latest incident involved a mudslide at an apartment complex in March that forced dozens of residents to move.

Article about
landslides in
phases I-III of
Nandi Hill PUD,
referred to as
"The Lexington."

Tennessean
2003

Hillside development woes have a history in Bellevue

Metro's policies,
unstable soil
abet problem

By ROSE FRENCH
Staff Writer

The shifting, unstable hillside that forced about 60 residents at The Lexington Apartments to evacuate their homes in March was nothing new in hilly Bellevue.

Poor planning and engineering and unstable soil, the kind that is especially prevalent in Bellevue, may have played a part in a series of hillside development gaffes that have occurred in that area since the late 1960s, Metro planners say.

But building on Davidson County's hillsides remains a virtually unfettered venture. Metro's hillside development regulations remain less strict than those in booming Franklin, for example, which passed an ordinance several years ago restricting the steepest hillside development.

"Nashville has had a pretty development-friendly history," veteran Metro planner Jerry Fawcett said. "As long as you have the ability to develop these steeper slopes, obviously, at some point somebody is going to try to do it."

"I don't know whether there will be enough realization of how important it is to protect these hillsides to a greater extent before they're altered to the point that their value is already compromised substantially."

The Bellevue area in particular, because of its abundant hills and unstable soils, has a history of hillside developments that failed under the pressure of Mother Nature.

The Iroquois apartment complex, at the junction of U.S. 70 South and Old Hickory Boulevard, had to halt construction in its second phase of development in the early 1970s because of its hilly location, Fawcett said.

"A pool that had been built was cracked because it was sliding. They had to go back and do some engineering and stabilizing."

"This was caused by improper attention to the need for working with hillsides that are unstable," Fawcett said, adding that a number of Bellevue apartment complexes have experienced similar problems.

"We know there are those conditions and soils in Bellevue, and they're documented," Fawcett said.

"It's a very fine, silty soil. It simply doesn't do well when you're trying to use it for construction. It gets saturated, doesn't drain well. You've got a lot of that in Bellevue."

"I don't know whether there will be enough realization of how important it is to protect these hillsides to a greater extent before they're altered to the point that their value is already compromised substantially."

— Jerry Fawcett,
Metro planner

Tougher standards

In Metro, development may be authorized on residential "lots on natural slopes ranging up to 25% grade, subject to special standards and conditions."

"Large contiguous areas containing natural slopes in excess of 25% (grade) should be recorded as common open space and permanently maintained in a natural state," according to Metro regulations.

In Franklin, the law is more demanding of developers of hillsides. On slopes with a 20% grade and above, development is strictly prohibited. Slopes with a 14%-19% grade can be developed but with greater scrutiny and restrictions that include less density.

In addition to the environmental repercussions associated with building on steep hillsides, Franklin leaders in 2000 passed the stricter hillside development ordinance to help maintain the aesthetic beauty of hillsides, Franklin planner Jaime Groce said.

"It's a general design philosophy that development should occur in the valleys and stay off the hills," Groce said.

"Sometimes in development of hillsides ... there are issues with erosion. When you remove all the trees from the hillside and change the water flow, it can be a concern."

Rainfall and groundwater

Ron Zurawski, director of the Tennessee division of geology, said the shifting hill at The Lexington probably was caused by groundwater.

"That whole hillside was absolutely mush," Zurawski said. "When it got so much water in it, the hill just became unstable and began to move. It's important to keep the water out of the slopes."

Fawcett said the soil at the Lexington site also is unstable, which

probably contributed to the hill shifting.

"I remember they had (unstable) soils like that in there" at The Lexington, Fawcett said. "I do recall, because of earlier proposals on that site, that there were those conditions."

"They had to do a lot of engineering work and studies to determine what could be done. The fact is they did all that and still had the problem."

Doug Rion, who had to vacate his Lexington apartment in March, said he'd like to see stricter hillside development standards in Metro.

"This is the extreme of what can happen when you don't prepare for what you build on," Rion said. "This is an example of what can really go wrong."

Lexington apartment officials say that they uncovered a shift in the hillside during a routine maintenance inspection in February and that their engineers attributed the movement to the heavy amounts of rain and snow the area received during the winter.

Shea Ragsdale, the Lexington property manager, said a retaining wall is being constructed now to stabilize the hillside and is expected to be completed by Sept. 1.

The three apartment buildings that had to be evacuated probably will be leased shortly after the retaining wall is built, she said.

Ragsdale agreed it was the unstable soil at the site, coupled with the "extreme winter weather" that caused the hillside movement.

"Massive tons of this dirt have been removed and a retaining wall erected," she said. "We had lives at stake here, and we want to make certain everyone is protected."

Preserving hills

During recent meetings between Metro planners and Bellevue residents about updating long-range plans for Bellevue, an overwhelming number of residents said they want to see what's left of Bellevue's hills preserved.

"It's one of the priority actions, really recognizing those beautiful hills are one of Bellevue's best assets," Metro planner Cindy Wood said. "We have inherited some kinds of zoning more intense than we would have liked."

Even with planning, engineering and drainage provisions made to redirect water on hillside development, problems can still occur Fawcett said.

"You can throw money at it, I suppose, and solve those problems if you do the engineering and carry it out to the letter. The fact is, approvals were given; engineering standards and geo-technical reports were required."

"And yet, we still had failure." ■

"They had to do a lot of engineering work and studies to determine what could be done. The fact is they did all that and still had the problem."

Items 15a/d, Short-Term Rentals

From: Chris Muscatello [mailto:chris.muscatello@gmail.com]
Sent: Wednesday, March 08, 2017 10:44 PM
To: Planning Commissioners
Subject: Support deferral of short term rental bills

I also oppose a ban on short term rental properties. There is nothing wrong with local residents or owners renting out properties they own and don't occupy. This is good for the local economy as it brings tourism but more importantly, the money being earned by the owners is going directly back into the local economy whereas a hotel would be taking profits elsewhere.

For example, I own a short term rental and use the profits to pay for my child's daycare at a locally owned daycare facility.

Simply regulate the short term rentals, don't outlaw.

Chris Muscatello
(865) 805-2919

From: Adam Vollrath [mailto:axisofentropy@gmail.com]
Sent: Wednesday, March 08, 2017 9:50 PM
To: Planning Commissioners
Cc: Catherine Walker; Whitney Powell Greer; Charles Chaz Flowers; Davis, Scott (Council Member)
Subject: STRP - March 9th Planning Commission Agenda Items 15a, 15b, 15c - Opposition from McFerrin Park Neighborhood Association (MPNA)

Dear Nashville Planning Commission,

McFerrin Park is less than a mile from downtown, Nissan Stadium, and Five Points. We share our neighborhood with dozens of Short Term Rental Properties, and about half of them are not owner-occupied. Our neighborhood association discussed STRP policy at several meetings over the past year, and on March 2nd we discussed three of the ordinances on the March 9th Planning Commission agenda: BL2017-608, BL2017-609, and BL2017-610.

Several members voiced opposition to all three bills. One member understood that moratoriums will have little effect because the Type 2 permit allocations are already exhausted for most of Nashville. Another member, supported by two neighbors, is proud of his Type 2 rental. After 20

minutes of discussion, members unanimously voted to pass a motion opposing all three of these bills.

Also, at our February 2nd meeting, members voiced concerns about effectiveness of Nashville's enforcement of existing STRP violations. We discussed and passed a motion calling on the city to devote more resources to identify violations and hold their owners accountable. We believe both existing and proposed STRP policy cannot achieve its goals without enforcement more effective than what we've seen.

McFerrin Park Neighborhood Association (MPNA) is a group of committed & concerned neighbors. We aim to share knowledge and influence of policy decisions affecting our community. Membership is open to all residents and business owners within McFerrin Park. Twenty voting members attended our March 2nd monthly meeting.

Signed,

Adam Vollrath, Vice-President
McFerrin Park Neighborhood Association Executive Committee

From: Jan Huffman [mailto:janetbhuffman@gmail.com]

Sent: Wednesday, March 08, 2017 2:36 PM

To: Planning Commissioners

Subject: Support deferral of short term rental bills

To the Nashville Planning Commission:

Please defer the bill on the short term rental bills. This is very important to many, many Nashvillians who were granted permission to have VRBOs, invested in the concept, run good responsible vacation rentals and who would be very much hurt if STR are banned or phased out. As Nashville locals, we need the help of the Nashville Planning Commission to guide the concept of the short term rentals.

I own regular rental property at

1007 11th Ave. N.

703 26th Ave. N

810 28th Ave N

506 DB Todd

907A Warren St

907B Warren St

917 Warren St

One VRBO at:

918 Jackson St

Land:

1026 Herman St

900 11th Ave. N

25 th Ave N.

I am a native Tennessean, have lived in the Nashville area for 40 years. I have been a respectful and responsible citizen and I run very good rentals.

Thank you for your attention and help on this matter.

Janet Huffman

615-300-4977

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Home Phone: 615 373 8068

Item 20, Hill Center Greenwood SP

From: Fuller Hanan [mailto:fuller@civicdesigncenter.org]

Sent: Thursday, March 09, 2017 10:31 AM

To: Planning Commissioners

Cc: Withers, Brett (Council Member)

Subject: Agenda Item 20: 2017SP-022-011 Hill Center Greenwood

Hi,

I am hoping to make it to this afternoon's meeting, but in the event I am unable to do so I wanted to write to you all expressing my support for the proposed 2017SP-022-011 Hill Center Greenwood that includes the Sprouts Grocery on Gallatin Road. As a neighbor just a few blocks away, I think the redevelopment of this site will set the tone for the future growth and development standard of this rapid transit priority corridor. I am confident that the team working with the developer will apply the upmost care and attention to this site and its relationship to the greater neighborhood context. Their extensive experience with infill development and their principled commitment to the best practices of urban design further my confidence that this will be a catalyst project for our neighborhood.

Thank you for your time and consideration for this project.

Best,

Fuller Hanan

District 6 Resident

1010 N. 16th Street

Nashville, TN 37206 -

Fuller Hanan

Community Development Coordinator

Nashville Civic Design Center | www.civicdesigncenter.org

T: 615.248.4280 ext. 102 | **C:** 205.356.4781

Item 21, 3413 Old Anderson Road SP

(letter from Councilmember Karen Johnson follows)



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

One Public Square, Suite 204
Nashville, Tennessee 37201
Office: 615 862-6780
Email: karen.johnson@nashville.gov

2928 Moss Spring Drive
Antioch, Tennessee 37013
Home: 615 977-6721

www.district29community.blogspot.com

KAREN Y. JOHNSON

Councilwoman, District 29

www.karenjohnson.org

March 9, 2017

Chairman Greg Adkins and Members of the
Metropolitan Planning Commission
700 Second Avenue South
Sonny West Conference Center
Nashville, Tennessee 37210

RE: 2017SP-024-001
3413 Old Anderson Road

Dear Chairman Adkins and Members of the Commission:

I would like to request a three meeting deferral of Proposal No. 2017SP-024-001 to rezone property from AR2a to SP-R zoning located at 3413 Old Anderson Road. This rezoning will allow ten residential units.

The purpose of the deferral is to have ample opportunity to hold a community meeting and hear from the neighbors. I will be out of town for the next two Planning Commission meetings and your support of a three meeting deferral would be appreciated.

Thank you.

Sincerely,

Karen Y. Johnson
Councilmember, District 29

KYJ/rh

Item 25, Comfort Inn and Suites SP

From: Rebekah Porter [mailto:texasporter@yahoo.com]

Sent: Thursday, March 09, 2017 11:27 AM

To: Planning Commissioners

Subject: 88P-040-001

Hello,

I am writing regarding property 88P-040-001. I am opposed to building a 5 story Comfort Inn and Suites. We already have a traffic issue on Old Hickory. Lots of people get on and off I-40 as they commute to Nashville. We love our current charm and do not feel that a building of that nature and size fits our area.

Plus, there is an elementary school close by on Old Hickory. We do not want to bring travelers into this area. This brings an increase of crime and makes our area more commercial. We are trying to keep a small town rural feel. Currently we have a few single story shops, a school, apartments, homes, and gas stations in the area. This will be the first hotel at our exit and will impact our area in a negative way.

We chose this quiet corner of Bellevue and don't want the increase of traffic and crime, plus the loss of our unique look. We will soon look like the many other areas along the interstate. For these reasons I am opposed to the Comfort Inn and Suites building here.

From: "Lisa Hannah" <lisa_hannah@comcast.net>

To: planningcommission@nashville.gov

Sent: Thursday, March 9, 2017 11:34:43 AM

Subject: Opposition to 88P-040-001; Oppose to Rezoning to Allow for Hotel

Dear Planning Commission,

I am strongly opposed to the building of a 5 story Comfort Inn and Suites on Old Hickory Boulevard and Interstate 40 in Bellevue. There is already a huge increase in traffic with the recent building of the 322 unit apartment complex, (Accent), just 100 plus yards from this proposed hotel at the on/off ramp to I40, and within yards from an elementary school zone, as well. Additionally there is the proposed 56 unit town home complex 100 plus yards from this complex on Old Hickory Boulevard and Old Charlotte. This is entirely too much density in this

small amount of space, limiting access to Interstate 40 from the Old Hickory Boulevard exit, 199

.

Additionally there are already two traffic lights close to this proposed hotel development, and additional stop light would really congest the on and off ramps to I40, which is already a mess during rush hour.

Thank you for your opposition to **88P-040-001**, opposing the rezoning to allow the development of a hotel on this property.

Lisa Hannah

517 Hickory Trail Drive

Nashville, TN 37209