

## **Comments on February 28 MPC agenda items, received through February 27**

### **Item 12: 2018S-204-001 – Hunters Run**

**From:** Elaine McReynolds [mailto:elainemcreynolds@att.net]

**Sent:** Monday, February 25, 2019 3:30 PM

**To:** Haywood, Brenda (Council Member)

**Cc:** Planning Commissioners; Kempf, Lucy (Planning)

**Subject:** Hunters Run - Letter of opposition based on Policy, Regulations of NashvilleNext

Please see the attached letter.

Councilwoman Haywood,

I fear that you have been grossly misled into thinking that the concept proposal met Nashville Next standards. It does not. Please withdraw your support for this project in writing since you will not be in attendance.

Thank you,

Elaine A. McReynolds  
1517 Naples Avenue  
Nashville, TN 37207  
615-868-1291

**Please see attachment on the following page.**

Mrs. Elaine A. McReynolds  
1517 Naples Avenue  
Nashville, Tennessee 37207

February 25, 2019

Mrs. Brenda Haywood, Councilwoman  
District 3  
1 Public Square, # 204  
Nashville, TN 37201

Re: Hunters Run 2018S-204-001  
2-28-2019 Planning Commission Meeting

Dear Councilwoman Haywood:

After spending countless hours with both the developer and your District 3 constituents in public and private meetings and a thorough review of the *NashvilleNext* Planning Commission Community Character Manual Parkwood-Union Hill T2-RM policies, I hope you have come to the same conclusion as your constituents that you need to withdraw your support for the Hunters Run concept proposal and that you need to recommend disapproval by the Planning Commission at the February 28, 2019 meeting for some of the reasons stated below.

Background. On June 22, 2015 the Metropolitan Planning Commission adopted *NashvilleNext, A General Plan for Nashville/Davidson County* in accordance with the applicable the sections of the local charter as well as adherence and authority provided by Tennessee Code Annotated, Section 13-4-203.

*NashvilleNext* provides a long-range plan for growth, development, and preservation in Nashville/Davidson County through 2040. Much citizen input helped to provide an agreed-upon plan of guidance which resulted in Community Plans. Our Community Plan is called Parkwood-Union Hill. Our neighborhood was classified as T2-Rural Maintenance (RM). The residents in this area were reasonably satisfied with the subdivision guidelines for growth that defined our area as “sparsely developed land with agricultural and low density residential uses, complemented by low intensity commercial uses”.

The policy intent for classifying an area a Rural Maintenance was clearly stated and prominently positioned at the beginning of the T2-RM section:

Maintain the general character of rural neighborhoods as characterized by their development pattern, varying setbacks, building form and land uses. Balance maintaining the rural countryside and existing rural development patterns with new development. Where transportation infrastructure is insufficient or not present enhancements may be necessary to improve pedestrian, bicycle, and vehicular connectivity.

This comprehensive plan includes Design Principles for building form and site design. Based on our T2-RM we were assured that our government was looking at a healthy way to grow our city so that when older residents as well as newcomers could experience the beauty and diversity that our neighborhoods offer while preserving the harmony. Our Metro Council and the Planning Commission was charged with seriously considering the elements of this comprehensive plan as they help to guide development in Nashville.

The Metropolitan Nashville Planning Department Subdivision Regulations (Adopted March 9, 2006, Last Amended June 22, 2017) , Chapter 4 (Rural Character Subdivisions), 4-1.2 in its Application paragraph states:

The Nashville-Davidson County General Plan and associated Community Plans establish a community vision to guide development. Compliance with the goals and policies of these plans ensures that new development is in harmony with existing and desired development patterns and promotes the community's vision. These regulations are designed to insure that the rural character of the specified areas designated as T2 Rural Neighborhood policies on the adopted General or Community Plan is maintained and enhanced to the greatest extent feasible. All requests for the subdivision of land within areas so designated as T2 Rural Neighborhood policies shall be reviewed and developed as Rural Character Subdivision in accordance with the provisions of this Chapter.

At this point it is pretty clear the Planning Commission intends to FACILITATE THE MAINTENANCE OF A HARMONIOUS DEVELOPMENT PATTERN.... Chapter 4 explains how existing streets should be considered for harmony in designing building setbacks, lot depths, lot sizes on public streets, lot frontage, and street lights. The idea was that the rural sense should be maintained as you drive through an existing subdivision into another subdivision.

Chapter 4 – Rural Character Subdivisions regulations declares in 4-1.1 “Therefore, these lands must be planned carefully to facilitate the maintenance of a harmonious development pattern, preservation of prime agricultural lands and the conservation of sensitive environmental resources and rural character is the key focus of any subdivision.”

4-1.5 a describes the Countryside Character Option for street frontage, building setback, lot depth along existing public streets, lot size along existing public streets, lot frontage abutting existing public streets, street lights and a cluster lot option.

### Present Situation

Imagine our surprise when we read the staff analysis of the Hunters Run concept proposal that declared the existing streets Bellavista Boulevard, Marydale Drive, and Celina Drive (all of which are extended on the Hunters Run concept proposal and must be existing if they can be extended) are not relevant to consideration for lot side, harmony, setback, etc.! A public street must exist in order to be extended! Existing public street extension guidelines MUST apply. Therefore, you must withdraw your support for this concept proposal and recommend that the Planning Commission disapprove. You cannot have the rural maintenance and the harmony intended in the policy if those things are ignored!

The guidelines for a Cluster Lot option are clearly stated. However, the staffer concluded without sufficient reasoning and documentation that this option was an option when it was NOT. You must withdraw your support and recommend that the Planning Commission disapprove the Hunters Run concept proposal.

Hunters Run's concept proposal does not meet the policy, the development guidelines or the associated regulations. If they did, the minimum lot size as well as the lot frontage abutting existing public streets would be at least 70% of the average size of the surrounding parcels. The surrounding lots are acre plus lots. Hunters Run has tiny lots which does not meet the development standards. No Specific Plan (SP) was requested so a cluster lot option is not available. Even if that option were available to the developer he (she) would be required to exclude lots abutting existing public streets like Marydale Drive, Celina Drive, and Bellavista Boulevard and make those houses harmonious with surrounding parcels. That would mean brick homes with garages on the side or back, etc.

Residents of Dalemere Subdivision and Grande Villa Estates Subdivision are vehemently opposed to the concept proposal for Hunters Run because it runs counter to the clearly stated building standards that are documented in the Community Character Manual. We are concerned about the potential flooding because of such a dense development on top of soil that is over a series of wet weather springs. We wanted to research the impact of above ground water on soil above wet weather underground springs. We contacted the Water Department (Mr. Scott Potter) for research purposes but Mr. Potter never returned our call. We are also concerned by the increased traffic, our safety especially when walking in areas without sidewalks and our ability to get into and out of our neighborhoods.

Your position on this concept proposal could set a precedent for other projects on the drawing board and future residential developments in this district. Since the development standards are so well pronounced in the Community Character Manual, it is difficult to believe that anyone would approve this proposal.

Since your first commitment is to represent the interests of your constituents, and your position is of utmost importance, I would hope that you would withdraw your support from this concept proposal. Developer concessions to a proposal that does not meet the minimum published standards are not acceptable to residents of Dalemere or Grande Villa subdivisions.

Councilwoman Haywood, it would appear that you are in the proverbial "hot seat", but you are not! You have been grossly misled. This proposal is so far away from what is required that it is surprising that the staff approved it. All you have to do is follow the guidelines as published. I appreciate that you want to make both sides happy and I think that you ultimately can. If you withdraw your support for this concept proposal for the above stated reasons, your constituents will be pleased to know that you stand for minimum standards that are more aligned with their

expectations and the community expectations that are codified in the *NashvilleNext* plan. Many people are feeling like they wasted their time providing much needed input during the *NashvilleNext* discussions only to have those policies thrown aside by staffers who seem to focus on minor considerations favorable to developers while overlooking the broader issues that are more focused on the residents. You will also send a strong message to other developers that District 3 will be open for development but only developments that meet the aforementioned requirements. Developers know the game of trying an end-run around the T2-RM guidelines all too well.

I, too, have been in that proverbial "hot seat" many times in both my government service at the state and federal levels and in my private industry career and each time I just did what I thought was right and I followed the rules. And, guess what? To this day I can still face both sides because they know that I was thorough and fair. I understand that an out-of-town family commitment means that you will not attend the Planning Commission meeting. However, your written word would be just as powerful.

Thank you for your time and your commitment to District 3.

Sincerely,

Elaine A. McReynolds

CC: Mr. Greg Adkins, Chairman  
Ms. Jessica Farr, Vice-Chairman  
Ms. Lillian Blackshear  
Mr. Jeff Haynes  
Mr. Brian Tibbs  
Mr. Ron Gobbell  
Dr. Pearl Sims  
Ms. Daveisha Moore  
Mr. Fabian Bedne, Councilmember  
Dr. Terry Jo Bichell  
Ms. Lucy Kempf, Executive Director

**From:** Sky Hutson [mailto:shutson@grflp.com]

**Sent:** Monday, February 25, 2019 5:26 PM

**To:** Planning Commissioners

**Subject:** Hunters Run Development

Dear Planning Commissioners,

I live on Cecil Court South in the Dalemere subdivision of 37207. I would like to voice my concerns regarding this Hunters Run Development. Based on the current information I have regarding the Hunters Run Development, I am opposed to this development. Originally, the plan was described to us as one-acre lots, which at least makes sense with our current subdivision, but now they are planning quarter-acre lots. We already have higher traffic volumes and speeding issues for drivers coming from the Hunter's Lane High School area. I would definitely suggest another four-way stop at the intersection of Dalemere and Cecil for the safety of residents who walk this neighborhood. We all want our communities to continue to grow but not at the cost of the current residents safety and happiness.

Thank you for your consideration,

Sky Hutson

Sky Hutson

Senior Staff Accountant

*Gelfand, Rennert & Feldman, LLC*

*1920 Adelia St., #300*

*Nashville, TN 37212*

[shutson@grflp.com](mailto:shutson@grflp.com)

*615-938-7208 (Direct Line)*

*615-242-7250 (Direct Fax)*

**From:** carolyn b. tucker [mailto:ladybaldwintucker@gmail.com]

**Sent:** Tuesday, February 26, 2019 3:19 AM

**To:** Planning Commissioners

**Cc:** Kempf, Lucy (Planning); Rickoff, Abbie (Planning); carolyn b. tucker

**Subject:** Opposition to the Hunters Run Project

**RE: Project No.** Concept Plan 2018S-204-001  
**Project Name** Hunters Run

Dear Chairman Greg Adkins and Planning Commissioners:

The proposed concept plan for Hunters Run of 237 cluster homes which is slated for the February 28, 2019 Planning Commission Meeting does not meet the Community Character Policy as presented in the Nashville Next Parkwood/Union Hill subarea plan for T2-RM adopted August 24, 2017. The cluster homes being planned are not harmonious with the current existing housing patterns of Grande Villa Estates nor Dalemere which both adjoin the proposed development.

The proposed Hunters Run development is not in keeping with other aspects of the T2-RM policy. As so stated in the subarea plan: "...new development in T2-RM areas should be through the use of a Conservation Subdivision at a maximum gross density of 1 dwelling unit/2 acres with individual lots no smaller than the existing zoning...". Homes in this area are R20, therefore, the cluster lots of Hunters Run are not compliant with that guideline.

**Further, the Hunters Run concept plan as presented, does not meet the Subdivision Regulations amended June 22, 2017.** According to the Subdivision Regulations Chapter 4-1 of the Rural Character Subdivisions new development

... “must be planned carefully to facilitate the maintenance of a harmonious development pattern...”. The Hunters Run proposed development violates this principle. Properties that are in the existing adjoining neighborhood of Grande Villa Estates are for the most part brick homes zoned R20 or better; while the proposed cluster development will have only one side brick and average four houses to an acre. In like manner, Chapter 4-1 section d (p. 1) states: “Permit flexibility of design of rural land that will result in a more efficient and environmentally sensitive use of land, while being harmonious with **adjoining development and preserving rural character**”. The Hunters Run development is not harmonious with adjoining development nor does it preserve the rural character is of the area and therefore, not in keeping with this regulation.

The Hunter’s Run project will have major negative impact upon Grande Villa Estates regarding storm water and flooding. Grande Villa is downstream from Hunter’s Run and the concept plan reveals that the floodplain/floodway will be disturbed by the building of 237 cluster lots. Already, Grande Villa experiences major flooding at the entrance of the subdivision and in the backyards of those homes that are bordered by the creek. The proposed concept plan shows lots directly in the floodplain/floodway and wetlands. Lots 167,109, 118, 119, 217,218 and 219 are clearly in that area. Lots 42, 49, 50, 51 and 52 are in the FEMA Firm panel and some are in the floodway. Lots 176, 177,178, 179, 180 are also in the **floodway/floodplain**. Lots 187,186, 185 are in the **wetlands**. Lots 184, and 183 are in the **wetlands buffer**. Development of those afore referenced lots flies in the face of Conservation (CO) which states: “Conservation (CO) is intended to preserve and enhance environmentally sensitive land within all Transect Categories ... 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”.

Continuing; **Bella Vista Boulevard** which is an existing street in the Grande Villa Estates subdivision and identified on the concept plan to be extended; **should not be extended nor opened to through traffic**. Opening Bella Vista would violate the Subdivision Regulations. Chapter 4 -2 Development Standards d (p. 4) “... **of the Lot frontage abutting existing public streets**. Lot frontage is either equal to or greater than 70% of the average frontage of the surrounding parcels or equal to or greater than the smallest of the surrounding parcels, whichever is greater”. The approximately 100+ homes planned for the extended section of Bella Vista are **not** in keeping **nor** harmonious with the current housing pattern for Bella Vista. Those cluster lots would abut an existing public street (Bella Vista with houses setting 70+ feet back from the street) which violates the subdivision provision. Therefore, the concept plan is not compliant.

Further, under Section f of Chapter 4-2 p. 4 states: “Cluster lot option. Development through the Countryside (Open Alternative) Character Option may utilize the provisions of Cluster Lot Option (Section 17.12.090 of the Zoning Code) within the Development Footprint area, **excluding lots abutting existing public streets. Smaller lot sizes may be appropriate with the application of a Specific Plan (SP) zoning district** that addresses building height, architecture, landscaping, building placement and detailed grading plan.” Bella Vista **is** an existing street having houses with R20 zoning. Those cluster lots would abut the existing street of Bella Vista. **The proposed extension does not have SP (Specific Plan) for the development**, thus, the new houses proposed for Bella Vista are not appropriate for extension of that street. Such extension would be in violation of the afore stated Subdivision Guidelines.

Opening Bella Vista will undermine the health and well-being of in the existing Grande Villa Estates neighborhood. We have no sidewalks and our streets are used daily by those who walk or ride their bikes. The influx of traffic from the extension of Bella Vista will bring walkability and ride ability to a halt, thereby, adversely impacting the health and well-being of the residents of Grande Villa Estates.

**Please consider the following:** The concept proposal should be **DISAPPROVED** in that it does not meet **Subdivisions Regulations, nor the Parkwood/Union Hill subarea plan**. In addition, by virtue of the staff reviewers’ voluminous conditions attached to the proposal, it is obvious that the concept plan is wanting in so many areas and **it should not move forward**.

Lastly, please know that neighbors are **not against responsible development** which is adherent to the Parkwood/Union subarea plan and the Subdivision Regulations; however, **we are vehemently against development which does not adhere to subarea policies and Subdivisions Guidelines. The Hunter’s Run concept plan in non-compliant with the Subdivision Regulations and the Parkwood/Union Hill subarea plan.**

Sincerely,

Carolyn Baldwin Tucker, Ph.D.  
Homeowner – Grande Villa Estates

**From:** Dottie Moore [<mailto:dottieluckeymoore@gmail.com>]

**Sent:** Tuesday, February 26, 2019 11:05 AM

**To:** Kempf, Lucy (Planning)

**Subject:** Hunters Run (Please Distribute to Planning Commission Commissioners. Thank You!)

Dear Planning Commission Commissioners:

My home is located at 4323 Grandville Boulevard in Grande Villa Estates. I have lived here since 1976 and during this period I have watched this area grow by leaps and bounds.

Trying to get out of our subdivision with the traffic going to Whites Creek High School, Bellshire Elementary, Davidson Academy High School and Elementary school, as well as Hunters Lane High School is almost impossible. When you add Interstate traffic diverting off of the Old Hickory Blvd. exit on I-24 when there is an accident or slow traffic, it takes sometimes 5 minutes or longer to get out on Old Hickory Blvd. There have been quite a few accidents at the entrance of cars on Old Hickory being hit from behind, including a school bus from Davidson Academy a few years ago.

I understand that a turning lane has been proposed. Having the experience of living here and knowing the current traffic flow, this would not be beneficial. Plus, the estimation of one car per household in the proposed Hunter Run is not feasible. The vast majority of homeowners are composed of at least two members. It is inconceivable that a proposed subdivision at the proposed cost of the homes would not have a minimum of two cars per household. Perhaps more if there were eligible dependents or other family members of driving age in the homes.

This area and the Dalemere area cannot take the additional traffic load. The only plan that would work and eliminate the traffic backup would be to have the exit on Hunters Lane to Dickerson Road. I have seen traffic backed up from Dickerson Road to the entrance of Grande Villa during school dismissals. There is only one school on Hunters Lane to impact traffic. There are five schools on Old Hickory Boulevard. It doesn't make sense to increase traffic when you consider the 5 to 1 ratio.

In addition, the concept of this proposal does not follow the T2-RM policies and regulations that have been documented in Nashville Next. Why make policies and regulations, when they are not going to be enforced.

Please use common sense and not bow down to political pressure in making this decision. Government in our nation's capital has lost all common sense from a disease called greed. I am praying that our local government and the Planning Commission still have some left, and that you will follow the policies and regulations already in place.

Thank you for taking the time to read this letter and also for reconsidering your position on this matter in compliance with T2-RM and the danger to the motoring public on Old Hickory Boulevard.

Sincerely,

Dorris L. Moore (Dottie)  
4323 Grandville Blvd.  
Nashville, TN 320  
(615) 838-2062



**From:** Leah Tolbert [mailto:evergreen2love@gmail.com]

**Sent:** Tuesday, February 26, 2019 12:54 PM

**To:** Planning Commissioners

**Subject:** Hunters Run Proposal

Dear Mr. Adkins,

I am writing as a concerned resident of the Grande Villa Estates neighborhood on behalf of my family. The proposal of the Hunters Run concept with 237 houses clustered on about 76 acres is one that upsets our residents greatly. I grew up in this neighborhood, and my husband and I moved back here when we lost our home in Old Hickory, TN, in 2010 due to the May 2010 flood.

We are concerned that this project goes directly against the intent of the TN law and Metro Planning Commission's guidelines as defined by NashvilleNext.

With the increase of traffic that will come to the area as a result of the Hunters Run project, it is concerning to me that many of my neighbors who have lived here over 40 years will have nowhere to walk, will have much difficulty navigating that level of traffic with there being an overwhelming increase of cars coming into our neighborhood, and will not be able to allow younger children of newer residents in our neighborhood to continue riding their bikes.

Another great personal concern for my family is the heavy potential for flooding to our neighborhood. Having lost our home once to a flood, I cannot imagine moving to what should continue to be a serene, rural feeling, safe neighborhood and possibly losing our home to flooding all over again. Stopping the opening of Bella Vista to the traffic of the Hunters Run project can ensure that we never have that kind of concern again.

I hope you will consider these concerns as the Planning Commission continues discussion of this project.

Thank you,

Leah Tolbert  
1511 Naples Avenue  
Nashville, TN 37207  
615-571-1270

**Please see attachments on the following pages.**

**BRENDA GILMORE**  
STATE SENATOR, DISTRICT 19<sup>TH</sup>  
DAVIDSON COUNTY

LEGISLATIVE OFFICE:  
768 CORDELL HULL BUILDING  
425 5<sup>TH</sup> AVENUE, NORTH  
NASHVILLE, TENNESSEE 37243-0154  
(615) 741-2453  
FAX: (615) 253-0361  
EMAIL: sen.brenda.gilmore@capitol.tn.gov

## Tennessee State Senate

NASHVILLE

DEMOCRATIC FLOOR LEADER

### MEMBER OF COMMITTEES

FINANCE  
REVENUE SUB-COMMITTEE  
PENSION & INSURANCE JOINT SUB-COMMITTEE  
FISCAL REVIEW COMMITTEE  
TRANSPORTATION  
EXECUTIVE BOARD NATIONAL BLACK CAUCUS OF  
STATE LEGISLATORS (NBCSL)  
EXECUTIVE BOARD NATIONAL CAUCUS of  
ENVIRONMENTAL LEGISLATORS (NCEL)

February 26, 2019

Dear Metro Nashville Planning Department and Honorable Commissioners,

The neighbors of Hunters Run have contacted me and ask that I write a letter stating my support for the residents of Dalemere Subdivision and Grande Villa Estates Subdivision. The neighbors are vehemently opposed to the concept proposal for Hunters Run because it runs counter to the building standards documented in the Community Character Manual. Both Dalemere and Grande Villa have lots 1.3 acres or larger.

Secondly, the residents participated in good faith with Nashville Next which provides long range planning for growth, development and preservation. They were led to believe that because their neighborhood was classified as T-2 Rural Maintenance (RM), that their neighborhood would remain "sparsely developed land with agricultural and low density residential uses...". The neighbors were assured that the older residents need for harmony while still valuing diversity would be honored. They have indicated with the proposal that this harmony cannot be maintained. The neighbors want to maintain the "rural feel" for their neighborhood, of which many have lived there for over 40 years.

Lastly, they are also concerned about potential flooding and increased traffic with a major development of 237 houses.

Therefore, I ask that the Planning Commission disapprove the proposed development and ask that the Developers continue to work with the neighbors to identify a development that fits more closely to the "rural feel" of their present neighborhood.

Thank you for considering my request.

Sincerely,



Brenda Gilmore  
State Senator, District #19

**IN OPPOSITION TO THE HUNTERS' RUN PROJECT**

**(CONCEPT PLAN - 2018S-204-001)**

THE PROPOSED CONCEPT PLAN WHICH REQUIRES THE OPENING OF BELLA VISTA BLVD. TO THRU TRAFFIC FROM HUNTERS RUN WILL HAVE NEGATIVE IMPACT UPON THE HEALTH AND WELL-BEING OF THE HOMEOWNERS AND RESIDENTS OF GRANDVILLA ESTATES.

WE, THE UNDERSIGNED HOMEOWNERS AND RESIDENTS OF GRAND VILLA ESTATES, DO HEREBY, PETITION THE METROPOLITAN NASHVILLE PLANNING COMMISSION TO DISAPPROVE THE CONCEPT PLAN FOR HUNTERS RUN AS PRESENTED REGARDING OPENING BELLA VISTA BLVD. TO INGRESS/EGRESS TRAFFIC THROUGH GRAND VILLA ESTATES.

THE CONCEPT PLAN IS NOT IN KEEPING WITH THE SUBDIVISION REGULATIONS FOR OUR AREA CALLING TO QUESTION ADHERENCE TO THE T2-RM POLICY FOR OUR COMMUNITY.

	<u>NAME</u>	<u>ADDRESS</u>
1.	Wanda Lane	1391 Bella Vista Blvd Nashville
2.	Travis D. Carr	" " " "
3.	Norma Wilkin	1395 Bellavista Bl., Nashville, TN
4.	Donna Wilkin	1395 Bellavista Bl. Nashville, TN 37203
5.	Flawana E. Harris	1386 Bellavista Blvd " " "
6.	Guendalynn Harris	1386 Bella Vista Blvd Nashville TN 37206
7.	Reginald A. Moore	1398 Bellavista Blvd, Nashville, TN 37207
8.	Walter G. Moore	1398 Bellavista Blvd, Nashville, TN
9.	Mavis J. Ford	1382 Bellavista Blvd, Nashville, TN 37206
10.	Wendell Sherrell	1399 Bellavista Blvd NASH #
11.	Myatt Sherrell	1399 Bellavista Blvd Nashville TN 37207
12.	Harold T. Perry	1390 Bellavista Blvd - Nashville 37207
13.	William E. Perry	1390 Bella Vista Blvd Nashville TN 37207
14.	William H. Reese	1394 Bellavista Blvd. 37207

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	<u>NAME</u>	<u>ADDRESS</u>
1.	<u>George R. McReynolds</u>	<u>1517 Naples Ave</u>
2.	<u>Elaine D. McReynolds</u>	<u>1517 Naples Ave</u>
3.	<u>Eddie R. McWhorter</u>	<u>1516 Naples Ave</u>
4.	<u>Patricia D. McWhorter</u>	<u>1516 Naples Ave</u>
5.	<u>Leah C. Tolbert</u>	<u>1511 Naples Avenue</u>
6.	<u>Greg M. Tolbert</u>	<u>1511 Naples Avenue</u>
7.	<u>C. Hevia Morehead</u>	<u>1508 NAPLES AVE</u>
8.	<u>W. Virginia</u>	<u>1508 NAPLES AVE</u>
9.	<u>John - Colonel @</u>	<u>1525 NAPLES AVE</u>
10.	<u>Ray Solomon</u>	<u>1505 Naples Ave</u>
11.	<u>Jarvis Hargrove</u>	<u>1500 Naples Ave.</u>
12.	<u>Joseph Richard Tucker</u>	<u>1521 Naples Ave. #16.</u>
13.	<u>Jesse A. Tucker</u>	<u>1521 Naples Ave. Nash. TN. 37207</u>
14.	<u></u>	<u></u>

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NAME	ADDRESS
1. <u>Lesiah and Vicki Davis</u>	<u>1409 Bellavista Blvd, Nash, TN 37</u>
2. <u>Bruce &amp; Gladys Howard</u>	<u>1414 Bellavista Blvd.</u>
3. <u>Michael &amp; Freda Cousin</u>	<u>1418 Bellavista Blvd.</u>
4. <u>Nathanial &amp; Peggy Howard</u>	<u>1413 Bellavista Blvd. - 37207</u>
5. <u>Marjorie B. Hines</u>	<u>1417 Bellavista Blvd 37207-1003</u>
6. <u>Frank S. Low</u>	<u>1406 Bellavista Blvd 37207</u>
7. <u>Renard Hirsch, Sr</u>	<u>1405 Bellavista Blvd Nash TN 37207</u>
8. <u>Renard Hirsch Jr</u>	<u>1405 Bellavista Blvd Nashville, TN 37207</u>
9. _____	_____
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12. _____	_____
13. _____	_____
14. _____	_____

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THE CONCEPT PLAN IS NOT IN KEEPING WITH THE SUBDIVISION REGULATIONS FOR OUR AREA CALLING TO QUESTION ADHERENCE TO THE T2-RM POLICY FOR OUR COMMUNITY.

	<u>NAME</u>	<u>ADDRESS</u>
1.	Dorothy J. Williams	4318 Grandville Blvd.
2.	Rachael Cunningham	4315 Grandville Blvd.
3.	Coastan Cunningham	4315 Grandville Blvd.
4.	Kenneth Cornell	4312 GRANDVILLE BLVD.
5.	Debbi Cornell	4306 Grandville Blvd
6.	Kenneth Cornell	4306 Grandville Blvd
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**IN OPPOSITION TO THE HUNTERS' RUN PROJECT**

**(CONCEPT PLAN – 2018S-204-001)**

THE PROPOSED CONCEPT PLAN WHICH REQUIRES THE OPENING OF BELLA VISTA BLVD. TO THRU TRAFFIC FROM HUNTERS RUN WILL HAVE NEGATIVE IMPACT UPON THE HEALTH AND WELL-BEING OF THE HOMEOWNERS AND RESIDENTS OF GRANDVILLA ESTATES.

WE, THE UNDERSIGNED HOMEOWNERS AND RESIDENTS OF GRAND VILLA ESTATES, DO HEREBY, PETITION THE METROPOLITAN NASHVILLE PLANNING COMMISSION TO DISAPPROVE THE CONCEPT PLAN FOR HUNTERS RUN AS PRESENTED REGARDING OPENING BELLA VISTA BLVD. TO INGRESS/EGRESS TRAFFIC THROUGH GRAND VILLA ESTATES.

THE CONCEPT PLAN IS NOT IN KEEPING WITH THE SUBDIVISION REGULATIONS FOR OUR AREA CALLING TO QUESTION ADHERENCE TO THE T2-RM POLICY FOR OUR COMMUNITY.

	<u>NAME</u>	<u>ADDRESS</u>
1.	Juan Mendez	4224 Grandville Blvd
2.	Vera Mendez	4224 Grandville Blvd
3.	Atto Caldwell	4217 GRANDVILLE Blvd
4.	Gloria Caldwell	4217 GRANDVILLE Blvd
5.	Juan Mendez	4216 Grandville Blvd.
6.	Dolce Springfield	4300 Grandville Blvd
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**IN OPPOSITION TO THE HUNTERS' RUN PROJECT**

**(CONCEPT PLAN - 2018S-204-001) - Case Number**

THE PROPOSED CONCEPT PLAN WHICH REQUIRES THE OPENING OF BELLA VISTA BLVD. TO THRU TRAFFIC FROM HUNTERS RUN WILL HAVE NEGATIVE IMPACT UPON THE HEALTH AND WELL-BEING OF THE HOMEOWNERS AND RESIDENTS OF GRANDVILLA ESTATES.

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THE CONCEPT PLAN IS NOT IN KEEPING WITH THE SUBDIVISION REGULATIONS FOR OUR AREA CALLING TO QUESTION ADHERENCE TO THE T2-RM POLICY FOR OUR COMMUNITY.

	<b>NAME</b>	<b>ADDRESS</b>
1.	Quinn L Bell	1512 Naples Ave
2.	Pamela Snelling	1389 Labadi Ave Nashville 37207
3.	Narciso Lee	1385 La Boidi Ave Nash
4.	Alfreda Lee	1385 La Boidi Ave Nashville
5.	Deborah Caldwell	1393 Laboidi Av Nashville 372
6.	Randy Granger	1393 Laboidi Ave Nash 3
7.	Woodrow Bell	1512 Naples Ave 378
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**IN OPPOSITION TO THE HUNTERS' RUN PROJECT**

**(CONCEPT PLAN - 2018S-204-001)**

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THE CONCEPT PLAN IS NOT IN KEEPING WITH THE SUBDIVISION REGULATIONS FOR OUR AREA CALLING TO QUESTION ADHERENCE TO THE T2-RM POLICY FOR OUR COMMUNITY.

	<u>NAME</u>	<u>ADDRESS</u>
1.	Anne M. McMain	104 Bella Ct. Nashville, TN 37207
2.	Michael E. McLay	108 Grandville Court 37207
3.	Mary Hoggett	109 Bella Court Nashville TN 37207
4.	Laurenna M. Hoggett	109 Bella Court Nashville TN 37207
5.	Jay Kay	108 Bella Court Nashville TN 37207
6.	Dorothy Libbo-McKissack	100 Bellact Nash, TN 37207
7.	John McKissack	100 Bella Ct Nashville TN 37207
8.	Resinald Bass	100 Grandville Ct Nashville, TN 37207
9.	Harriett Thomas	101 Grandville Ct Nashville TN 37207
10.	Kathleen Little-Cannon	104 Grandville Ct. Nashville TN 37207
11.	Steph Cannon	104 Grandville Ct Nashville TN 37207
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14.		

**IN OPPOSITION TO THE HUNTERS' RUN PROJECT**  
**(CONCEPT PLAN – 2018S-204-001)**

THE PROPOSED CONCEPT PLAN WHICH REQUIRES THE OPENING OF BELLA VISTA BLVD. TO THRU TRAFFIC FROM HUNTERS RUN WILL HAVE NEGATIVE IMPACT UPON THE HEALTH AND WELL-BEING OF THE HOMEOWNERS AND RESIDENTS OF GRANDVILLA ESTATES.

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	<u>NAME</u>	<u>ADDRESS</u>
1.	George R. Wajid	4205 Grandville Blvd.
2.	Melatrice Scruggs	4208 Grandville Blvd
3.	Elaine Lovett	4209 Grandville Blvd.
4.	James A. Bove	4204 Grandville Blvd.
5.	William S. Crenshaw	4200 Grandville Blvd
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## Reference to Rural SubReg Guidelines and Policy Not Met in Proposed Plan

### 1. Rural Subdivision Guidelines not met by Plan

#### a. Cluster Lots – Rural SubRegs 4-2.5.f

**“Cluster Lot Option. Development through the Countryside...Character Option may utilize the provisions of cluster lot options (Section 17.12.090 of the Zoning Code) within the Development Footprint Area, excluding abutting existing public streets. Smaller lot sizes may be appropriate with the application of a Specific Plan (SP) zoning district that addresses building height, architecture, building placement, and detailed grading plan.”**

This implies that the cluster lots are only available with the use of a Specific Plan (SP). No SP or zoning change was requested, therefore cluster lot option does not apply. Even if it did, the Rural Subdivision Regulations require adherence to all other rural character subdivision guidelines. The proposal has no meaningful open space that is not already taken up by culdesacs, wetlands, floodway, floodplain, flood buffers, and stormwater management areas.

#### b. SubRegs 4-2.5.a Rural Character Design > Countryside Character Option p. 3.

**“1.b. Lot Depth along existing public streets. The minimum depth for lots along existing public streets shall be the building setback required by Section 4-2.5(a) plus 300 feet.**

If you look at the map, the following streets already exist in the neighboring subdivisions: Bellavista Boulevard, Celina Drive, and Marydale Drive. Therefore, the lots located on these existing streets do not meet required setbacks as required by Rural SubRegs.

#### c. SubRegs 4-2.5.a.1.c. Lot Size Along Existing Public Streets

**“2. The minimum lot size is either equal to or greater than 70% of the lot size of the average size of the surrounding parcels or equal to or larger than smallest of the surrounding parcels, whichever is greater.”**

**The average lot size of the 25 immediately adjacent suburban homes to the west and south in Grandvilla and Dalemere subdivisions are 1.13 acres or 49,220sqft (not including the larger parcels along the northern side. Thus, the largest allowable lot size would be 0.8 acres. The current proposal offers lots that are 1/3 of the average lots size of its neighbors (proposed lots are 14,250sqft on average.)** Further, T2-RM policy requires lots no smaller than the existing zoning of R20 with a maximum gross density of one dwelling per 2 acres.

## 2. Policy Areas Not Met By Plan

- a. T2 Rural Description in Nashville Next Community Character Manual pg. III-CCM-103  
“...the maintenance of a harmonious development pattern, preservation of prime agricultural lands, and the conservation of sensitive environmental resources **and rural character is the key focus of any T2 Rural development**. With this in mind, the policy areas within T2 Rural aim to protect and preserve rural character and sensitive environmental resources.”
- b. T2 Rural p III-CCM-106 Zoning Section  
The CCM states that any existing approved development plans “have existing development rights that allow development within an approved density and or intensity.” It goes on to say that any approved plan with “significant changes” will “require additional review” and the CCM provides guidance to any updated plans. The conclusion then is that any new development plans that were not approved prior to the adoption of Nashville Next in 2015 MUST comply with the T2 Rural Policy and the Community Character Manual.
- c. T2 Rural III-CCM 106  
“In the absence of acceptable development proposals, sites that contain existing uses and/or zoning that are inconsistent with the policy and are no longer viable should be rezoned to be more compatible with the applicable policy.”  
**Current policy is T2RM and T2-RM Policy on page III-CCM-119 states that appropriate zoning for T2RM is AR2A, AG, and design-based zoning. The current property should have been rezoned per Nashville Next to allow less density such as AR2A instead of the existing R20.**
- d. T2-RM Policy on pages III-CCM-120-121 states three separate times that **“maximum gross density is one dwelling unit per two acres. Individual lots shall be no smaller than the existing zoning with a significant amount of permanently preserved open space.”**

## 3. Planning Commission has authority to disapprove concept plans based on Subdivision Guidelines **Chapter 3-1.2 Conformance to Applicable Rules and Regulations.**

**“In addition to the requirements established herein, divisions of land shall comply with all applicable laws, ordinances, resolutions, rules, policies, or regulations, including but not limited to the following:....c. The adopted General Plan, including its constituent elements, and the Major Street Plan.”**

This was adjudicated in the case of Elise Hudson, et. al. v. Metropolitan Government of Nashville and Davidson County, by and through the Metropolitan Planning Commission (case # 18-0020-11) where the judge states “adherence to the subregs and other zoning presumes a development harmonious with the surrounding community.”

## CHAPTER 4. RURAL CHARACTER SUBDIVISIONS

### 4-1. Intent

1. *Purpose.* Land designated in the General Plan as a T2 Rural Neighborhood policy reflects land with sensitive and unique topographic and geological characteristics, scarce prime agricultural land or landscapes with a historic rural community character. These areas provide living and working options differentiated from the more suburban and urban parts of the county. The value of rural and conservation land is recognized by the County in the General and Community Plans, which aim to protect and preserve the rural character and sensitive environmental resources on these lands. In areas designated as T2 Rural Neighborhood, the impact of land subdivision, land development, and intensification of activities can have significant ramifications to the region's resources and health and well-being. Therefore, these lands must be planned carefully to facilitate the maintenance of a harmonious development pattern, preservation of prime agricultural lands and the conservation of sensitive environmental resources and rural character is the key focus of any subdivision.

Development on the perimeter of the site should give consideration to protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potential adverse influences within the development. For example, development sites should not be located in proximity to neighboring agriculture operations without proper buffering. In addition, development sites should be located away from public roads and trails in order to preserve homeowner privacy. Diversity and an irregular in lot layout are encouraged in order to achieve the best possible relationship between the development and the land.

Through the application of Rural Character Subdivisions, it is the intent of the Planning Commission to:

- a. Provide for the preservation of open space as a watershed protection measure.
- b. Minimize adverse impacts on important natural resources and rural land.
- c. Preserve in perpetuity:
  1. Unique or sensitive natural resources such as groundwater, floodplains and floodways, wetlands, streams, steep slopes, prime agricultural land, woodlands and wildlife corridors and habitat.
  2. Scenic views.
  3. Historic and cultural features of the rural landscape, including historic farmhouses and outbuildings, stonewalls, and tree lines.
  4. Historic and archaeological sites.
- d. Permit flexibility of design of rural land that will result in a more efficient and environmentally sensitive use of land, while being harmonious with adjoining development and preserving rural character.
- e. Minimize land disturbance and removal of trees, vegetation, and soil during construction resulting in reduced erosion and sedimentation.
- f. Permit grouping of houses and structures on less environmentally sensitive soils that will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for development and will provide larger buffer areas to achieve appropriate rural development patterns.

- g. Promote interconnected open space, greenways and undeveloped natural vegetated corridors through the community for wildlife habitat, protection of watersheds and enjoyment and use by the community.
  - h. Produce a development pattern in rural areas consistent with rural character through variety in design rather than uniformity of appearance in siting and placement of buildings and use of open space.
  - i. Minimizing views of new development from existing roads.
2. *Application.* The Nashville-Davidson County General Plan and associated Community Plans establish a community vision to guide development. Compliance with the goals and policies of these plans ensures that new development is in harmony with existing and desired development patterns and promotes the community's vision. These regulations are designed to insure that the rural character of the specified areas designated as T2 Rural Neighborhood policies on the adopted General or Community Plan is maintained and enhanced to the greatest extent feasible. All requests for the subdivision of land within areas so designated as T2 Rural Neighborhood policies shall be reviewed and developed as a Rural Character Subdivision in accordance with the provisions of this Chapter.

#### **4-2. Development Standards**

1. Identification of Primary Conservation Land. Prior to design of any subdivision plan with new streets or joint access easement, Primary Conservation Land shall be identified and, subject to the provisions of Sections 4-2.2 and 4-2.3, preserved from any development or disturbance. Primary Conservation Areas include:
  - a. Land shown on FEMA maps as part of the 100 year floodplain or identified in local studies confirmed by the Stormwater Division of Metro Water Services (Stormwater Division)
  - b. All perennial and intermittent streams, floodways and associated buffers, as determined by Metro Stormwater.
  - c. Areas over 10,000 square feet of contiguous slopes over 15 percent.
  - d. Problem soil, as listed in Section 17.28.050 of the Metro Zoning Code.
  - e. Wetlands, as determined by Metro Stormwater.
  - f. Known habitat for rare, threatened, or endangered species.
  - g. Cedar Glade communities.
  - h. Archaeological sites, cemeteries and burial grounds.
  - i. Designated historic and specimen trees, as required by Section 17.40.450 of the Metro Zoning Code.
  - j. Scenic views onto the site from surrounding roads, as required by Section 4-2.5.
2. Preservation of Conservation Land. Unless an exception is granted under Section 4-2.3, all primary Conservation Areas shall be preserved and set aside through an appropriate means such as conservation easements and/or open space. Secondary Conservation Areas are encouraged to be preserved and set aside through an appropriate means, such as conservation easements and/or open space, to eliminate the possibility of future development of these areas. Examples of Secondary Conservation Areas are native forests, prime farmlands, wildlife habitats and significant historical and cultural sites.

3. **Development Footprint.** The remaining land outside the boundary of the Primary Conservation Land shall be designated as the Development Footprint. A preliminary grading plan is required with all concept plan applications.
  - a. The Planning Commission may approve an exception to permit land initially identified as a Primary Conservation area within the development footprint for public streets, joint access easements or other infrastructure, but not within lots, provided the development of such area minimizes impacts to environmental resources.
  - b. The Planning Commission may approve an exception for lots within areas over 10,000 square feet of contiguous slopes between 15 and 20 percent, provided there is no grading shown on the concept plan and/or final site plan within slopes over 15 percent. For lots within continuous slopes between 15 and 20 percent, grading for the driveway and structure shall be shown on a critical lot plan and shall tie into the natural grade within ten feet of the structure or driveway. Driveway width shall be a maximum of 16 feet. Grading is not permitted in areas over 20% slope.
4. **Building Placement.** In subdivisions without new streets or joint access easements, any subdivision application shall note proposed building envelopes. Building envelopes shall not be within areas listed in Section 4-2.1(a) through Section 4-2.1(j).
5. **Rural Character Design.** In order to preserve the desired rural character of these areas, two Character Options exist for the development of land.
  - a. **Countryside Character Option.** This option may be used for any rural character subdivision. It is intended to maintain a natural, open rural character by minimizing the visual intrusion of development along the primary roadways through the use of setbacks and building placement, existing vegetation and natural topographical features that obscure the view of development from the street.
    1. **Open Alternative – Street frontage without existing vegetative or topographical screening.** For the purposes of this section, "surrounding parcels" is defined as the five R, RS, AR2A or AG parcels oriented to the same block face on either side of the parcel proposed for subdivision, or to the end of the same blockface, whichever is less. If there are no surrounding parcels, the screened alternative shall be used.
      - a. **Building Setback along existing public streets.** The required building setback shall be varied between lots. Where the minimum required street setback is less than the average of the street setback of the two parcels abutting either side of the lot(s) proposed to be subdivided, a minimum building setback line shall be included on the proposed lots at the average setback of the abutting parcels. When one of the abutting parcels is vacant, the next developed parcel shall be used. For a corner lot, both block faces shall be used. Where the majority of the abutting parcels are not developed, the minimum building setback shall be two times the amount of lot frontage. However, in no instance shall the minimum building setback be greater than 1,000 feet.
      - b. **Lot Depth along existing public streets.** The minimum depth for lots along existing public streets shall be the building setback required by Section 4-2.5(a) plus 300 feet.
      - c. **Lot size along existing public streets.**



1. Individual lot sizes shall vary in size to reflect the rural character.
  2. The minimum lot size is either equal to or greater than 70% of the lot size of the average size of the surrounding parcels or equal to or larger than smallest of the surrounding parcels, whichever is greater.
  3. Flag lots shall not be included in the analysis.
- d. Lot frontage abutting existing public streets. Lot frontage is either equal to or greater than 70% of the average frontage of the surrounding parcels or equal to or greater than the smallest of the surrounding parcels, whichever is greater.
  - e. Street lights. Within the USD, street lighting shall be low intensity and shall be projected downward with illumination that shields light from being emitted upwards toward the night sky or on surrounding natural areas. Within the GSD, no private street lights are permitted.
  - f. Cluster lot option. Development through the Countryside (Open Alternative) Character Option may utilize the provisions of Cluster Lot Option (Section 17.12.090 of the Zoning Code) within the Development Footprint area, excluding lots abutting existing public streets. Smaller lot sizes may be appropriate with the application of a Specific Plan (SP) zoning district that addresses building height, architecture, landscaping, building placement and detailed grading plan.
2. Screened Alternative – Street frontage utilizing existing vegetative or topographical screening
    - a. Lot Screening. Lots shall be designed to minimize visibility from the existing roadway network. Preservation of existing tree stands, existing topography, natural berms, rock outcroppings, and other features that currently provide visual screening shall be prioritized as the preferred means to minimize visibility. The concept plan/final plat shall include a landscape plan stamped by a landscape architect indicating the method to minimize the visibility from the adjacent roadway network. The Planning Commission shall determine whether the proposed screening method is sufficient to achieve the purposes of screening the development within a short (2-4 year) period and may require a bond to ensure the protection or completion of this improvement. The building envelopes shall be shown on the concept plan/final plat as a means to evaluate the effectiveness of existing and/or proposed visual screening techniques. All existing or proposed screening areas shall be designated as Conservation Land. The depth of the screened area shall be equal to the farthest building setback of primary structures on the surrounding parcels plus 300 feet. If no surrounding parcels are developed, then the screened area shall be 500 feet from the public right of way.
    - b. Street lights. Within the USD, street lighting shall be low intensity and shall be projected downward with illumination that shields light from being emitted upwards toward the night sky or on surrounding natural areas. Within the GSD, no private street lights are permitted.

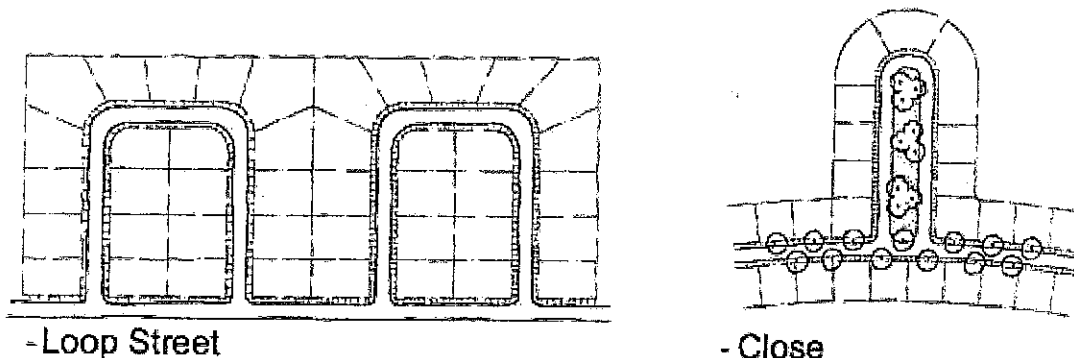


- c. Cluster lot option. Development through the Countryside (Screened Alternative) Character Option may utilize the provisions of Cluster Lot Option (Section 17.12.090 of the Zoning Code) within the Development Footprint area. Smaller lot sizes may be appropriate with the application of a SP that addresses building height, architecture, landscaping, etc.
  - d. Use of Lot Screening Areas. Within the area designated for lot screening, areas identified as Prime farmland soils and land in agricultural use may be used for agricultural purposes, if permitted by the base zoning.
- b. Agricultural Character Option. This option may be used at the choice of the property owner when the primary function of the subdivision is for agricultural use and a more open character is desired. A deeper building setback is required in order to maintain a rural building framework along the street. Buffers shall be provided between houses and agricultural lands to reduce the potential for conflict between residents and farming activities.
1. Building Setback. The building setback from the front lot line shall be a minimum of 200 feet or 2 times the width of the lot along the lot frontage, whichever is greater. However, in no instance shall the minimum building setback be greater than 1,000 feet.
  2. Street lights. Within the USD, street lighting shall be low intensity and shall be projected downward with illumination that shields light from being emitted upwards toward the night sky or on surrounding natural areas. Within the GSD, no private street lights are permitted.
  3. Use of Conservation Areas. Within the designated Conservation Land, areas identified as prime farmland soils and land already in agricultural use may be used for agricultural purposes, if permitted by the base zoning.
  4. Cluster lot option. Development through the Agricultural Character Option may utilize the provisions of Cluster Lot Option (Code Sec 17.12.090 of the Zoning Code) provided the Development Footprint is internal to the overall subdivision and can be shown to comply with Subsection d of this Section.
  5. Supporting Agricultural Uses. The application of the Agricultural Character option shall:
    - a. Support continuing or proposed new agricultural uses on the tract and adjacent tracts by configuring lots in a manner that maximizes the usable area remaining for such agricultural uses;
    - b. Include appropriate separations/buffers between agricultural uses and residential structures to allow for the continued agricultural use;
    - c. Minimize impacts to prime farmland soils and large tracts of land in agricultural use; and
    - d. Avoid interference with normal agricultural practices.
- c. Public Road Frontage. The Planning Commission may approve up to ten lots within a Rural Character subdivision without direct frontage on a public street provided there is a joint access easement to the lots.
- d. Preservation of Tree Canopy. Prior to any land disturbance within the Development Footprint, a tree survey shall be undertaken and all recommended canopy trees on the Urban Forestry Recommended and Prohibited Tree and Shrub List that are 12" or greater in diameter shall be identified. No such identified trees shall be removed unless the tree is within the designated building

envelope as designated on the final plat or approved for removal by the Urban Forester due to condition, disease or damage.

- e. **Street Design.** A primary objective of Rural Character Subdivisions is to maintain an open space and environmental network through the uninterrupted connection of Conservation Land. Buildings are often located and oriented on the land to reflect the natural features of the land, and not a standardized streetscape. When creating any new roads in rural policy areas, roads that complement the rural character of existing rural corridors by using a two-lane rural cross section with swale and reflective striping (ST-255) shall be required. It is anticipated that road connectivity in these subdivisions may be less than other parts of the County. However, road connections may be required whenever necessary to further the overall rural character of the area.
  1. The street pattern shall be designed to minimize impacts to environmental resources and follow existing terrain as much as possible to minimize earthmoving and disturbance of the existing topography.
  2. Streets and private driveways should avoid open fields, agricultural lands, and sensitive lands, preferably along tree lines.
  3. Wherever possible, streets and driveways shall follow existing fence lines, hedgerows, and any existing gravel/dirt road.
  4. Streets may be designed using the appropriate street types contained in the Contextual Street Classification as defined in Section 7-2. Use of Public Works Street Cross Section ST-255 or equivalent (Non Curb and Gutter Cross Section) is encouraged for all local streets.
  5. Driveway crossings on streets built without curb and gutters shall meet the standards for driveway crossings contained in Volume 1 of the Stormwater Management Manual.
  6. Cul-de-sacs are generally discouraged and shall be permitted only where all other street design alternatives, such as loop streets or closes shown in Figure 4-1, are not feasible and one of the following two conditions exists:
    - a. Where natural features such as wetlands or steep slopes exist or other primary or secondary conservation areas that are not desirable to remove.
    - b. Where connection to an existing or planned street is blocked by an existing permanent structure, an existing or planned interstate, or a protected open space area.

Figure 4-1: Alternatives to Cul-de-sacs.



7. The street network shall be designed to:
  - a. Preserve existing tree lines, hedgerows, and watercourses.
  - b. Minimize alteration of natural, cultural, or historic features.
  - c. Promote pedestrian movement.
  - d. Secure the view to prominent natural vistas.
  - e. Minimize crossing of designated Conservation Land.
- f. Private streets as defined in Section 3-9 3 of these regulations (Requirements for Streets) are appropriate as needed to maintain the rural character of proposed subdivision.
- g. Drainage and Storm Sewers. The storm water system within a subdivision shall be designed in accordance with the requirements of Section 3-14 of these regulations and the requirements of the Metropolitan Stormwater Management Regulations. Use of rural appropriate or light impact storm-water management designs is encouraged.
- h. Public Water Facilities. The public water system shall be designed in accordance with the requirements of Section 3-15 of these regulations and the requirements of the Metropolitan Department of Water Services.
- i. Utilities. All utilities shall be located underground in accordance with the provisions of Section 3-17 of these regulations.
- j. Sewerage Facilities. All sewerage facilities shall be designed in accordance with the requirements of Section 3-16 of these regulations.
- k. Areas of Common Sewage Disposal for Individual Sewage Disposal Systems. The location of all operating parts of the individual sewage disposal systems or other sewage disposal system approved by Metro Water Services, situated in lands held in common and any easements shall be shown on the final subdivision plat.
- l. Lands Set Aside. Land that is dedicated for use for a sanitary sewer disposal, whether for a public system or an individual sewage disposal system or other sewage disposal system approved by Metro Water Services, or land that is dedicated for conventional stormwater management devices, that require a disturbance to the land, shall be set aside for such purposes and not included as Conservation Lands.

#### **4-3 Conservation Land and Common Property Management**

1. *Homeowners' Association Required.* A homeowners' association shall be established and membership in the association shall be mandatory for all purchasers of homes in the development and their successors. The homeowners' association bylaws shall guarantee continuing maintenance of the open space and other common facilities.

# T2 Rural

## Introduction

The T2 Rural Transect category provides living and working options, differentiated from suburban and urban categories, offering residents the choice of seclusion within the countryside. T2 Rural land is sparsely developed with primary agricultural and low-density residential uses, complemented by limited, low intensity commercial uses. T2 Rural also reflects land with sensitive and unique topographic and geological characteristics, scarce prime agricultural land, or landscapes with a historic rural community character. In many cases, residents have chosen these communities largely due to the hillsides, valleys, forests, agriculture, wildlife habitats and rural character found in T2 Rural.

The impact of land subdivision, land development, and intensification of activities in T2 Rural can impact the region's resources and health and well-being. As such, the maintenance of a harmonious development pattern, preservation of prime agricultural lands, and the conservation of sensitive environmental resources and rural character is the key focus of any T2 Rural development. With this in mind, the policy areas within T2 Rural aim to protect and preserve rural character and sensitive environmental resources.

Unlike small rural towns in outlying counties, Davidson County's T2 Rural areas are near, and sometimes adjacent to, T3 Suburban and even T4 Urban areas. This proximity to more intensely developed areas means T2 Rural residents can enjoy convenient access to nearby retail and services while also living in a rural setting. Combined with low-density development patterns, convenient access to retail and services diminishes the market demand for, as well as the need to accommodate, extensive commercial development. This allows the county's T2 Rural areas to remain primarily residential and agricultural. Examples include Scottsboro, Bells Bend, Joelton, Union Hill, lower Neelys Bend, Pasquo, and the outer portions of Bellevue.

## GENERAL CHARACTERISTICS OF T2 RURAL\*

- Predominantly residential
- Predominantly agricultural and low-density residential
- Limited low intensity commercial infrequently located centers
- Sparsely developed
- Low density rural development pattern
- Single- and two-family homes only
- Natural and rural countryside
- Low connectivity (ped/bike/vehicular)
- Shoulder and ditch or swale, no curb or sidewalk
- Generally large irregular lots
- Long distances between intersections
- Curvilinear streets, greenways, and multi-use paths
- Low lot coverage
- Deep and varying setbacks
- Wide spacing between buildings
- Low rise development
- Informal landscaping

*\*Disclaimer: This information is provided as an aid for general reference and should not be construed as all data that may apply to each property. Users should independently verify the accuracy of the information.*

# T2 Rural

The purpose of T2 Rural designated lands is to:

- Promote and encourage agricultural activity in a supportive environment.
- Maintain a natural, open rural character by minimizing the visual intrusion of development along the primary roadways through building placement, protection of existing vegetation, and natural topographical features that obscure the view of development from the street.
- Provide for the preservation of open space as a watershed protection measure.
- Permit flexibility of design in order to promote environmentally sensitive and efficient use of the land.
- Preserve in perpetuity:
  - Unique or sensitive natural resources, such as groundwater, floodplains and floodways, wetlands, streams, steep slopes, prime agricultural land, woodlands, and wildlife corridors and habitat.
  - Scenic views.
  - Historic and archaeological sites.
- Permit grouping of development on less environmentally sensitive soils that will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for development to achieve rural appropriate development patterns.
- Minimize land disturbance and removal of vegetation during construction resulting in reduced erosion and sedimentation.
- Promote interconnected greenways and wildlife and other natural corridors through the community.

## Community Elements

Four Community Elements-Open Space, Neighborhoods, Centers, and Corridors-are the different kinds of places found within each of the developed Transect Categories. The scale, character, and intensity of the Community

Element varies depending on the Transect Category in which it is located. Not all community elements are found in each Transect Category.

### *Open Space*

In addition to residential, agricultural, and very limited commercial uses, some T2 Rural also includes open space areas. Given that significant open space is present in individual properties, the public open space is usually in institutional and civic land uses, such as schools, community centers, prominent civic structures, or in regional parks.

### *Neighborhoods*

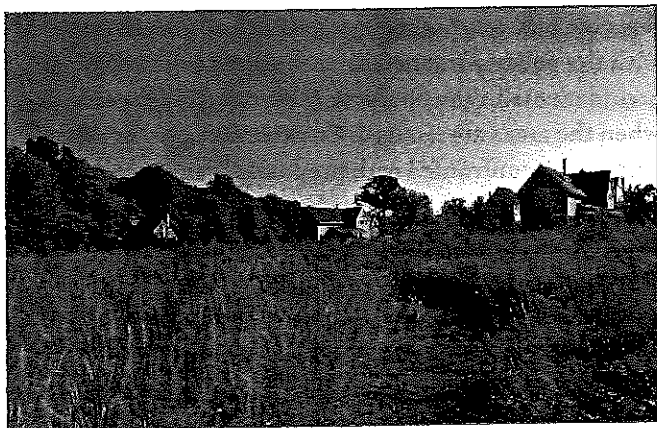
Residential and agricultural buildings are sparsely located and are scattered across the landscape in a pattern that honors environmental features and agricultural uses without a dense road network. Residential buildings often exhibit an irregular orientation to the rural road with deep and varying setbacks. Building footprints are small in relation to their lot size, often placed on large contiguous acres of land, resulting in wide spacing between buildings. Historically, some groupings of homes have clustered in small “hamlets” where residential buildings are more regularly spaced, sitting closer to the road and oriented to the road.

The Community Character Policies recognize that the character of individual areas and neighborhoods will differ and should be preserved. Rural areas in particular include agricultural uses, open countryside, and areas generally reflective of a more natural and open character.



Farms are a primary feature of the T2 Transect Category.

# T2 Rural



**Homes grouped together**  
*Nashville Civic Design Center*

Even within each of the T2 Rural policy categories listed above, the Community Character Manual does not assume uniformity among all neighborhoods within T2 Rural. Rather, each has its own character to be preserved or enhanced, or, in the case of evolving neighborhoods, created.

In certain, particularly appropriate areas, especially where sanitary sewer service is available, well-designed layouts of homes grouped together to preserve agricultural areas and surrounding environmental features may be possible by utilizing the Rural Subdivision Regulations that allow some residential development but also preserve the agricultural and scenic viability of the landscape.

## Centers

Rural centers are infrequent generally at the intersection of two rural arterial boulevards. These centers offer a compact mixture of uses and provide services to neighborhoods within a ten minute drive. Institutional, commercial, and mixed use land uses are designed to not overwhelm the surrounding rural environment. Buildings orient toward the road, are limited in height, and create a pedestrian-friendly environment. Setbacks are regular and shallower than in rural residential and agricultural sites, with building footprints that are large in relation to their smaller lot sizes. Small concentrations of low intensity commercial uses are the primary uses, complemented by limited concentrations of residential.

## Corridors

While individual development is sparse, natural and man-made corridors connect residential land uses to rural centers and open space. Rural roads generally have a shoulder and ditch or swale, without curb or sidewalk. Low walls, fences, or a natural, irregular pattern of trees and shrubs typically front the edges of corridors. Parking takes place in driveways and parking lots in rural centers or open spaces. Given the sparse development pattern, the transportation network has few roads, with intersections typically located at great distances from each other, leading to limited connectivity with a lesser number of roads.

## Additional Guidance for Development of Sites that Contain Historically Significant Features

Many areas contain buildings or settings that are historically significant to Nashvillians and visitors alike. These sites serve not only as reminders of the history of the community, but also as expressions of Nashville's social and cultural identity. Structures and sites that are determined to meet one of the following criteria are strongly recommended to be preserved and enhanced as part of any new development:

- The subject structure and/or site have been designated one of the following by the Metropolitan Historical Commission (MHC) and/or Metropolitan Historic Zoning Commission (MHZC):
  - Worthy of Conservation
  - Eligible for Listing in the National Register of Historic Places
  - Listed in the National Register of Historic Places
  - National Historic Landmark

Owners of property that contains historic or archaeological features or historic structures are encouraged to work with the MHC to protect and preserve the historic features in conjunction with any

# T2 Rural

proposed development of the site. The potential impacts of proposed developments on historic sites or areas with archaeological features should be carefully considered, and appropriate measures should be applied that mitigate any adverse impacts. Development near structures or in areas of local, state, or national historical significance should make efforts to balance new development with the existing character, scale, massing, and orientation of those historical features.

Changes to properties located within a Neighborhood Conservation, Historic Preservation, or Historic Landmark zoning overlay must comply with the applicable design guidelines.

## Zoning

Many properties contain land uses and/or are zoned with districts that are not consistent with the policy, including older development plans that were approved, but that are not built. These development plans have existing development rights that allow development within an approved density and/or intensity. If no changes to the approved plans are sought, what was previously approved can be built without guidance from the Community Character Manual (CCM) or the applicable Community Plan. In some cases, however, development plans may require additional review if significant changes to the approved plans are sought. In those cases, the policies of the CCM or applicable Community Plan provide guidance. Additional tools are also available, such as amendments, rezoning, subdivisions, and public investments, to ensure that future development incorporates as many of the designated community character objectives as possible.

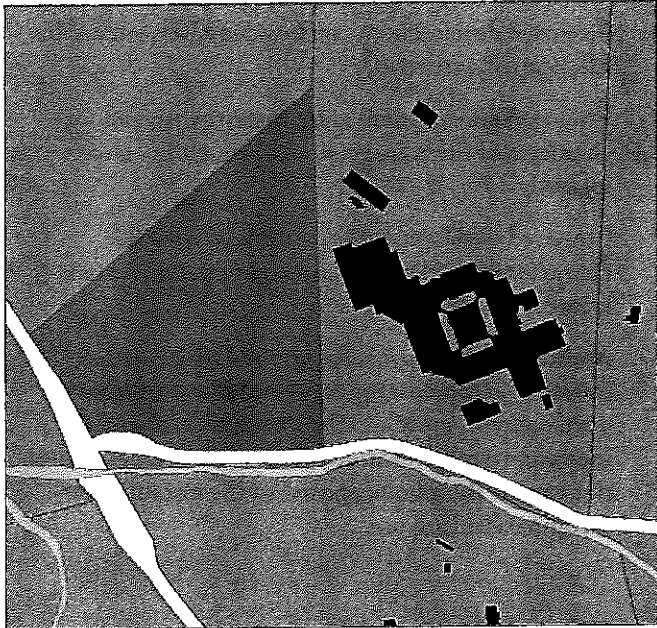
The following policies are used to guide the rezoning of properties that contain land uses and/or are zoned with districts that are not consistent with the policy:

Sites with uses and/or zoning that are not consistent with the policy are generally encouraged to redevelop in accordance with the policy whenever such uses cease or when the areas are rezoned. Communities are, however, sometimes confronted with proposals for adaptive reuse of sites or buildings where such existing activities are no longer viable. Proposals for adaptive reuse of such sites may be accompanied by rezoning requests, which would be reviewed for consistency with policy. Zone change applications for such sites may be considered on their merits provided that:

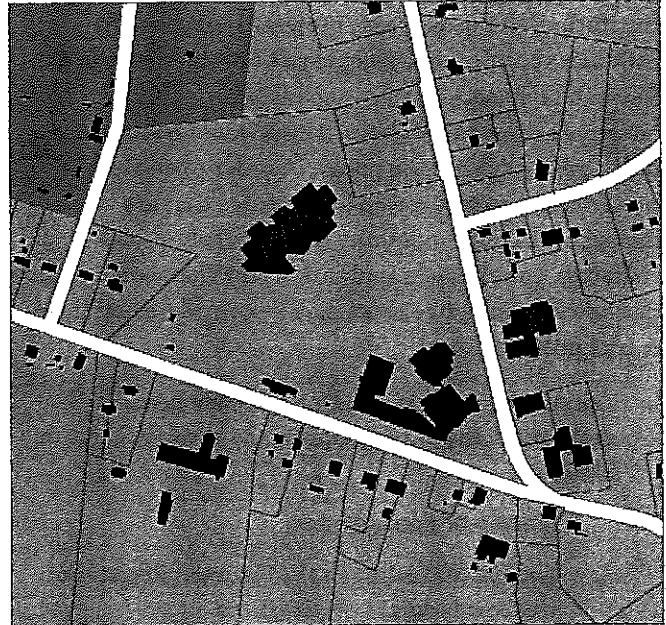
- There is no territorial expansion of the inconsistent use and/or zoning;
- Proposed development would generate minimal non-local traffic and the traffic can be adequately served by the existing transportation network;
- Proposed development can be adequately served by existing infrastructure;
- Proposed development is consistent with the character of the Transect area in which the site is located;
- Proposed development is consistent with the Design Principles of the policy;
- Appropriate zoning can be applied, which, in the course of accommodating an acceptable proposed development, does not expose the adjoining area to the potential for incompatible land uses.

In the absence of acceptable development proposals, sites that contain existing uses and/or zoning that are inconsistent with the policy and are no longer viable should be rezoned to be more compatible with the applicable policy. Proposed zone changes to allow changes in uses and/or zoning districts that are inconsistent with policy to move further away from conforming to the policy need to be accompanied by a Community Plan Amendment Application for a policy that would support them.

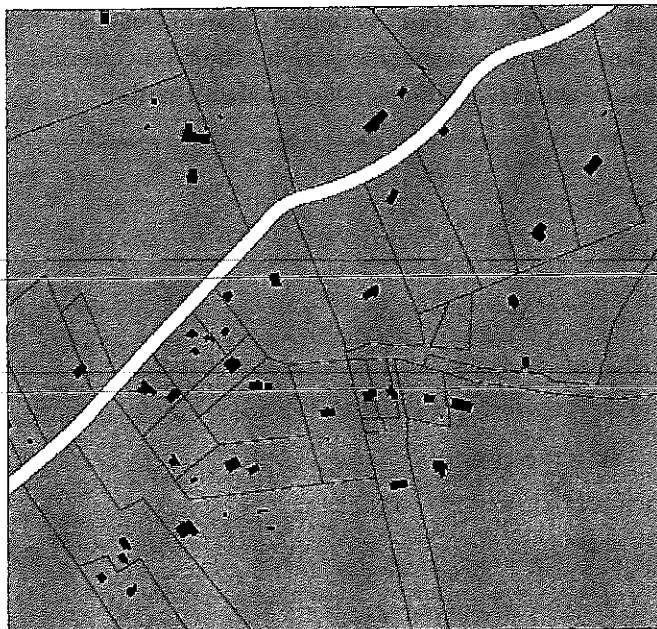
# T2 Rural



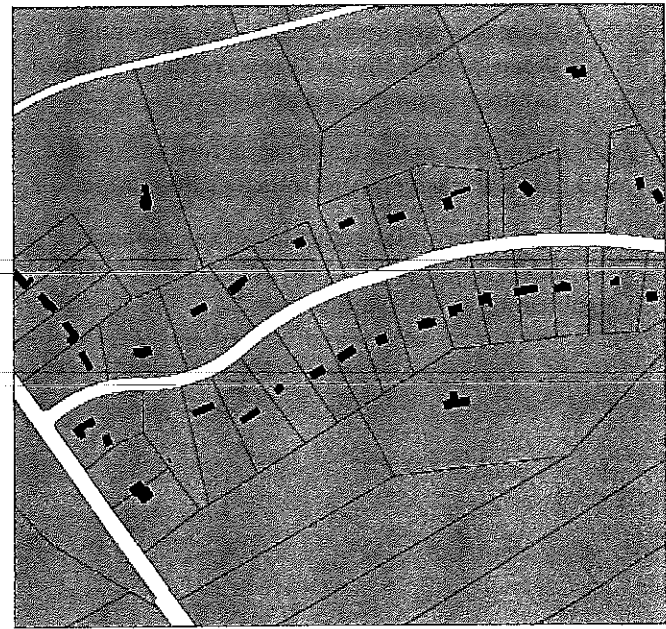
T2 Rural Open Space



T2 Rural Neighborhood Center



T2 Rural Maintenance



T2 Rural Neighborhood Evolving



# T2 Rural

There may be certain kinds of institutional uses supported by the policy that may be proposed for some type of adaptive reuse (e.g. a religious or educational institution). Adaptive reuse proposals may include activities that the policy would not normally support. Rezoning requests may accompany proposals for adaptive reuse of these sites, which would be reviewed for consistency with the policy. In order to encourage preservation of institutional structures that are important to the community's history, fabric, and character, zone change applications for that would grant flexibility for adaptive reuse may be considered on their merits provided that:

- The subject structure and/or site have been designated one of the following by the MHC and/or MHZC:
  - Worthy of Conservation
  - Eligible for Listing in the National Register of Historic Places
  - Listed in the National Register of Historic Places
  - National Historic Landmark
  - A contributing structure in a Neighborhood Conservation, Historic Preservation, or Historic Landmark zoning overlay district
- Any alterations to the subject structure and/or site will follow the Secretary of Interior's Standards;
- There is no territorial expansion of the proposed use and/or zoning beyond the current historically significant structure and/or site;
- Proposed development would generate minimal non-local traffic and the traffic can be adequately served by the existing transportation network;
- Proposed development can be adequately served by existing infrastructure;
- Proposed development is consistent with the character of the transect area in which the site is located;
- Proposed development is consistent with the character of the Transect Area in which the site is located;
- Appropriate zoning can be applied which, in the course of accommodating an acceptable proposed development, prohibits the demolition of and inappropriate renovations to the structure and does not expose the adjoining area to the potential for incompatible land uses.

## **Additional Guidance in Community Plans and Detailed Plans**

Additional policy guidance for any of the sections below may be established in a Community Plan or Detailed Plan. Refer to the applicable plan for the site in question to determine if additional policy guidance exists.

# T2-RM Rural Maintenance

## Policy Intent

Maintain the general character of rural neighborhoods as characterized by their development pattern, varying setbacks, building form, and land uses. Balance maintaining the rural countryside and existing rural development patterns with new development. Where transportation infrastructure is insufficient or not present, enhancements may be necessary to improve pedestrian, bicycle, and vehicular connectivity.

## General Characteristics

T2 Rural Maintenance (T2-RM) areas have an established development pattern consisting of the following:

- Low-density residential and agricultural development patterns that include institutional land uses;
- Attached and detached residential buildings are dispersed across the landscape;
- Deep setbacks and generous but often regular spacing between buildings;
- Low levels of connectivity due to a sparse road network and the limited presence of multi-use paths and/or bikeways;
- Clearly distinguishable boundaries identified by environmental features, lot size, and building placement; and
- Development pattern reflects the preservation of land with environmental significance such as steep topography, vegetation, and view sheds and the preservation of tracts of farmland.

While Conservation policy is applied to environmentally sensitive features such as floodplains and steep slopes, areas outside of these features still drain to streams, creeks, and rivers within watersheds. Achieving and maintaining healthy watersheds requires that new development in T2-RM areas be sensitively designed.

## EXAMPLES OF APPROPRIATE LAND USES\*

- Maintenance of the land in its natural state
- Small scale Agricultural and Related Accessory and Support Uses
- Residential
- Institutional
- Rural Subdivisions

## ZONING\*

- AR2A
- AG
- Design-based zoning

## BUILDING TYPES

- Agricultural
- Institutional
- House
- Plex House (two-family only)
- Detached Accessory Dwelling Units

*\*Disclaimer: This information is provided as an aid for general reference and should not be construed as all data that may apply to each property. Users should independently verify the accuracy of the information.*

# T2-RM Rural Maintenance

## Application

T2-RM policy is applicable to areas that are zoned rural residential, where the primary land use is rural residential, or that are envisioned to remain primarily rural residential. T2-RM policy is applied in situations where there is an expressed interest in maintaining the predominant, existing developed and undeveloped condition and that condition is believed to be stable and sustainable over time.

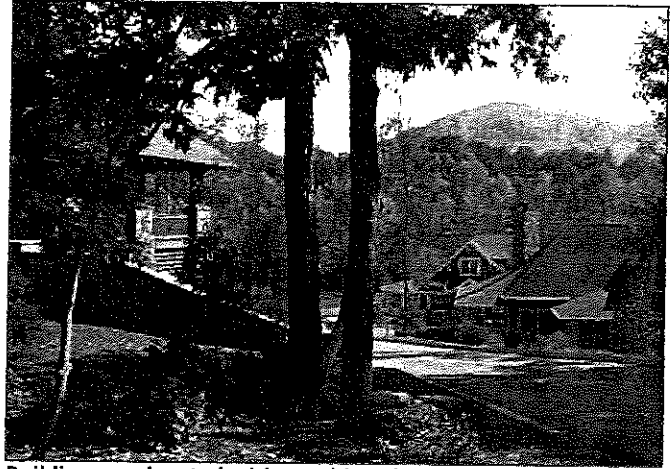
T2-RM areas typically have sanitary sewer service and/or zoning entitlements that allow higher residential densities than generally appropriate for rural areas. T2-RM policy recognizes existing housing and development patterns that are at odds with T2 Rural character. Although such conditions exist within T2-RM areas, the policy discourages their expansion. Instead, new development should occur through the use of Rural Character Subdivisions. Generally, the maximum gross density is one dwelling unit per two acres. Individual lots should be no smaller than the existing zoning with a significant amount of permanently preserved open space.

Commonly used boundaries to define T2-RM areas include, but are not limited to: boundaries defined by established development patterns to be maintained (considering lot size, spacing of homes), environmental features, human-made features (rail lines, major utility easements, prominent roads), and transitional uses (open space, institutional). The application and boundary delineation of this policy are established during the Community Planning process.

## Design Principles

### *Building Form and Site Design*

The building form is in character with the existing development pattern of the rural neighborhood in terms of its mass, orientation, and placement. In certain, particularly appropriate areas, especially where sanitary sewer service is available, well-designed layouts of



**Buildings are located with consideration to sensitive environmental features and preservation of view sheds.**

homes grouped together to preserve agricultural areas, surrounding environmental features, and pastoral view sheds may be possible by working with the Planning Department on Rural Character Subdivision designs that allow some residential development but also preserve the agricultural viability of the landscape.

**Massing** – Massing of residential buildings results in a building footprint with low lot coverage.

**Orientation** – Buildings are placed in a random pattern and are generally oriented onto the primary road or onto a driveway.

**Setbacks** – Setbacks are generous and irregular, and spacing between buildings is often significant. The preservation of scenic viewsheds, environmental features, and prime farmland is considered when determining where the building is located to minimize the visual impact on the landscape.

**Density** – Density is secondary to the form of development; however, T2-RM areas are intended to be one of the lowest densities of development in the county. Density does not generally exceed one dwelling unit per two acres and even lower density is preferred to create or preserve an open, rural environment. Lots with

# T2-RM Rural Maintenance

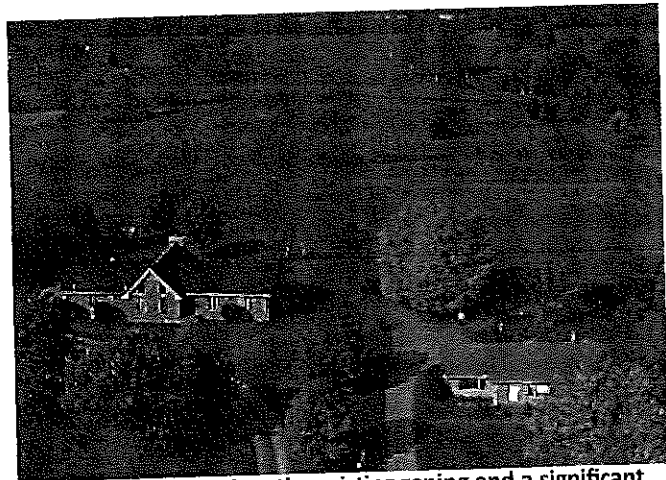
variable and irregular lot widths at the street (generally greater than 100 feet) are appropriate to reflect organic development instead of a conventional subdivision pattern.

**Building Height** – Occupied buildings are one to three stories in height with support structures often higher but, where present, are generally not visible from the road.

**Landscaping** – Landscaping is natural and informal. Landscaping generally utilizes existing, native vegetation and reflects the natural environment, but may also include some formal plantings. Consideration is given to the use of native plants and natural rainwater collection to minimize maintenance costs. Landscaping is used to screen ground utilities, meter boxes, heating and cooling units, refuse storage, and other building systems that would be visible from public streets.

**Parking** – Parking is provided on-site on private property. Parking for institutional land uses is provided on-site behind or beside buildings, with considerations for minimizing the size of paved parking areas. Bicycle parking is provided at institutional uses.

**Signage** – Signage is rarely used at individual residences. Signage for institutional land uses alerts motorists, pedestrians, and cyclists to their location and assists them in finding their destination in a manner that is not distracting or overwhelming to the institutional use or the overall streetscape. The design and location of signage complements and contributes to the envisioned character of the neighborhood. Signage is generally scaled for vehicles, and monument signs are appropriate. Appropriate signage scaled for pedestrians includes building-mounted signs, projecting signs, or awning signs. Any lighting on signage is minimal.



**Lots are no smaller than the existing zoning and a significant amount of open space is permanently preserved.**

## *Transitioning*

**Infill** – T2-RM 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, in terms of its development pattern, building form, land use, and public realm. Where not present, enhancements may be made to improve pedestrian, bicycle, and vehicular connectivity.

T2-RM areas typically have sanitary sewer service and/or zoning entitlements that allow higher residential densities than generally appropriate for rural areas. T2-RM policy recognizes existing housing and development patterns that are at odds with T2 Rural character. Although such conditions exist within T2-RM areas, the policy discourages their expansion. Instead, new development should occur through the use of Rural Character Subdivisions. Generally, the maximum gross density is one dwelling unit per two acres. Individual lots should be no smaller than the existing zoning with a significant amount of permanently preserved open space.

# T2-RM Rural Maintenance

## *Connectivity*

**Access** – Single-access driveways are common. Shared-access roads and driveways serving more than two dwellings or otherwise accessing large properties are also common. Driveways are designed and located to preserve environmentally sensitive features.

**Block Length** – Blocks are large and may be considered to be nonexistent. Where obvious, they are curvilinear with generous distance between intersections.

**Pedestrian/Bicycle** – Pedestrian and bicycle connectivity is low and, where available, is provided in the form of greenways, trails, and/or multi-use paths and on-road facilities for bicyclists.

**Vehicular** – Vehicular connectivity is low. Limited transportation infrastructure—a sparse road network—limits vehicular connectivity to prominent rural roads, which are connected in a widely spaced network. Roads are designed in compliance with the Rural Corridor standards contained in the Major and Collector Street Plan and located to preserve environmentally sensitive features. A road cross section with shoulders and swales is preferred. A road cross section with curb and gutter is inappropriate.

## **Zoning**

The following is a list of zoning districts that may be appropriate within a given T2-RM area subject to the applicant's ability to prove that the requested zoning district is consistent with for the other provisions of T2-RM policy that are detailed above. The size of the site, environmental conditions on and near the site, and the character of adjacent Transect and policy areas, will be considered. Another factor that will be considered is whether there is potential to redevelop sites that are not consistent with T2-RM policy in a manner that brings them closer to conforming to the policy. These situations may warrant the use of zoning districts that the policy might otherwise consider inappropriate.

- AR2a
- AG
- Design-based zoning

Other existing or future zoning districts may be appropriate based on the locational characteristics of the subject property and the ability of the applicant to document that the proposed zoning district is consistent with the policy. Design-based zoning may be required to achieve planning objectives such as access management, coordination among adjacent developments, or to mitigate potential impacts to nearby environmentally sensitive features and the overall health of the watershed.

**IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE,  
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY, PART II**

**ELISE HUDSON, GEORGE EWING, MARIE HUDSON, JAMES HUDSON, CHERYL HUDSON, WESLEY HUDSON, MARCELLA HUDSON, JAMES MATTHEW HUDSON, AMANDA HUDSON, TAYLOR HUDSON, and LILLIAN RENEE HUDSON,**

**Petitioners,**

v.

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, by and through the METROPOLITAN PLANNING COMMISSION,**

**Respondents.**

**FILED**  
 2019 JAN 18 PM 1:52  
 CLERK & MASTER  
 DAVIDSON CO. CHANCERY CT.  
*MB*  
 Case No. 18-0020-11

**MEMORANDUM AND ORDER**

This matter came to be heard on January 9, 2019, on a writ of certiorari filed by Petitioners Elise Hudson, George Ewing, Marie Hudson, James Hudson, Cheryl Hudson, Wesley Hudson, Marcella Hudson, James Matthew Hudson, Amanda Hudson, Taylor Hudson, and Lillian Renee Hudson (“the Petitioners”) seeking review and repeal of a decision by the Respondent Metropolitan Government of Nashville and Davidson County, by and through the Metropolitan Planning Commission (generally, “Metro”, and specifically “the Planning Commission”) approving the concept plan for a subdivision known as Parkwood Estates (“the Property” or “the Subdivision”) at its November 17, 2017 meeting. Upon consideration of the pleadings, the arguments of counsel at the hearing of this matter, and the entire record, this Court reverses the Planning Commission’s approval of the concept plan for the Subdivision, and remands this matter for further consideration.

## FACTS

The Petitioners are owners of properties in close proximity to, or adjacent to, the Property where the proposed Subdivision would be located. They are members of a family who have owned and resided on the land near the Property for over one hundred and fifty (150) years. The Property is located in the Bordeaux area, between Brick Church Lane, Interstate 24 and Knight Drive. The Property was included within the Bordeaux - Whites Creek - Haynes Trinity area in Metro's General Plan, issued June 22, 2015 as part of the NashvilleNext project. The General Plan was generated pursuant to Tenn. Code Ann. § 13-4-203, which authorized Metro to develop same

with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development, and identify areas where there are inadequate or nonexistent publicly or privately owned and maintained services and facilities when the planning commission has determined the services are necessary in order for development to occur.

Metro adopted the General Plan through Resolution No. RS2015-256 on June 22, 2015. Portions of the Bordeaux - Whites Creek - Haynes Trinity area were zoned T1 Natural, T2 Rural, T3 Suburban, and T4 Urban. In discussing the then-current status of development in Bordeaux, the General Plan states that “[t]hese areas should remain mindful of their larger surrounding rural context as development occurs and create transitions through building and site design as needed to complement the adjacent rural area.” *NashvilleNext: A General Plan for Davidson County, Volume III: Community Plans, Bordeaux-Whites Creek* (Amended August 24, 2017), p. 24.

Metro has also developed subdivision regulations pursuant to Tenn. Code Ann. § 13-4-303. The statute provides that

[i]n exercising the powers granted to it by this part, the planning commission shall adopt regulations governing the subdivision of land within the municipality. Such regulations may provide for the harmonious development of the municipality and its environs, for the coordination of streets within subdivisions with other existing or planned streets or with the plan of the municipality or of the region in which the municipality is located, for adequate open spaces for traffic, recreation, light and air, and for a distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience and prosperity, and identify areas where there are inadequate or nonexistent publicly or privately owned and maintained services and facilities when the planning commission has determined the services are necessary in order for development to occur.

Tenn. Code Ann. § 13-4-303(a). The Subdivision Regulations of the Nashville-Davidson County Planning Commission ("the Sub Regs") were initially adopted in 2006, and have been revised seven times - twice since the adoption of the General Plan and most recently in July of 2017. The Sub Regs instruct and guide the Planning Commission, from the application of the separate zoning classifications to the review and approval of subdivision proposals. Chapter 4 of the Sub Regs is applicable to areas zoned T2 and Chapter 3 to T3 areas.

On August 17, 2017, the Property owners submitted a concept plan to the Planning Commission seeking approval of a two hundred and six (206) lot subdivision.<sup>1</sup> The Subdivision concept plan complies with the Sub Regs and is consistent with the applicable zoning, which is T3, "maintenance evolving". The owners worked with Planning Commission staff, as well as staff from the Fire Department, Water Services, Stormwater, Public Works, and Traffic and Parking offices. All recommended approval, some with conditions. The Planning Commission staff recommended approval, with conditions to (i) designate any lots with a natural slope of 20% or greater as a critical lot; and (ii) submit a plan to the Executive Director for approval prior to application for a building permit on a lot designated as critical.

On November 9, 2017, the Planning Commission held a public hearing to take comments and consider the concept plan. Metro was represented by legal counsel and by a number of staff

<sup>1</sup> At some point the Subdivision concept plan was revised to include only one hundred and ninety-three (193) lots.



persons from the Planning Commission and the other agencies referenced above. Planning Commission staff member Lisa Milligan presented the concept plan and the staff recommendation. Representatives of the Property owner spoke on behalf of the Subdivision. Eighteen (18) neighbors, including the Petitioners, spoke against the Subdivision. Their attorney also spoke in opposition, as did the council representative for the district that includes the Property. They raised questions regarding increasing traffic, safety problems related to insufficient line-of-sight distance for the proposed roads,<sup>2</sup> the proposed Subdivision's inconsistency with the otherwise relatively rural setting, and the destruction of a tree canopy on Brick Church Lane.<sup>3</sup> There was an extensive discussion over whether or not the Subdivision would be harmonious with the area. Seven members of the Planning Commission were present, some of whom expressed concern about the Subdivision in light of these neighbors' concerns.

The Metro representatives, in their roles as technical advisors to the Planning Commission, answered questions at the hearing about a variety of issues associated with the Subdivision. Some of these representatives insinuated to the Planning Commission members that they had no discretion as it related to the Subdivision. On two occasions, Metro's legal advisor specifically told the Planning Commission that it had no discretion to disapprove the concept plan for the Subdivision, or to place conditions on it, if the plan met the Sub Regs. In response to questions from Commissioner Fabian Bedne, Emily Lamb, an attorney for Metro, stated "[a]nd if you determine that the application or the concept plan meets the subdivision

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<sup>2</sup> Ms. Stephanie McGee stated that the proposed roads leading from the Subdivision could not meet the 445-foot sight distance required for a road with a 40 mph speed limit, as set forth under the American Association of Highway and Transportation Officials (AASHTO) regulations utilized by Metro.

<sup>3</sup> Ms. Elise Hudson stated that an arborist hired by the neighbors had confirmed the existence of a cedar glade, which is subject to protection under the Sub Regs and Community Character Manual, in the forested area at the proposed Subdivision site.

regulations as well as the Zoning Code, you don't have the authority to disapprove it." A.R.<sup>4</sup> p. 170 (emphasis added). Later, Ms. Lamb again gave this legal advice: "I think your role as a commissioner is to look at the subdivision regulations and what the subdivision regulations require, and if you find that it meets the subdivision regulations, I think you need to – I don't think you have the authority to disapprove it." A.R. p. 191 (emphasis added).

At the conclusion of the public hearing, the Planning Commission voted to accept the staff recommendation and approve the Subdivision. It is this decision that was appealed by the Petitioners and that is now before the Court.

#### STANDARD OF REVIEW

Judicial review of a local administrative body's decision is obtained by filing a petition for a common law writ of certiorari. Tenn. Code Ann. § 27-8-101; *McCallen v. City of Memphis*, 786 S.W.2d 633, 639 (Tenn. 1990). This writ provides a narrow scope of review by a trial court. *Willis v. Tenn. Dep't of Corr.*, 113 S.W.3d 706, 712 (Tenn. 2003). Trial courts have been instructed, when reviewing local zoning and planning decisions pursuant to a writ of certiorari, that review is limited to whether or not the body "exceeded its jurisdiction, followed an unlawful procedure, acted illegally, arbitrarily, or fraudulently, or acted without material evidence to support its decision." *Harding Academy v. Metro Gov. of Nashville*, 222 S.W.3d 359, 363 (Tenn. 2007) (quoting *Lafferty v. City of Winchester*, 46 S.W.3d 752, 759 (Tenn. Ct. App. 2000)).

Generally, in such appeals, actions that are considered illegal, arbitrary or fraudulent include:

- (1) the failure to follow the minimum standards of due process, (2) the misrepresentation or misapplication of legal standards, (3) basing a decision on ulterior motives; and 4) violating applicable constitutional standards.

*Id.* (citing *Hoover v. Metropolitan Bd. of Zoning Appeals*, 924 S.W.2d 900, 905 (Tenn.Ct.App. 1996)). Review is generally limited to the record produced by the local administrative board,

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<sup>4</sup> Administrative Record

unless the reviewing court permits the introduction of additional evidence on the issue of whether the board exceeded its jurisdiction or acted illegally, capriciously, or arbitrarily. *Moore v. Metropolitan Bd. of Zoning Appeals*, 205 S.W.3d 429, 435 (Tenn. Ct. App. 2006). If a board issues a decision lacking evidentiary support, or if a board denies a request that meets all applicable requirements with no basis for the denial, then the decision is arbitrary and unreasonable. *Harding Academy*, 222 S.W.3d at 363.

The scope of review regarding matters of law requires application of a *de novo* standard with no presumption of correctness. *Harding*, 222 S.W.3d at 363 (citing *Lafferty*, 46 S.W.3d at 759).

#### LEGAL ANALYSIS

Section 1-3 of the Sub Regs adopts the language of Tenn. Code Ann. 13-4-303(a), quoted above, in identifying its purpose. This section references and emphasizes the Sub Regs' objective as providing for "harmonious development" and "coordination of streets within subdivisions with other existing or planned streets" "to create conditions favorable to health, safety, convenience and prosperity." Section 1-6 of the Sub Regs further provides that they are to be "liberally construed" toward the purpose of promoting the "health, safety, and welfare of the persons within [Metro]."

Metro argues that the Sub Regs presumptively satisfy the statutory obligation of harmonious planning, and that if the Subdivision meets the requirements of the Sub Regs, then the Petitioners cannot otherwise demonstrate it is not harmonious with the surrounding area. The Petitioners argue that the Planning Commission's role is to evaluate harmoniousness and that while Metro's staff is there to advise it, staff cannot substitute their judgment or instruct the

Commission members that they do not have any discretion to come to a different conclusion regarding approval. The Court agrees.

The Rules and Procedures of the Metropolitan Planning Commission, adopted May 12, 2005 and revised July 13, 2017 ("Rules & Procedures"), establish the process for "the orderly disposition of the business" of the Commission. They specifically address the roles of the Commission and the Metro staff employed to support that body. Section V addresses the role of the Commission staff, stating that the Executive Director is the "technical advisor and secretary to the [Planning] Commission." The Rules & Procedures further provide that "The Planning Commission will generally make its recommendation in conformance with the General Plan." Rules & Procedures VI(H). The Planning Commission staff is available to the Commissioners to "clarify[] the content of the proposal." Rules & Procedures VII(B)(2).

Nowhere in the Rules & Procedures does it provide for Metro's staff to substitute its judgment, or otherwise adopt the role as the ultimate decisionmaker, which resides with the Planning Commission. If Metro's staff had the authority to dictate planning decisions, there would be no reason for the Planning Commission to exist. The volunteers who agree to serve as Planning Commissioners presumably believe they are adding value to the process, and that their input is meaningful. Accordingly, a process in which Metro's legal representative tells the Planning Commissioners that they have no authority to disapprove a proposal is a broken process, and cannot be what was intended by the General Assembly when it established the planning regime for metropolitan governments.

In this case, in response to specific questions about the Subdivision proposal from Planning Commission members, Metro's legal representative instructed that they had no

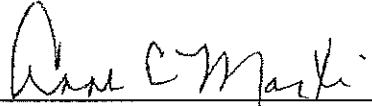
authority to disapprove the proposal if it met zoning requirements and the Sub Regs. This instruction is not supported by Tennessee law or by Metro's own policies.

It is the Planning Commission staff's job to provide technical guidance to the degree feasible. Here, by instructing the Planning Commission that it was without authority to deny the Subdivision concept plan as recommended because it complied with the Sub Regs, Metro's legal representative overstepped her role and went from being a technical advisor to substituting Metro staff's opinion for that of the Planning Commission members. Accordingly, the Court remands this case to the Planning Commission for further consideration of the Subdivision concept plan.

#### CONCLUSION

The Planning Commission utilized an illegal procedure in considering the concept plan of the Subdivision because staff substituted its judgment and instructed the Planning Commission that it was required to approve the plan. Adherence with the Sub Regs and other zoning presumes a development harmonious with the surrounding community. While the Planning Commission staff's job is to advise, the Planning Commission is still required to consider the proposal and vote based upon its own judgment. Accordingly, the Subdivision concept plan is remanded to the Planning Commission for further consideration. Costs are taxed to Metro.

It is so ORDERED.

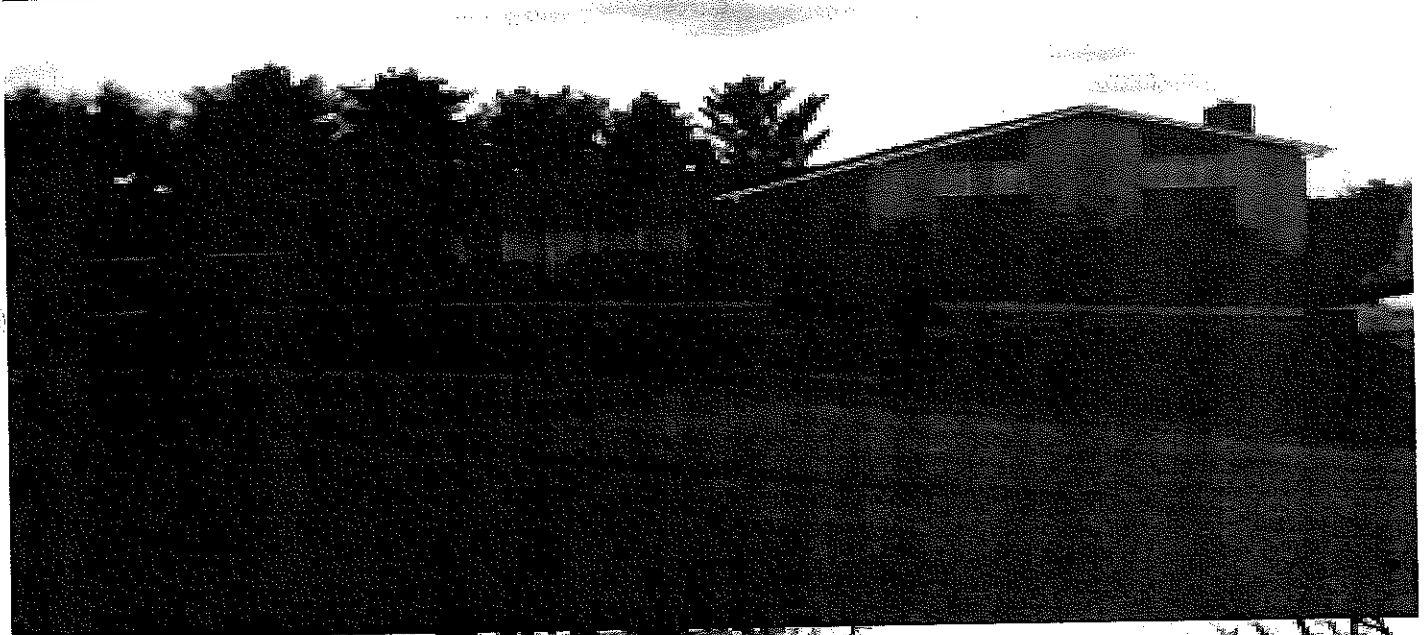
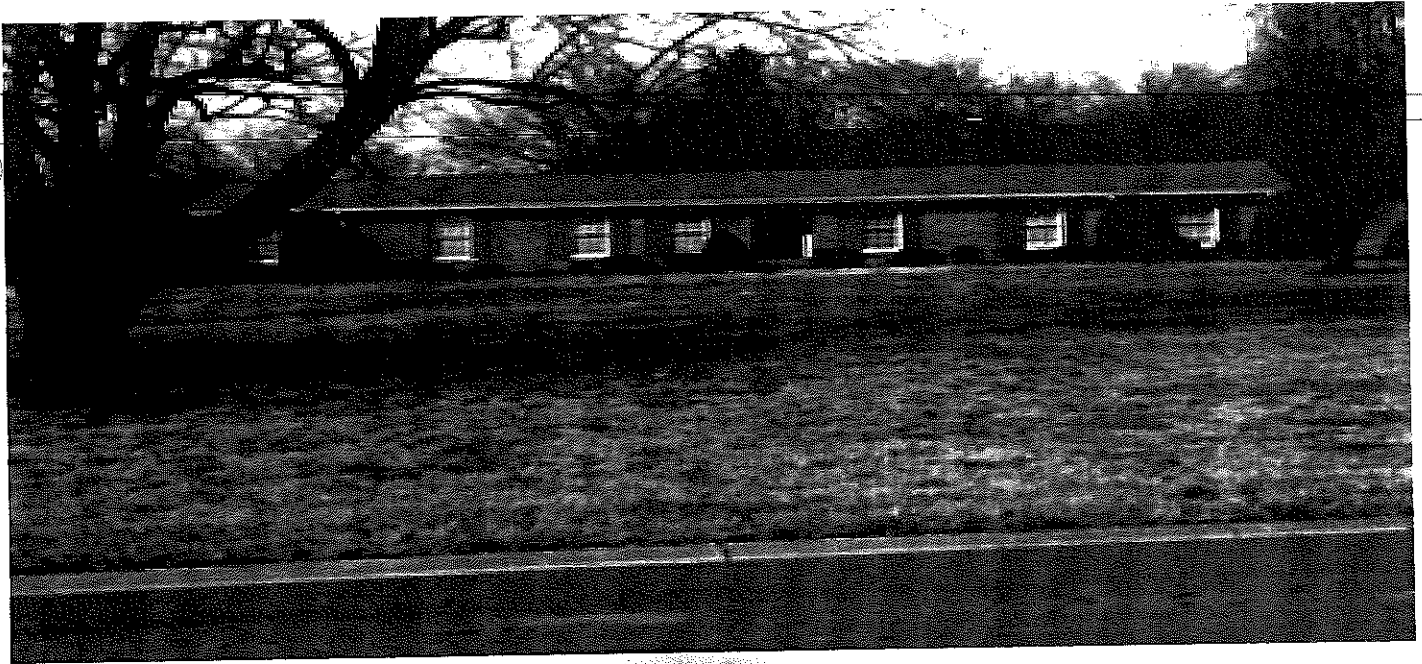
  
\_\_\_\_\_  
ANNE C. MARTIN  
CHANCELLOR, PART II

Cc: Catherine Pham  
Lora Barkenbus Fox  
Metropolitan Courthouse, Suite 108  
P.O. Box 196300  
Nashville, Tennessee 37219-6300

Jason D. Holleman  
4800 Charlotte Avenue  
Nashville, TN 37209

*Mailed: 11/18/19*

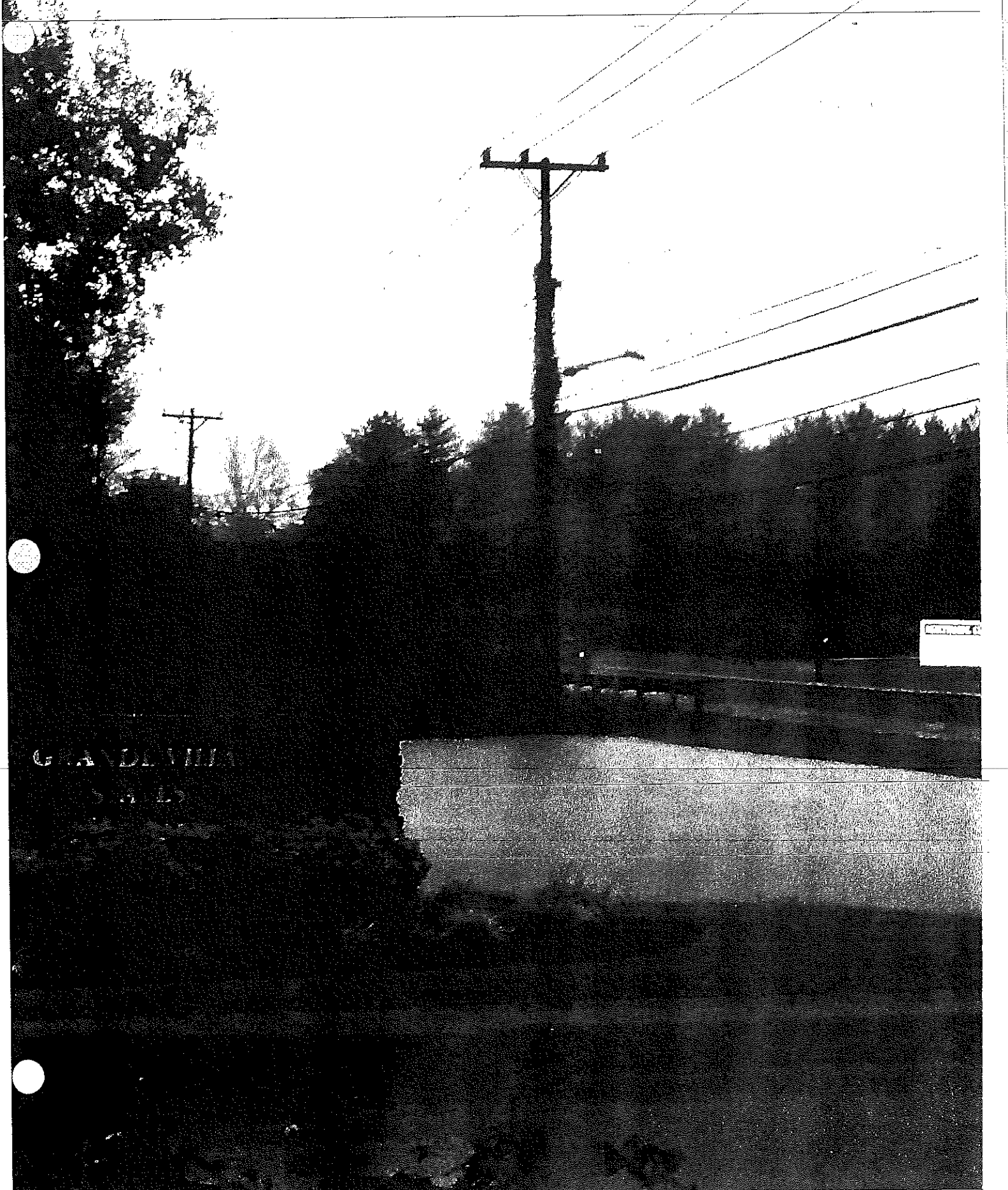






IN ADEQUATE CULVERT  
UNDER OHB

10/15/2018



GRANDVILLE  
OH

10/15/2018



IN OPPOSITION TO THE HUNTERS' RUN PROJECT

(CONCEPT PLAN -- 2018S-204-001)

THE PROPOSED CONCEPT PLAN WHICH REQUIRES THE OPENING OF BELLA VISTA BLVD. TO THRU TRAFFIC FROM HUNTERS RUN WILL HAVE NEGATIVE IMPACT UPON THE HEALTH AND WELL-BEING OF THE HOMEOWNERS AND RESIDENTS OF GRANDVILLA ESTATES.

WE, THE UNDERSIGNED HOMEOWNERS AND RESIDENTS OF GRAND VILLA ESTATES, DO HEREBY, PETITION THE METROPOLITAN NASHVILLE PLANNING COMMISSION TO DISAPPROVE THE CONCEPT PLAN FOR HUNTERS RUN AS PRESENTED REGARDING OPENING BELLA VISTA BLVD. TO INGRESS/EGRESS TRAFFIC THROUGH GRAND VILLA ESTATES.

THE CONCEPT PLAN IS NOT IN KEEPING WITH THE SUBDIVISION REGULATIONS FOR OUR AREA CALLING TO QUESTION ADHERENCE TO THE T2-RM POLICY FOR OUR COMMUNITY.

	NAME	ADDRESS
1.	Wanda Jones	1391 Bella Vista Blvd Nashville
2.	J. Webb	"
3.	Norma Wilcox	1395 Bellavista Bl, Nashville, TN
4.	Ann Wilcox	1395 Bellavista Bl, Nashville, TN 37203
5.	Flawana E. Harris	1386 Bellavista Blvd " "
6.	Guadalupe Harris	1386 Bellavista Blvd Nashville TN 37203
7.	Kenneth A. Moore	1398 Bellavista Blvd, Nashville, TN 37207
8.	Walter G. Moore	1398 Bellavista Blvd, Nashville, TN
9.	Marilyn Johnson	1382 Bellavista Blvd, Nashville, TN 37203
10.	Wendell Sherrill	1399 Bellavista Blvd Nashville
11.	Matthew Sherrill	1399 Bellavista Blvd Nashville TN 37207
12.	Harold T. Perry	1390 Bellavista Blvd - Nashville 37207
13.	William E. Perry	1390 Bella Vista Blvd Nashville TN 37207
14.	William H. Reese	1394 Bellavista Blvd 37207

IN OPPOSITION TO THE HUNTERS' RUN PROJECT

(CONCEPT PLAN - 20185-204-001)

THE PROPOSED CONCEPT PLAN WHICH REQUIRES THE OPENING OF BELLA VISTA BLVD. TO THRU TRAFFIC FROM HUNTERS RUN WILL HAVE NEGATIVE IMPACT UPON THE HEALTH AND WELL-BEING OF THE HOMEOWNERS AND RESIDENTS OF GRANDVILLA ESTATES.

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THE CONCEPT PLAN IS NOT IN KEEPING WITH THE SUBDIVISION REGULATIONS FOR OUR AREA CALLING TO QUESTION ADHERENCE TO THE T2-RM POLICY FOR OUR COMMUNITY.

NAME	ADDRESS
1. <u>Leslie and Vicki Davis</u>	<u>1409 Bellavista Blvd, Nash, TN 37</u>
2. <u>Bruce &amp; Gladys Howard</u>	<u>1414 Bellavista Blvd.</u>
3. <u>Michael &amp; Freda Cousin</u>	<u>1418 Bellavista Blvd.</u>
4. <u>Nathan D. &amp; Peggy D. Dwyer</u>	<u>1413 Bellavista Blvd. - 37207</u>
5. <u>Myrtle B. Ames</u>	<u>1417 Bellavista Blvd 37207-1003</u>
6. <u>Frank S. Law</u>	<u>1406 Bellavista Blvd 37207</u>
7. <u>Renard Hirsch, Jr</u>	<u>1405 Bellavista Blvd Park TN 37207</u>
8. <u>Renard Hirsch Jr.</u>	<u>1405 Bellavista Blvd Nashville, TN 37207</u>
9. _____	_____
10. _____	_____
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**IN OPPOSITION TO THE HUNTERS' RUN PROJECT**

**(CONCEPT PLAN - 2018S-204-001)**

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	<u>NAME</u>	<u>ADDRESS</u>
1.	Dorothy J. Williams	4318 Grandville Blvd.
2.	Rachael Cunningham	4315 Grandville Blvd.
3.	Coisgan Cunningham	4315 Grandville Blvd.
4.	Kenneth Cornell	4312 GRANDVILLE BLVD.
5.	Debbie Cornell	4306 Grandville Blvd
6.	Kenneth Cornell	4306 Grandville Blvd
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	NAME	ADDRESS
1.	Juan Manuel	4224 Grandville Blvd
2.	Wesley Manuel	4224 Grandville Blvd
3.	Otto Caldwell	4217 Grandville Blvd
4.	Klara Caldwell	4217 GRANDVILLE BLVD
5.	Jenny Mout	4216 Grandville Blvd.
6.	Dodge Springfield	4300 Grandville Blvd
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	<u>NAME</u>	<u>ADDRESS</u>
1.	George R. Wajnie	4205 Grandville Blvd
2.	Maatrice Scripps	4208 Grandville Blvd.
3.	Elaine Lovett	4209 Grandville Blvd.
4.	James A. Bower	4204 Grandville Blvd.
5.	William A. Crum	4200 Grandville Blvd
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**IN OPPOSITION TO THE HUNTERS' RUN PROJECT  
(CONCEPT PLAN -- 20185-204-001)**

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	<u>NAME</u>	<u>ADDRESS</u>
1.	Anne M. McNaiv	104 Bella Ct. Nashville 37207
2.	Michael E. McKay	108 Grandville Court Nashville TN 37207
3.	Mary Hoggett	109 Bella Court Nashville TN 37207
4.	<del>Lauren</del> Mary Hoggett	109 Bella Court Nashville TN 37207
5.	Jay Ray	108 Bella Court Nashville TN 37207
6.	Dorothy L. McKinnis	100 Bellact Nash, TN 37207
7.	John McKisack	100 Bella Ct Nashville TN 37207
8.	Reinold Bass	100 Grandville Ct Nashville TN 37207
9.	Harriett Thomas	101 Grandville Ct Nashville TN 37207
10.	Kathleen Litch-Cannon	104 Grandville Ct Nashville TN 37207
11.	Jay Cannon	104 Grandville Ct Nashville TN 37207
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14.		



IN OPPOSITION TO THE HUNTERS' RUN PROJECT

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	NAME	ADDRESS
1.	Quinnell L Bell	1512 Naples Ave
2.	Pamela Snelling	1389 Labadie Ave Nashville TN 37207
3.	Narcissa Lee	1385 La Boidi Ave Nashville
4.	Alfreda Lee	1385 La Boidi Ave Nashville
5.	Delores Caldwell	1393 Labadie Ave Nashville TN 37207
6.	Randy Granger	1393 Labadie Ave Nashville
7.	Woodrow Bell	1512 Naples Ave 37207
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THE CONCEPT PLAN IS NOT IN KEEPING WITH THE SUBDIVISION REGULATIONS FOR OUR AREA CALLING TO QUESTION ADHERENCE TO THE T2-RM POLICY FOR OUR COMMUNITY.

	NAME	ADDRESS
1.	George R. McReynolds	1517 Naples Ave
2.	Elaine D. McReynolds	1517 Naples Ave
3.	Eddie A. McWhorter	1516 Naples Ave
4.	Patricia D. McWhorter	1516 Naples Ave
5.	Leah C. Tolbert	1511 Naples Avenue
6.	Greg M. Tolbert	1511 Naples Avenue
7.	C. Alexis Morehead	1508 NAPLES AVE
8.	W. Virginia	1508 NAPLES AVE
9.	John - Colonel @	1525 NAPLES AVE
10.	Marjoleen	1505 Naples Ave
11.	Jordan Langrove	1500 Naples Ave.
12.	Carol R. Baker - Sec 2	1521 Naples Avenue #2
13.	Jesse A. Tucker	1521 Naples Ave. Nash. TN 37207
14.		

RE: **Project No.** Concept Plan 2018S-204-001  
**Project Name** Hunters Run

Dear Chairman Greg Adkins and Planning Commissioners:

The proposed concept plan for Hunters Run of 237 cluster homes which is slated for the February 28, 2019 Planning Commission Meeting does not meet the Community Character Policy as presented in the Nashville Next Parkwood/Union Hill subarea plan for T2-RM adopted August 24, 2017. The cluster homes being planned are not harmonious with the current existing housing patterns of Grande Villa Estates nor Dalemere which both adjoin the proposed development.

The proposed Hunters Run development is not in keeping with other aspects of the T2-RM policy. As so stated in the subarea plan: "...new development in T2-RM areas should be through the use of a Conservation Subdivision at a maximum gross density of 1 dwelling unit/2 acres with individual lots no smaller than the existing zoning...". Homes in this area are R20, therefore, the cluster lots of Hunters Run are not compliant with that guideline.

**Further, the Hunters Run concept plan as presented, does not meet the Subdivision Regulations amended June 22, 2017.** According to the Subdivision Regulations Chapter 4-1 of the Rural Character Subdivisions new development ... "must be planned carefully to facilitate the maintenance of a harmonious development pattern...". The Hunters Run proposed development violates this principle. Properties that are in the existing adjoining neighborhood of Grande Villa Estates are for the most part brick homes zoned R20 or better; while the proposed cluster development will have only one side brick and average four houses to an acre. In like manner, Chapter 4-1 section d (p. 1) states: "Permit flexibility of design of rural land that will result in a more efficient and environmentally sensitive use of land, while being harmonious with **adjoining development and preserving rural character**". The Hunters Run development is not harmonious with adjoining development nor does it preserve the rural character of the area and therefore, not in keeping with this regulation.

The Hunter's Run project will have major negative impact upon Grande Villa Estates regarding storm water and flooding. Grande Villa is downstream from Hunter's Run and the concept plan reveals that the floodplain/floodway will be disturbed by the building of 237 cluster lots. Already, Grande Villa experiences major flooding at the entrance of the subdivision and in the backyards of those homes that are bordered by the creek. The proposed concept plan shows lots directly in the floodplain/floodway and wetlands. Lots 167,109, 118, 119, 217,218 and 219 are clearly in that area. Lots 42, 49, 50, 51 and 52 are in the FEMA Firm panel and some are in the floodway. Lots 176, 177,178, 179, 180 are also in the **floodway/floodplain**. Lots 187,186, 185 are in the **wetlands**. Lots 184, and 183 are in the **wetlands buffer**. Development of those afore referenced lots flies in the face of Conservation (CO) which states: "Conservation (CO) is intended to preserve and enhance environmentally sensitive land within all Transect Categories ... 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".

Continuing; **Bella Vista Boulevard** which is an existing street in the Grande Villa Estates subdivision and identified on the concept plan to be extended; **should not be extended nor opened to through traffic**. Opening Bella Vista would violate the Subdivision Regulations. Chapter 4 -2 Development Standards d (p. 4) "... **of the Lot frontage abutting existing public streets**. Lot frontage is either equal to or greater than 70% of the average frontage of the surrounding parcels or equal to or greater than the smallest of the surrounding parcels, whichever is greater". The approximately 100+ homes planned for the extended section of Bella Vista are **not** in keeping **nor** harmonious with the current housing pattern for Bella Vista. Those cluster lots would abut an existing public street (Bella Vista with houses setting 70+ feet back from the street) which violates the subdivision provision. Therefore, the concept plan is not compliant.

Further, under Section f of Chapter 4-2 p. 4 states: "Cluster lot option. Development through the Countryside (Open Alternative) Character Option may utilize the provisions of Cluster Lot Option (Section 17.12.090 of the Zoning Code) within the Development Footprint area, **excluding lots abutting existing public streets**. **Smaller lot sizes may be appropriate with the application of a Specific Plan (SP) zoning district** that addresses building height, architecture, landscaping,

building placement and detailed grading plan.” Bella Vista is an existing street having houses with R20 zoning. Those cluster lots would abut the existing street of Bella Vista. **The proposed extension does not have SP (Specific Plan) for the development**, thus, the new houses proposed for Bella Vista are not appropriate for extension of that street. Such extension would be in violation of the afore stated Subdivision Guidelines.

Opening Bella Vista will undermine the health and well-being of in the existing Grande Villa Estates neighborhood. We have no sidewalks and our streets are used daily by those who walk or ride their bikes. The influx of traffic from the extension of Bella Vista will bring walkability and rideability to a halt, thereby, adversely impacting the health and well-being of the residents of Grande Villa Estates.

**Please consider the following: The concept proposal should be **DISSAPPROVED** in that it does not meet Subdivisions Regulations, nor the **Parkwood/Union Hill subarea plan**. In addition, by virtue of the staff reviewers' voluminous conditions attached to the proposal, it is obvious that the concept plan is wanting in so many areas and **it should not move forward**.**

Lastly, please know that neighbors are **not against responsible development** which is adherent to the Parkwood/Union subarea plan and the Subdivision Regulations; however, **we are vehemently against development which does not adhere to subarea policies and Subdivisions Guidelines. The Hunter's Run concept plan in non-compliant with the Subdivision Regulations and the Parkwood/Union Hill subarea plan.**

Sincerely,

Carolyn Baldwin Tucker, Ph. D.

Homeowner – Grande Villa Estates

Mrs. Elaine A. McReynolds  
1517 Naples Avenue  
Nashville, Tennessee 37207

February 25, 2019

Mrs. Brenda Haywood, Councilwoman  
District 3  
1 Public Square, # 204  
Nashville, TN 37201

Re: Hunters Run 2018S-204-001  
2-28-2019 Planning Commission Meeting

Dear Councilwoman Haywood:

After spending countless hours with both the developer and your District 3 constituents in public and private meetings and a thorough review of the *NashvilleNext* Planning Commission Community Character Manual Parkwood-Union Hill T2-RM policies, I hope you have come to the same conclusion as your constituents that you need to withdraw your support for the Hunters Run concept proposal and that you need to recommend disapproval by the Planning Commission at the February 28, 2019 meeting for some of the reasons stated below.

Background. On June 22, 2015 the Metropolitan Planning Commission adopted *NashvilleNext, A General Plan for Nashville/Davidson County* in accordance with the applicable sections of the local charter as well as adherence and authority provided by Tennessee Code Annotated, Section 13-4-203.

*NashvilleNext* provides a long-range plan for growth, development, and preservation in Nashville/Davidson County through 2040. Much citizen input helped to provide an agreed-upon plan of guidance which resulted in Community Plans. Our Community Plan is called Parkwood-Union Hill. Our neighborhood was classified as T2-Rural Maintenance (RM). The residents in this area were reasonably satisfied with the subdivision guidelines for growth that defined our area as "sparsely developed land with agricultural and low density residential uses, complemented by low intensity commercial uses".

The policy intent for classifying an area a Rural Maintenance was clearly stated and prominently positioned at the beginning of the T2-RM section:

Maintain the general character of rural neighborhoods as characterized by their development pattern, varying setbacks, building form and land uses. Balance maintaining the rural countryside and existing rural development patterns with new development. Where transportation infrastructure is insufficient or not present enhancements may be necessary to improve pedestrian, bicycle, and vehicular connectivity.

This comprehensive plan includes Design Principles for building form and site design. Based on our T2-RM we were assured that our government was looking at a healthy way to grow our city so that when older residents as well as newcomers could experience the beauty and diversity that our neighborhoods offer while preserving the harmony. Our Metro Council and the Planning Commission was charged with seriously considering the elements of this comprehensive plan as they help to guide development in Nashville.

The Metropolitan Nashville Planning Department Subdivision Regulations (Adopted March 9, 2006, Last Amended June 22, 2017) , Chapter 4 (Rural Character Subdivisions), 4-1.2 in its Application paragraph states:

The Nashville-Davidson County General Plan and associated Community Plans establish a community vision to guide development. Compliance with the goals and policies of these plans ensures that new development is in harmony with existing and desired development patterns and promotes the community's vision. These regulations are designed to insure that the rural character of the specified areas designated as T2 Rural Neighborhood policies on the adopted General or Community Plan is maintained and enhanced to the greatest extent feasible. All requests for the subdivision of land within areas so designated as T2 Rural Neighborhood policies shall be reviewed and developed as Rural Character Subdivision in accordance with the provisions of this Chapter.

At this point it is pretty clear the Planning Commission intends to FACILITATE THE MAINTENANCE OF A HARMONIOUS DEVELOPMENT PATTERN.... Chapter 4 explains how existing streets should be considered for harmony in designing building setbacks, lot depths, lot sizes on public streets, lot frontage, and street lights. The idea was that the rural sense should be maintained as you drive through an existing subdivision into another subdivision.

Chapter 4 – Rural Character Subdivisions regulations declares in 4-1.1 “Therefore, these lands must be planned carefully to facilitate the maintenance of a harmonious development pattern, preservation of prime agricultural lands and the conservation of sensitive environmental resources and rural character is the key focus of any subdivision.”

4-1.5 a describes the Countryside Character Option for street frontage, building setback, lot depth along existing public streets, lot size along existing public streets, lot frontage abutting existing public streets, street lights and a cluster lot option.

### Present Situation

Imagine our surprise when we read the staff analysis of the Hunters Run concept proposal that declared the existing streets Bellavista Boulevard, Marydale Drive, and Celina Drive (all of which are extended on the Hunters Run concept proposal and must be existing if they can be extended) are not relevant to consideration for lot side, harmony, setback, density, etc.! A public street must exist in order to be extended! Existing public street extension guidelines MUST apply. Therefore, you must withdraw your support for this concept proposal and recommend that the Planning Commission disapprove. You cannot have the rural maintenance and the harmony intended in the policy if those things are ignored!

The guidelines for a Cluster Lot option are clearly stated. However, the staffer concluded without sufficient reasoning and documentation that this option was an option when it was NOT. You must withdraw your support and recommend that the Planning Commission disapprove the Hunters Run concept proposal.

Hunters Run's concept proposal does not meet the policy, the development guidelines or the associated regulations. If they did, the minimum lot size as well as the lot frontage abutting existing public streets would be at least 70% of the average size of the surrounding parcels. The surrounding lots are acre plus lots. Hunters Run has lots about 1/3 acre which does not meet the development standards. No Specific Plan (SP) was requested so a cluster lot option is not available. Even if that option were available to the developer he (she) would be required to exclude lots abutting existing public streets like Marydale Drive, Celina Drive, and Bellavista Boulevard and make those houses harmonious with surrounding parcels. That would mean much larger lots, brick homes with garages on the side or back, etc.

Residents of Dalemere Subdivision and Grande Villa Estates Subdivision are vehemently opposed to the concept proposal for Hunters Run because it runs counter to the clearly stated building standards that are documented in the Community Character Manual. We are concerned about the potential flooding because of such a dense development on top of soil that is over a series of wet weather springs. We wanted to research the impact of above ground water on soil above wet weather underground springs. We contacted the Water Department (Mr. Scott Potter) for research purposes but Mr. Potter never returned our call. We are also concerned by the increased traffic, our safety especially when walking in areas without sidewalks and our ability to get into and out of our neighborhoods.

Your position on this concept proposal could set a precedent for other projects on the drawing board and future residential developments in this district. Since the development standards are so well pronounced in the Community Character Manual, it is difficult to believe that anyone would approve this proposal.

Since your first commitment is to represent the interests of your constituents, and your position is of utmost importance, I would hope that you would withdraw your support from this concept proposal. Developer concessions to a proposal that does not meet the minimum published standards are not acceptable to residents of Dalemere or Grande Villa subdivisions.

Councilwoman Haywood, it would appear that you are in the proverbial "hot seat", but you are not! You have been grossly misled. This proposal is so far away from what is required that it is surprising that the staff approved it. All you have to do is follow the guidelines as published. I appreciate that you want to make both sides happy and I think that you ultimately can. If you withdraw your support for this concept proposal for the above stated reasons, your constituents will be pleased to know that you stand for minimum standards that are more aligned with their



expectations and the community expectations that are codified in the *NashvilleNext* plan. Many people are feeling like they wasted their time providing much needed input during the *NashvilleNext* discussions only to have those policies thrown aside by staffers who seem to focus on minor considerations favorable to developers while overlooking the broader issues that are more focused on the residents. You will also send a strong message to other developers that District 3 will be open for development but only developments that meet the aforementioned requirements. Developers know the game of trying an end-run around the T2-RM guidelines all too well.

I, too, have been in that proverbial "hot seat" many times in both my government service at the state and federal levels and in my private industry career and each time I just did what I thought was right and I followed the rules. And, guess what? To this day I can still face both sides because they know that I was thorough and fair. I understand that an out-of-town family commitment means that you will not attend the Planning Commission meeting. However, your written word would be just as powerful.

Thank you for your time and your commitment to District 3.

Sincerely,

Elaine A. McReynolds

CC: Mr. Greg Adkins, Chairman  
Ms. Jessica Farr, Vice-Chairman  
Ms. Lillian Blackshear  
Mr. Jeff Haynes  
Mr. Brian Tibbs  
Mr. Ron Gobbell  
Dr. Pearl Sims  
Ms. Daveisha Moore  
Mr. Fabian Bedne, Councilmember  
Dr. Terry Jo Bichell  
Ms. Lucy Kempf, Executive Director

From: Mom [annemcnair@comcast.net](mailto:annemcnair@comcast.net)  
Subject: Fwd: Hunters Run Project

Date: Feb 26, 2019 at 12:00:59 PM

To: [elainemcreynolds@att.net](mailto:elainemcreynolds@att.net)

Begin forwarded message:

**From:** Mom <[annemcnair@comcast.net](mailto:annemcnair@comcast.net)>

**Subject:** Hunters Run Project

**Date:** February 24, 2019 at 6:35:15 PM CST

**To:** "Haywood, Brenda (Council Member)" <[brenda.haywood@nashville.gov](mailto:brenda.haywood@nashville.gov)>

Councilwoman Haywood!!

As each day passes, I become more and more concerned and even afraid and frightened about the safety and serenity of my Grande Villa neighborhood which I have lived in for more than 40 years. As a senior citizen, each day becomes more and more a FRIGHTENING reality!! I am encouraging you to pull your support of this project, specifically as it relates to opening Bellavista Blvd. and the environmental impact that it would have on our Grande Villa subdivision. I would ask you to reject the Bellavista street opening.

Sincerely,

Anne McNair

[615-865-9692](tel:615-865-9692)

[annemcnair@comcast.net](mailto:annemcnair@comcast.net)



From: Leah Tolbert evergreen2love@gmail.com  
Subject: Hunters Run Proposal  
Date: February 26, 2019 at 12:54 PM  
To: planning.commissioners@nashville.gov

---

Dear Mr. Adkins,

I am writing as a concerned resident of the Grande Villa Estates neighborhood on behalf of my family. The proposal of the Hunters Run concept with 237 houses clustered on about 76 acres is one that upsets our residents greatly. I grew up in this neighborhood, and my husband and I moved back here when we lost our home in Old Hickory, TN, in 2010 due to the May 2010 flood.

We are concerned that this project goes directly against the intent of the TN law and Metro Planning Commission's guidelines as defined by NashvilleNext.

With the increase of traffic that will come to the area as a result of the Hunters Run project, it is concerning to me that many of my neighbors who have lived here over 40 years will have nowhere to walk, will have much difficulty navigating that level of traffic with there being an overwhelming increase of cars coming into our neighborhood, and will not be able to allow younger children of newer residents in our neighborhood to continue riding their bikes.

Another great personal concern for my family is the heavy potential for flooding to our neighborhood. Having lost our home once to a flood, I cannot imagine moving to what should continue to be a serene, rural feeling, safe neighborhood and possibly losing our home to flooding all over again. Stopping the opening of Bella Vista to the traffic of the Hunters Run project can ensure that we never have that kind of concern again.

I hope you will consider these concerns as the Planning Commission continues discussion of this project.

Thank you,  
Leah Tolbert  
1511 Naples Avenue  
Nashville, TN 37207  
615-571-1270

--

From: Dottie Moore [dottieluckeymoore@gmail.com](mailto:dottieluckeymoore@gmail.com)  
Subject: Fwd: Hunters Run (Please Distribute to Planning

Commission Commissioners. Thank You!

Date: Feb 26, 2019 at 11:05:42 AM

To: Elaine McReynolds [elainemcreynolds@att.net](mailto:elainemcreynolds@att.net)

Begin forwarded message:

**From:** Dottie Moore <[dottieluckeymoore@gmail.com](mailto:dottieluckeymoore@gmail.com)>  
**Subject:** Hunters Run (Please Distribute to Planning Commission Commissioners. Thank You!)  
**Date:** February 26, 2019 at 11:05:05 AM CST  
**To:** [lucy.kempf@nashville.gov](mailto:lucy.kempf@nashville.gov)

Dear Planning Commission Commissioners:

My home is located at 4323 Grandville Boulevard in Grande Villa Estates. I have lived here since 1976 and during this period I have watched this area grow by leaps and bounds.

Trying to get out of our subdivision with the traffic going to Whites Creek High School, Bellshire Elementary, Davidson Academy High School and Elementary school, as well as Hunters Lane High School is almost impossible. When you add Interstate traffic diverting off of the Old Hickory Blvd. exit on I-24 when there is an accident or slow traffic, it takes sometimes 5 minutes or longer to get out on Old Hickory Blvd. There have been quite a few accidents at the entrance of cars on Old Hickory being hit from behind, including a school bus from Davidson Academy a few years ago.

I understand that a turning lane has been proposed. Having the experience of living here and knowing the current traffic flow, this would not be beneficial. Plus, the estimation of one car per household in the proposed Hunter Run is not feasible. The vast majority of homeowners are composed of at least two members. It is inconceivable that a proposed subdivision at the proposed cost of the homes would not have a minimum of two cars per household. Perhaps more if there were eligible dependents or other family members of driving age in the homes.

This area and the Dalemere area cannot take the additional traffic load. The only plan that would work and eliminate the traffic backup would be to have the exit on Hunters Lane to Dickerson Road. I have seen traffic backed up from Dickerson Road to the entrance of Grande Villa during school dismissals. There is only one school on Hunters Lane to impact traffic. There are five schools on Old Hickory Boulevard. It

doesn't make sense to increase traffic when you consider the 5 to 1 ratio.

In addition, the concept of this proposal does not follow the T2-RM policies and regulations that have been documented in Nashville Next. Why make policies and regulations, when they are not going to be enforced.

Please use common sense and not bow down to political pressure in making this decision. Government in our nation's capital has lost all common sense from a disease called greed. I am praying that our local government and the Planning Commission still have some left, and that you will follow the policies and regulations already in place.

Thank you for taking the time to read this letter and also for reconsidering your position on this matter in compliance with T2-RM and the danger to the motoring public on Old Hickory Boulevard.

Sincerely,

Dorris L. Moore (Dottie)

4323 Grandville Blvd.

Nashville, TN 320

(615) 838-2062

From: **Brenda Gilmore** [brenda.gilmore@comcast.net](mailto:brenda.gilmore@comcast.net)  
Subject: RE: Hunters Run Proposed Concept before Planning Commission Feb 28, 2019 at 4 p.m.  
Date: February 25, 2019 at 9:27 PM  
To: Elaine McReynolds [elainemcreynolds@att.net](mailto:elainemcreynolds@att.net)



This what I plan to send on behalf of the neighbors. What are your thoughts?:

Metro Nashville Planning Department and Commissioners  
Sonny West Building  
Nashville, TN

Dear Metro Nashville Planning Department and Honorable Commissioners,

The neighbors of Hunters Run have contacted me and ask that I write a letter stating my support for the residents of Dalemere Subdivision and Grande Villa Estates Subdivision. The neighbors are vehemently opposed to the concept proposal for Hunters Run because it runs counter to the building standards documented in the Community Character Manual. Both Dalemere and Grande Villa have lots 1.3 acres or larger.

Secondly, the residents participated in good faith with Nashville Next which provides long range planning for growth, development and preservation. They were led to believe that because their neighborhood was classified as T-2 Rural Maintenance (RM), that their neighborhood would remain "sparsely developed land with agricultural and low density residential uses...". The neighbors were assured that the older residents need for harmony while still valuing diversity would be honored. They have indicated with the proposal that this harmony cannot be maintained. The neighbors want to maintain the "rural feel" for their neighborhood, of which many have lived there for over 40 years.

Lastly, they are also concerned about potential flooding and increased traffic with a major development of 237 houses.

Therefore, I ask that the Planning Commission disapprove the proposed development and ask that the Developers continue to work with the neighbors to identify a development that fits more closely to the "rural feel" of their present neighborhood. Thank you for considering my request.

Sincerely

Brenda Gilmore  
State Senator, District #19

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

From: Elaine McReynolds [<mailto:elainemcreynolds@att.net>]  
Sent: Monday, February 25, 2019 3:22 PM  
To: [brenda.gilmore@comcast.net](mailto:brenda.gilmore@comcast.net)  
Subject: Hunters Run Proposed Concept before Planning Commission Feb 28, 2019 at 4 p.m.

Dear Senator Gilmore,

The Planning Commission is scheduled to hear the Hunters Run 2018S-204-001 case at 4 pm on Thursday evening at the Sonny West Building. The proposed concept is 237 houses clustered on about 76 acres. As you know, both Dalemere and Grande Villa have lots 1.3 acres or larger. I have lived here for 41 years and I have never seen my neighbors as upset as they are now. Our argument is that the Planning Commission staff is interpreting both the policy and the regulations in a way that is clearly against the intent of the TN law and Metro Planning Commission's guidelines as defined by NashvilleNext.

Attached is a copy of my most recent letter to Councilwoman Haywood. She will not be in attendance on Thursday due to a family out-of-town engagement. She has never told us if she will approve or disapprove. I suspect that she approved the concept because it was on the concept calendar on the February 14, 2019 calendar before it got deferred. I have also attached a summary of the policies, rules, and regulations governing this area.

Please review this, come to the meeting if possible and speak, or send your written comments to the Commissioners before the Commission meets on Thursday afternoon. We need help. Approval of this project could set the precedent for developments in this area for many years.

Thank you,  
Elaine A. McReynolds  
1517 Naples Avenue  
Nashville, TN 37207  
615-868-1291

---  
This email has been checked for viruses by AVG.  
<https://www.avg.com>

From: Tracy Coleman berniemac113@aol.com  
Subject: Fwd: Hunters Run Project (case 2018S-204-001)  
Date: Feb 26, 2019 at 9:30:28 AM  
To: elainemcreynolds@att.net

---

Here is my letter.

Tracy Coleman

Begin forwarded message:

From: Tracy Coleman <berniemac113@aol.com>  
Date: February 11, 2019 at 11:06:20 AM CST  
To: [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov)  
Subject: Hunters Run Project (case 2018S-204-001)

Dear Mr. Greg Adkins, Chairman

Mr. Fabian Bedne

Dr. Terry Jo Bichell

Ms. Lillian M. Blackshear

Ms. Jessica Farr, Vice Chairman

Mr. Ron Gobblell

Mr. Jeff Haynes

Ms. Daveisha Moore

Dr. Pearl Sims

Mr. Brian Tibbs

As a taxpayer of Davidson County and a concerned homeowner of the Grande Villa Estates subdivision, I am writing to voice my concerns about the Hunters Run project. I ask that you would not approve this project because of environmental concerns such as flooding and the lack of proper infrastructure. The negative impact of the Hunters Run project will disrupt our well established neighborhood and is not a harmonious addition to our community. Some other concerns I have are; increased daily traffic into our neighborhood with one way in and out, large construction vehicles maneuvering narrow

streets and emergency vehicles being delayed by too many vehicles that are redirected into an area not meant to handle the volume of cars this project will bring. This project only benefits the builder/developer who will come in and build houses that are not comparable to the existing neighborhood, disrupt the harmonious living we currently experience, then leave the taxpayers/homeowners with unforeseen problems that negatively impact our community and quality of life. I ask that you will strongly consider all of the ways this project negatively impacts our neighborhood and those around this project and not approve any streets to be opened in Grande Villa Estates. I ask that you would not allow any one builder/developer's plan to come into our neighborhood and cause an unfair disadvantage to our quality of living. All of us have worked hard and maintained our homes in this neighborhood and we would like it to remain. Thank you for your consideration.

Tracy Coleman



From: **Elaine McReynolds** elainemcreynolds@att.net  
Subject: Concept Plan 2018S-204-001 Hunters Run, February 14, 2019 meeting  
Date: February 11, 2019 at 10:42 AM

To: Greg Adkins [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov), Fabian Bedne [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov), Dr Terry Jo Bichell [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov), Lillian Blackshear [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov), Jessica Farr [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov), Ron Gobbell [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov), Jeff Haynes [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov), Daveisha Moore [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov), Dr Pearl Sims [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov), Brian Tibbs [planning.commissioners@nashville.gov](mailto:planning.commissioners@nashville.gov)

I am writing to express my opposition to the proposed Hunters Run development. Having worked at the State and Federal levels, I have a high regard for government employees but I strongly disagree with the staff recommendations relative to this project. The following concerns have been presented to our Councilwoman in public hearings.

Firstly, the concept plan is NOT congruent with the Parkwood-Union Hill Community Plan which is intended to "preserve rural character as a permanent choice for living within Davidson County". The Planning Commission has designated both Dalemere and Grande Villa Estates as T2 Rural Maintenance (T2 RM). As such you require "... individual lots no smaller than the existing zoning and a significant amount of permanently preserved open space." This concept plan does not meet your definitional standards. It proposes 237 cluster lots with approximately 4 houses per acre. We are zoned for R20. This proposal is in complete opposition to the afore mentioned Community Plan and is NOT harmonious to the neighboring houses of Dalemere or Grande Villa Estates.

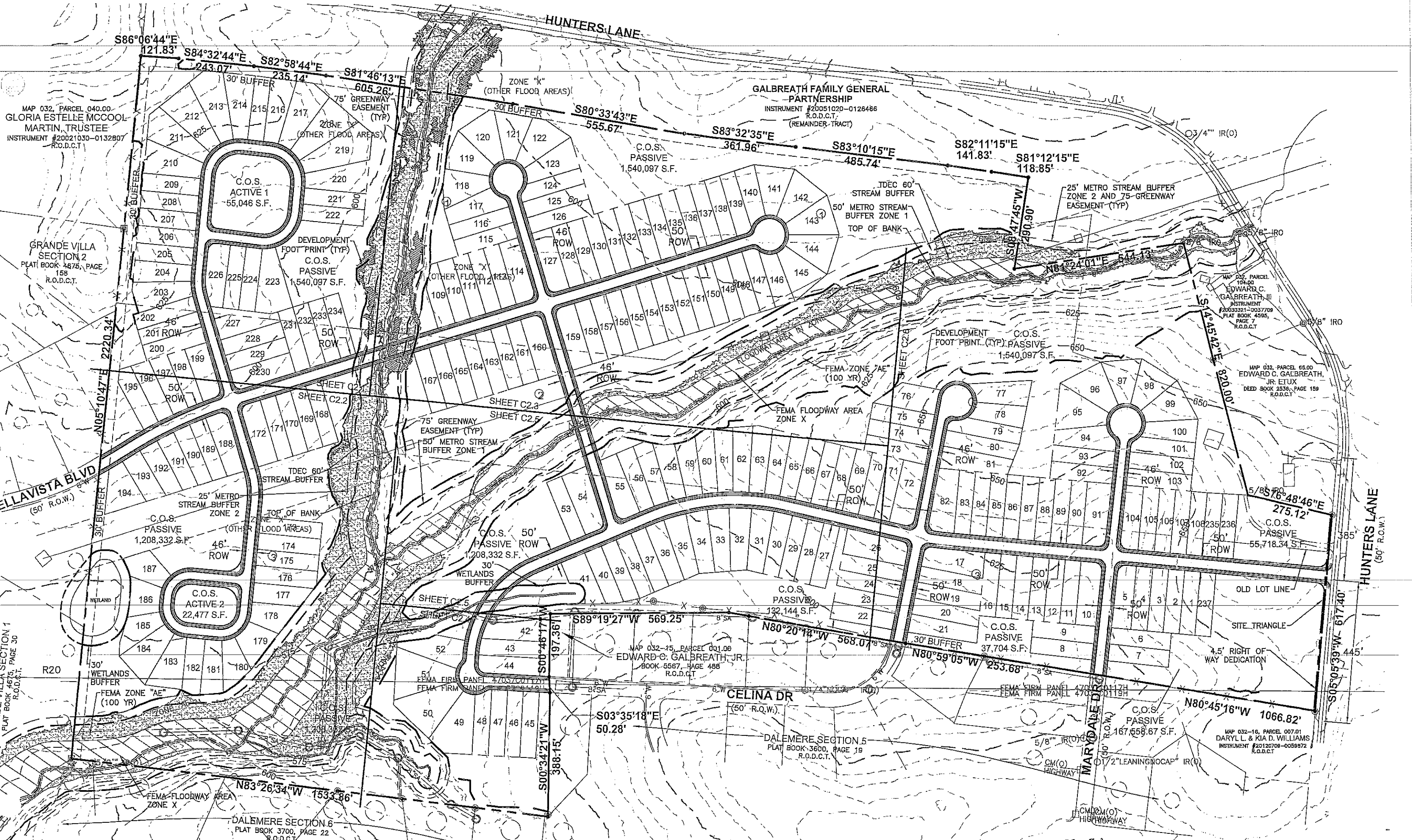
Secondly, there are significant concerns for flooding. I shall look forward to your meeting on Thursday when I can share with you photos of what "normal" storm drainage run-off looks like to the residents of Grande Villa Estates as well as along Old Hickory Boulevard. I would encourage your staff to seriously consider how a turn lane could be accommodated when there are drop-offs on each side of Old Hickory Boulevard where the turn lane expansion is proposed. I might also mention that flooding occurs in that area on a regular basis. The storm water map has several properties designated as FIRM, along with FEMA zones AE (100 year flood zone) and X. Please consider the potential impact of additional flooding that your decision could have on the Grande Villa residents, their well being and their properties.

Thirdly, I have serious concerns about increasing the traffic flow into Grand Villa Estates by as much as 200+ cars twice a day. There is only one way in or out of our subdivision. It is difficult to get out now. The proposed opening of Bellavista Boulevard is only for the purpose of accommodating the developer with only negative consequences for residents of Grande Villa Estates especially when the developer has other options for ingress and egress.

Fourthly, I am concerned about our quality of life. Many of us walk ourselves, our grandchildren, and/or our dogs without the benefit of sidewalks. While the proposed development is stated to have sidewalks, as required, the existing adjacent properties do not. This will create a dangerous situation or require us to stop exercising in this way. We do not have a community center. Our closest YMCA is in East Nashville and our closest health facility is in Madison.

I implore you to consider these serious concerns before proceeding.

Thank you,  
Elaine A McReynolds  
1517 Naples Avenue  
Nashville, Tennessee



MAP 032, PARCEL 040.00  
GLORIA ESTELLE MCCOOL  
MARTIN, TRUSTEE  
INSTRUMENT #20021030-0132807  
R.O.D.C.T.

GRANDE VILLA  
SECTION 2  
PLAT BOOK 4675, PAGE  
158  
R.O.D.C.T.

VILLA SECTION 1  
PLAT BOOK 4675, PAGE 30  
R.O.D.C.T.

DALEMERE SECTION 6  
PLAT BOOK 3700, PAGE 22  
R.O.D.C.T.

GALBREATH FAMILY GENERAL  
PARTNERSHIP  
INSTRUMENT #20051020-0126466  
R.O.D.C.T.  
(REMAINDER TRACT)

MAP 032, PARCEL 104.00  
EDWARD C. GALBREATH, III  
INSTRUMENT #20030321-0037709  
PLAT BOOK 4595,  
PAGE 7  
R.O.D.C.T.

MAP 032, PARCEL 65.00  
EDWARD C. GALBREATH,  
JR. ETUX  
DEED BOOK 2536, PAGE 159  
R.O.D.C.T.

MAP 032-15, PARCEL 001.00  
EDWARD C. GALBREATH, JR.  
BOOK 5567, PAGE 488  
R.O.D.C.T.

DALEMERE SECTION 5  
PLAT BOOK 3600, PAGE 19  
R.O.D.C.T.

MAP 032-16, PARCEL 007.01  
DARYL L. & KIA D. WILLIAMS  
INSTRUMENT #20120706-0059872  
R.O.D.C.T.

## Item 24: 2018NHL-003-002 – 819 and 901 Russell Street

**From:** Mark Scrivner [mailto:mark@snapshotinteractive.com]  
**Sent:** Saturday, February 23, 2019 12:36 PM  
**To:** Withers, Brett (Council Member); Planning Commissioners  
**Subject:** Boutique Hotel at 819 Russell Street

Dear Councilman Withers and Members of the Planning Commission,

First of all, thanks for your service to our great city. I wanted to write you a quick note of support for the addition of 5 new rooms on the 3rd floor of the boutique hotel project at 819 Russell Street. I live in East Nashville and I am really excited about this project. I love all of the restoration of the building the owners have done and I cannot wait to see it finished. It is going to be a great addition to our neighborhood. I wanted to let you know that I am in full support of this project and look forward to seeing it approved on February 28th.

Thanks for all you do,

Mark

Mark Scrivner  
CHIEF EXECUTIVE OFFICER  
mark@snapshotinteractive.com  
P: 615.477.5031



**From:** Alyce Scrivner [mailto:alycescrivner1@gmail.com]  
**Sent:** Saturday, February 23, 2019 2:09 PM  
**To:** Withers, Brett (Council Member)  
**Subject:** 819 Russell Street

Dear Councilman Withers and Members of the Planning Commission,

First of all, thanks for your service to our great city.

I have been watching the progress of the boutique hotel project at 819 Russell Street closely. They are really doing a fantastic job of reusing a property that had become blighted in the neighborhood. I see that they are requesting approval of 5 additional rooms to the 3<sup>rd</sup> floor of the building. I am in **full support** of this knowing that they have ample off-street parking for the number of guests that could be staying on property at any given time.

I live in East Nashville and I am very excited to see this project come to fruition. I love all of the restoration of the building the owners have done and I cannot wait to see it finished! It is going to be a great addition to our neighborhood. I wanted to let you know that I am in full support of this project and look forward to seeing it approved on February 28th.

Thanks for all you do,

Alyce Scrivner  
1115 Fatherland Street

**From:** Christian Paro [mailto:christian@c615.co]  
**Sent:** Monday, February 25, 2019 10:57 AM  
**To:** Planning Commissioners; Brett Withers  
**Subject:** Russell St. Church / Hotel renovation

Brett & Planning Commission,

I heard there was an opportunity to add more rooms to the boutique hotel renovation at Russell and 9th St. I reside at 626 Boscobel St. just a few blocks away and wanted to voice my support for this change to the plan. I'm looking forward to seeing it open!

- Christian

Christian Paro  
Owner

[C615.co](http://C615.co) | o: 615-457-1596 | c: 615-517-1589  
625 Main Street, Nashville, TN 37206



**From:** T Reall [mailto:asreall@gmail.com]  
**Sent:** Monday, February 25, 2019 1:34 PM  
**To:** Withers, Brett (Council Member)  
**Subject:** 819 Russell Street

Dear Councilman Withers and Members of the Planning Commission,

First of all, thanks for your service to our great city. I wanted to write you a quick note of support for the addition of 5 new rooms on the 3rd floor of the boutique hotel project at 819 Russell St. I live in East Nashville and I am really excited about this project. I love all of the restoration of the building the owners have done and I cannot wait to see it finished. It is going to be a great addition to our neighborhood. I wanted to let you know that I am in full support of this project and look forward to seeing it approved on February 28th.

Thanks for all you do,

Tony Reall

From: Carol Williams [mailto:wachtel@bellsouth.net]  
Sent: Tuesday, February 26, 2019 11:20 AM  
To: Planning Commissioners  
Cc: Withers, Brett (Council Member); bwithers365@gmail.com  
Subject: Planning Commission (2018NHL-003-002)

To the Planning Commission:

Attention: Gene Burse

With every extra room comes more parking issues, traffic issues, food deliveries, noise, public inebriation, transportation services, scooters and at least 2/4 extra transients in each room. (Parking may meet the requirements but that means little to a neighborhood with a huge invasion of commercial parking. No one can force hotel transients to park in an available lot whether free or not.)

We have 12 elementary school children living in the 800 block of Russell. All the issues mentioned affect our quality of life including the safety of our children/grandchildren. We've worked since 1976 to preserve and build a residential neighborhood, and each decision you make can help us or eventually destroy our residential status.

The developer said in a meeting, he would not restore the exterior to its pre-tornado beauty. No money for exterior restoration is sad for neighbors and sad for the historic structure. Of course, I realize the focus is on profit and not historic restoration.

One thing neighbors and the Planning Commission can be assured, this church hotel will be flipped with the right offer. I ask you to keep this in mind when you consider allowing more rooms.

Please no more hotel rooms on our residential street.

Thank you,

Carol Williams  
800 Russell Street  
Nashville, TN 37206  
615-227-4197

**From:** Alice Forrester [mailto:agforrester56@gmail.com]  
**Sent:** Tuesday, February 26, 2019 11:22 AM  
**To:** Planning Commissioners  
**Subject:** 2018NHL 003-002

Dear Planning Commission,

As a 34 year resident of Historic Edgefield (at 803 Fatherland Street) I, Alice Forrester and my husband Bob Campbell- Smith wish to extend our support to the request for 5 additional rooms at the "Church Hotel" located Russell and 9th Streets.

We have both served as Neighborhood Association officers and board members for many years in the 1980s, 1090s, and 2000s. Our overriding goal was to preserve historic buildings and homes until they could be purchased and renovated.

We invited businesses and any visitors in to see the neighborhood and it's potential via our Home Tours and other social events.

Times have changed and almost all our historic houses are renovated and prices are at a premium. Unfortunately some of historic churches no longer have parishes and are sitting abandoned and decaying.

We support the use of this abandoned and decaying church as a hotel and appreciate that they owners are doing a good job with what is a very costly renovation. We have no problem with 5 small additional guest rooms if it will support the long term viability of the business.

The owners are good neighbors and have been transparent with the neighborhood at every step. We need to support them in this endeavor so we can all enjoy this splendid historic church!

Thank you,

Alice Forrester

Bob Campbell-Smith

**From:** James Damato [mailto:jpdamato@aol.com]

**Sent:** Tuesday, February 26, 2019 12:45 PM

**To:** Planning Commissioners

**Cc:** Withers, Brett (Council Member)

**Subject:** 2018NHL-003-002 HOTEL CHURCH NEIGHBORHOOD LANDMARK DEVELOPMENT

Planning Commissioners,

I understand that the developer of this property is requesting that the approved plan be amended to allow for five additional hotel rooms. These rooms represent a 30% increase in capacity, or potentially up to ten additional guests. The developer, either of his own accord or under the guidance of our council representative, has made his plans transparent to the neighborhood and appears to be operating in good faith. He expresses a sincere desire to work with the neighborhood and to not adversely affect our quality of life. In Historic Edgefield we're optimistically hoping that this historic landmark renovation and hotel become a neighborhood asset, and that business operations do not eventually drive out neighbors or change the residential character of Russell Street.

This hotel will unavoidably bring car, delivery truck, service vehicle, and foot traffic to residential Russell Street. There will be Lyft and Uber cars coming and going, blocking streets with peak and off-hours traffic. There will be hotel guests hanging out at the entrances, talking and smoking at all hours. The neighborhood already sees this type of activity from recently approved Woodland Street businesses. Residents and non-residents alike have a right to use public streets. The purpose of our zoning codes' distinctions between commercial and residential areas is to cordon off areas of demand. Residents have an expectation and a tacit right to be free from the disruptions and noise inherent in commercial business.

Ideally we'd all like to see a resolution where the historic church building is preserved and maintained, a local business thrives, and the neighborhood benefits or at least takes a minimal hit to its quality of life.

The ordinance allowing for adaptive reuse for Neighborhood Landmark Districts is dangerously vague; the Planning Commission has been given broad discretion regarding appropriate uses for commercial properties in zoned residential areas. This request for five additional hotel rooms may seem small and simple, but I ask you to view this and all Neighborhood Landmark adaptive reuse requests as precedent-setting. Is the Neighborhood Landmark District a rare and extreme solution to be used cautiously in the name of preservation of both historic buildings and historic neighborhoods, or does it become a back door to spot-zoning and another way to get around residential zoning restrictions?

I've been in too many meetings where the commissioners have spent little to no time deliberating on neighborhood impact or the appropriateness of a project to the host residential area, or where letters and pro/con speakers at commission meetings are treated as a "mini referendum." You are the city's decision-makers and the curators of our zoning, our development districts, and our community plans. Please consider this request thoughtfully. Understand the makeup of this residential neighborhood, and weigh the concerns of the closest affected neighbors. Make your decisions with a vision for the future of this neighborhood.

I am neither for nor against this developer's request for five additional hotel rooms. I'm simply advocating for a responsible process, with honest deliberation from leadership on our Planning Commission.

Thank you for your consideration.

James Damato  
800 Boscobel St.  
Historic Edgefield  
Nashville, TN 37206

**From:** Shower Up Nashville [mailto:showerupnashville@gmail.com]

**Sent:** Tuesday, February 26, 2019 7:05 PM

**To:** Planning Commissioners

**Subject:** 819 Russell Street

Dear Members of the Planning Commission,

Thank you for all you do to serve Nashville! What you do has such a tremendous impact and I'm grateful for your time and efforts.

I'm writing to let you know of our full support for the boutique hotel project at 819 Russell Street and the addition of the 5 new rooms. I would be there personally, but we have a family commitment, so I hope that this email will clearly represent our full support.

As the founder and executive director of ShowerUp, it's our mission to serve Nashville's population that are experiencing homelessness by providing them with mobile showers and personal care. In the past 2 years, we have provided nearly 3,000 showers and, as a result, have seen people get jobs, pursue housing, and restore broken relationships. As a 501c3, charitable non-profit, we rely on the support of individuals, churches, businesses, and philanthropic efforts.

We are honored that the owners of the new hotel at 819 Russell Street have chosen to partner with us and allow us to be part of their philanthropic outreach to the city's homeless population. Their support will allow more lives to be impacted and provide much-needed service to our neediest friends. This partnership will be vital to our organization. Plus, I know that they are helping to support other non-profits that are also on the front-lines of outreach to our community's homeless. What a terrific endeavor!

If there is any way that I can serve you, please don't hesitate to let me know.

Thanks again for allowing me to express our full support and I look forward to seeing it approved on February 28th.

Thankful for your service,

Paul Schmitz  
615-516-3113



ShowerGrace ● ShowerHope ● ShowerLove

ShowerUp

[showerupnashville@gmail.com](mailto:showerupnashville@gmail.com)

Paul Schmitz - Executive Director

Rhonda Schmitz - Vice President

From: **Steve Morris** <[steve@wagonwheeltitle.com](mailto:steve@wagonwheeltitle.com)>  
Date: Wed, Feb 27, 2019 at 6:53 AM  
Subject: Russell Street Hotel Project  
To: [bwithers365@gmail.com](mailto:bwithers365@gmail.com) <[bwithers365@gmail.com](mailto:bwithers365@gmail.com)>

Hey Brett – I understand that the developers on this project are going to seek approval for some additional rooms in the attic space of this project. I won't clog your inbox with a big email, but I wanted to lend my voice in support of that change. Thank you!

**Steven T. Morris**

Owner/Attorney

---

Wagon Wheel Title & Escrow · Lockeland  
Law Group, PLC

204 S 11th St. Nashville, TN 37206

**T** (615) 650 5100 **F** (615) 650 6699

[wagonwheeltitle.com](http://wagonwheeltitle.com) · [Follow Us on Facebook](#)



From: Withers, Brett (Council Member)  
Sent: Wednesday, February 27, 2019 11:58 AM  
To: Layne, Lois; [planning.staff@nashville.gov](mailto:planning.staff@nashville.gov)  
Cc: Planning Commissioners  
Subject: RE: Case 2018NHL-003-002 Church Hotel.

Thanks for forwarding this feedback, Lois, and for all that you do to represent the Historic Edgefield Neighborhood Association. I have copied the Planning Commissioners on this email to ensure that they have it in their packet when considering this case on Thursday.

Brett A. Withers  
Metro Council, District 6  
Mobile (615) 427-5946 | [facebook.com/Brett A. Withers](https://www.facebook.com/Brett.A.Withers) | [twitter.com @brettawithers](https://twitter.com/@brettawithers)

---

From: Layne, Lois [[lois.layne@wku.edu](mailto:lois.layne@wku.edu)]  
Sent: Wednesday, February 27, 2019 9:15 AM  
To: [planning.staff@nashville.gov](mailto:planning.staff@nashville.gov)  
Cc: Withers, Brett (Council Member)  
Subject: Case 2018NHL-003-002 Church Hotel.

Dear Planning Commissioners,

The Historic Edgefield Board hopes that the renovation and reuse of the Church will be an asset to the neighborhood. The conditions which were approved at the May 24th hearing helped allay serious concerns about the disruption that the hotel could cause in our small residential neighborhood. None of the neighbors were eager to reopen the hotel discussion due to a request to add 5 rooms. However, a neighborhood meeting was held on Feb. 20th. Twenty or more neighbors discussed the pros and cons of increasing the hotel from 18 to 23 rooms.

Of the neighbors present who live in the 800 and 900 blocks of Russell St., a majority wish for no more rooms to be added. They expressed concerns about the increases in parking, noise, and traffic from more hotel guests. Most already had concerns about the impact of a hotel in light of all the nearby commercial development on Woodland St. and Main St. that has turned Russell St. into a parking lot.

Some neighbors worry that approving this request may set a precedent for any future requests to make changes in approved NHL plans. Finally, if the owner believed the hotel could succeed with 18 rooms, why approve 5 more?

Some who were opposed to adding additional rooms, some said they might consider a compromise of perhaps 20 rooms. There were also points made in favor of approving additional rooms. Approximately a fourth of the Russell St. residents who attended the meeting were okay with adding 5 rooms. The attic space for the 5 added rooms was only discovered when the damaged ceiling was being replaced.

Some neighbors pointed out that it is in the neighborhood's best interest for the hotel to be financially successful, since it already has been approved. We know that historic restoration is always more expensive than anticipated and a successful owner will be able to better maintain or further restore the property and work with neighbors to resolve problems that arise. If the hotel is a financial failure, it is likely to be sold and the new owner might be difficult. (We have had experience with an owner who was hostile to the neighborhood and unable to maintain the property.) In discussions after the meeting, many neighbors expressed a desire to have a good relationship between the neighborhood and the hotel owner and the live-in manager.

Historic Edgefield Neighbors' mission is to maintain the quality of life within our unique urban environment, while preserving its residential and historic character and maintaining its unique diversity. The HEN Board trusts that the Planning Commission will take these ideals to heart when deliberating on the requested addition and consider the neighborhood impact of adding 5 rooms to the hotel. We hope the Planning Commission considers feedback from residential neighbors living on nearby blocks around the Hotel Church.

Lois Layne, President  
Historic Edgefield Neighbors

## Item 27: 2019Z-026PR-001 – 440- JJ Watson Ave. / 4415 Nolensville Pk.

**From:** Frank Shelton [[mailto:fas\\_51@outlook.com](mailto:fas_51@outlook.com)]

**Sent:** Saturday, February 23, 2019 9:49 AM

**To:** Davette Blalock (Council Member)

**Cc:** Planning Staff

**Subject:** Rezoning

Case number: 2019Z-026PR-001

I'm sending this email in regard to the Rezoning Application Request , it is my opinion that some changes are not for the betterment of the already established residents . I am having to deal with new neighbors now , we live on a narrow street ( Providence Heights ) , my new neighbors want to share there new residents' with friends and family . I understand this , but when you don't have enough room for your own vehicles and you invite others over and each of them has a vehicle . And when you ask them to move there vehicle them they want to get upset . The streets in this area were setup the size of alleys not standers street widths . So it is for this very reason that I'm requesting that the zoning for this area remains the same . These narrow streets are already congested . Please leave the zoning for this area as is .