

Comments on April 25 MPC agenda items, received through April 24

Item 4: 2017SP-092-001 – The Villages at Hodges Hill SP

From: Jennifer O'Neill [<mailto:hillengladehhh@gmail.com>]

Sent: Tuesday, April 23, 2019 4:22 PM

To: Brenda Haywood; Rickoff, Abbie (Planning)

Cc: maggie@silentevents.com; MICHAEL MAPLES; lisakay3; James Ladd; listenerlynn@yahoo.com

Subject: Jennifer O'Neill

To whom it may concern, and Dear Brenda,

Hope you and yours are well, and you had a glorious Easter!

We haven't spoken personally in months, but I want to express to you that I've been extremely distressed with the last of multiple meetings in regard to 4000 Brick Church Pike that you were not in attendance- until this last Monday...To that end, I'm concerned that you're missing the very loud and clear voice of our united neighborhood in regard to a zone change and the mass building at 4000 Brick Church Pike.

Frankly, this has been such a disaster, with meetings being called on-and-off at the last minute, including the recent formal zoning hearing that was canceled TWO HOURS before everyone in the neighborhood intended to show up (including me). My husband Merv and I, along with an extremely concerned and agitated neighborhood, clearly recognize that our voices and legitimate-documented concerns, have not been heard or embraced- ESPECIALLY with this proposed zoning change for the Hodges' property at 4000 Brick Church Pike! We will not tire, and we will be heard!

I was sorry to have missed the last minute called meeting in regard to 4000 Brick Church Pike this past Monday (April 22), but I was glad to hear that you allowed some of the neighborhood concerns to be heard by you, since, at the prior meetings, desires of the builders were more of statements rather than an exchange of community-betterment. With the last meeting that I attended, the "Contractor/builder" repeatedly fielded legitimate questions of the neighborhood with "I don't know", as well as comments like, "This IS going to happen in your neighborhood whether all of you like it or not" - and the precursor of the meeting was "Not everyone's going to be happy, but this is the way it is."

Brenda, I believe you when you say you want to represent your constituents in a Godly, honest and uplifting manner for the entire area... Unfortunately, this whole scenario at 4000 Brick Church Pike has become a circus - Kerry's purchase of the property has already affected my neighboring farm when the 4000 Brick Church Pike's land was raped by logging, causing flooding that washed away a major culvert on Hillenglade Drive and our Ministry riding ring (at the cost of \$7500+ to repair, see pictures attached).

Brenda, I know how busy you are, BUT WE ALL ARE, and I'm writing this to you because, due to the last minute changes at the zoning committee, I will not be able to attend the on the 4/25/19 due to a business trip booked well in advance. I know that many, many, many have reached out to you with their credible concerns, but let me please weigh in with you and the zoning commission as clearly as I can... Re-zoning this land to accommodate building structures that, not only the existing roads and schools and general traffic could not accommodate, the ebb and flow of the property at 4000 Brick Church Pike, under the proposed re-zoning and building plans is a DISASTER. No one is trying to stop progress, but rezoning and building should always lift the neighborhood up in a positive fashion - Brenda, this clearly is not that intention, for very obvious financial gain for non-resident builders and planners.

Our voices will be heard, no matter how many meeting dates and times are changed: Neighborhood rezoning and housing must be beneficial to the neighborhood- As you know, that is the legal intent for the best growth of Nashville.

If you remember from your visit to my home for a lunch, my husband and I have dedicated our land in support of our Active Duty Military, Veterans, First Responders and their families for free Equine Assisted Programs and a safe, quiet haven for these heroes. We intend to serve the Community, as I'm sure you are as well.

Grace and peace,

Jennifer O'Neill

P.S. Attached are photos of the flood issue.

P.P.S. Mike and Mervin, please send this along to whomever you like.

--

Founder/ President of HHH
Hope & Healing at Hillenglade

30 Hillenglade Drive

Nashville, TN 37207

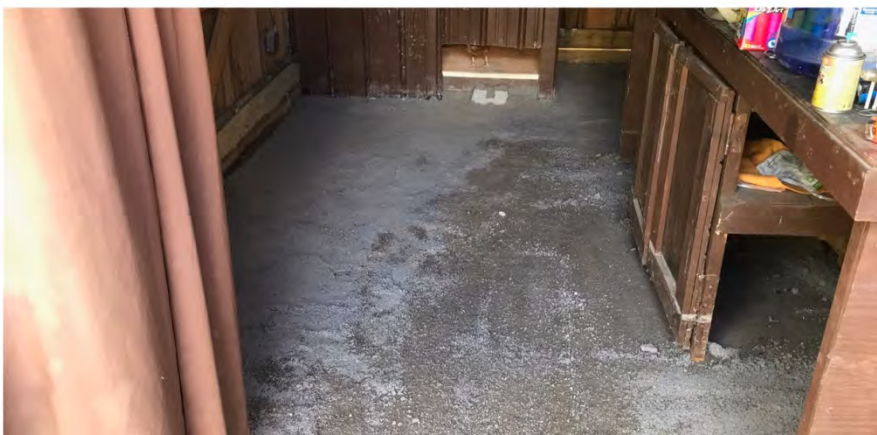
Office: 615.868.6309

hillengladehhh@gmail.com

www.hillenglade.org

www.jenniferoneill.com

Dictated Not Read







From: Louie Johnston Jr. [mailto:louiejohnston@gmail.com]
Sent: Wednesday, April 24, 2019 4:39 AM
To: Planning Commissioners
Cc: Haywood, Brenda (Council Member)
Subject: Reference 2017 SP-092-001

I oppose the development of the land at issue, for the following factual, documented reasons, primarily the preservation of the EAST SIDE OF BRICK CHURCH PIKE between Brick Church Pike and Interstate 24, historically open farm land that is a treasure of Nashville.

Background...

In 2018 my sister and I inherited the property at 4014 Brick Church Pike in Bellshire Subdivision where I was raised since 1962. I hunted on the property at issue since my teen years and I am now age 68. Adjoining the property at issue on its South side is a dairy farm that once was a part of "Country Maid Dairies" that sponsored my baseball team ages 9-12.

The property at issue is just 100 yards from 4014 Brick Church Pike, but more importantly, on the WEST side of Brick Church Pike that separates the Bellshire subdivision and other more recent, more inexpensive, densely built residential development from the beautiful open farm land that makes this specific area of Nashville a treasure. I personally know very well that property previously owned by the Hodges family, whose sons Reid and Ricky were my high school classmates.

FACTS...

- Metro Nashville Government allowed the Bellshire subdivision built on the **EAST SIDE** of *Brick Church Pike* (that featured quality ranch brick homes on acre plus lots, to have property values drastically lowered by adjacent inexpensive densely packed residential homes on tiny lots, bringing high crime rates with the new "development". Bellshire subdivision property owners have suffered from Metro "development" on the WEST SIDE of Brick Church Pike, but to date Metro government has drawn the line for development down the middle of Brick Church Pike and kept development to the **WEST SIDE**, historically preserving the **EAST SIDE** farm land history and beauty. We ask you to continue this by denying the proposed development of the farm land at issue.
- In 2019 erosion from the backside of the property at issue caused a landslide onto Interstate 24 that shut the interstate down for weeks. Further stripping of the land at issue to build housing units must not be allowed on land already proven to be problematic in doing so.
- Traffic from such a proposed residential development could not be more dangerous ingress and egress than this section of Brick Church Pike in the curves that severely restricts line of sight in both directions.

For the reasons stated above, I oppose the proposed "development" of the farm land at issue.

Louie Johnston Jr.

Founder of...

www.LaymanLessons.org

www.PatriotPastors.net

www.AmericanConstitutionCenter.org

www.BlueWingUSA.com

www.LouieJohnston.com

Private CELL 615-209-0413

From: lisakay3 [mailto:lisakay3@att.net]

Sent: Wednesday, April 24, 2019 7:07 AM

To: Planning Commissioners; planningstaffing@nashville.gov; abbie.rickhoff@nashville.gov; Haywood, Brenda (Council Member)

Cc: Elise Hudson; elainemcreynolds@att.net; maggie@silentevents.com; maples14@msn.com

Subject: 2017-SP-092-001 - Villages of Hodges Hill/ 4000 Brick Church Pike

Commissioners: Good morning! thank you for your service and attention. This proposed SP zoning request over a two year period has yet to come to the community with a plan that was coherent and cohesive. The plan in its current form is not harmonious with the neighborhood. Bellshire Estates are single family homes, brick on primarily acre lots. There are no "manor homes" (4 cell unit homes) in the area nor any apartments. Additionally, there have been no plans shown for the structural designs. This is an incomplete plan that continues to come before you again and again and again.

This is not only of great concern to area home owners: it is frightening! Their inability to schedule, notify and even attend THEIR own meetings is outrageous behavior. The trust that we had attempted to build and has been established is eroded by such reckless practices.

Please do not allow the zoning to be changed on this property. I beseech you to vote against the zoning change.

Thank you for your consideration and attention to this matter.

Lisa Kay Johnson

4001 Ridgemont Drive

Nashville TN 37207

From: Rebecca FITTS [mailto:brfitts@bellsouth.net]

Sent: Wednesday, April 24, 2019 8:29 AM

To: Planning Commissioners

Subject: Reference 2017SP-092-001

The proposed zoning change on Brick Church Pike will greatly harm our long established neighborhood. I am not opposed to change when there are positive benefits. In this case, I can only see negative results in changing the zone. It will disturb the natural springs, creeks and streams that runs throughout our neighborhood. There is a creek that runs thru my back yard. So many homes that are proposed to be built will produce much more vehicle and foot traffic. The property is located on a hill and curve. I am not opposed to building as is currently zoned RS-20. However, I am opposed to changing the zone that will do more harm than good for our neighborhood.

Becky Fitts

1328 Bellshire Drive

Nashville, Tn 37207

From: Michael McAllister [mailto:mcallistm17@gmail.com]
Sent: Wednesday, April 24, 2019 9:01 AM
To: Planning Commissioners
Cc: Haywood, Brenda (Council Member); maggie@silentevents.com
Subject: 2017SP-092-001

Dear Councilwoman Haywood and Planning Commissioners,

I would like to express my concern about the upcoming hearing for the rezoning of the 4000 brick church pike property. As an involved member of the community, we take pride in working with our neighbors to communicate, cooperate, and help one another. I am opposed to the rezoning of this property. We have done everything we can to come together and hear the new plans. The developers seem to have done everything in their power to avoid every opportunity to fully answer the communities questions and concerns. In every way we look at it, the plan to rezone will not benefit the surrounding community. We would like to add value to our community. If this property is rezoned, it will only add value to the pockets of the developers. It will not add any value to the people that call Bellshire home.

Thank you for your time and consideration.

Michael McAllister

4016 Ridgemont Dr, Nashville, TN 37207

From: Debby Fuller [mailto:fuller.dl@att.net]
Sent: Wednesday, April 24, 2019 9:59 AM
To: Planning Commissioners
Subject: Reference 2017SP-092-001

The proposed zoning change for 4000 Brick Church Pike will not be a benefit to the Bellshire Estates Community; instead, this proposed rezoning plan will only greatly impact our present auto traffic and those who choose to exceed the speed limit. I say this as a homeowner who recently was a victim of property damage to front yard due to a speeding vehicle. Also, I live on a street that accommodates school buses picking up/dropping off children - the increase of traffic is not in the best interest or safety for our residents. I am not opposed to progress. However, progress can be accomplished by maintaining the existing zoning RS-20.

Debby Fuller

1325 Cheshire Dr.

Nashville, TN 37207

From: Becky Fishburn [mailto:becky@tnlaw.net]
Sent: Wednesday, April 24, 2019 10:04 AM
To: Planning Commissioners; Haywood, Brenda (Council Member)
Cc: maggie@silentevents.com
Subject: 2017SP-092-001

Ladies & Gentlemen:

I wish to once again express my strong opposition to the above-subject project. This development does not fit with our neighborhood and should not be permitted. Other developments along Brick Church Pike have already removed so many trees that the noise from Interstate 24 prevents me from getting a restful night's sleep. Traffic along Brick Church Pike has increased significantly and there are times I have difficulty exiting my driveway. I also have serious concerns about the water runoff due to the added buildings and driveways, and about the potential damage to existing properties as a result of blasting on the hill. Please vote in opposition to the applicant's proposed development.

Your time and consideration are greatly appreciated.

Becky Fishburn
4009 Brick Church Pike
Nashville, TN 37207
(615) 860-9917
becky@tnlaw.net

From: Elaine McReynolds <elainemcreynolds@att.net>
Date: April 10, 2019 at 12:06:27 PM CDT
To: brenda.haywood@nashville.gov, Brendahaywood@icloud.com
Cc: planning.commissioners@nashville.gov
Subject: 2017SP-092-001 The Villages At Hodges Hill

Many of us in District 3 recognize that the open spaces of undeveloped land also makes us a magnet for developers. We are a diverse district residentially, commercially, economically, racially, and age-wise. We also recognize that we will be a key player in Nashville's growth. We want growth that honors the commitments that NashvilleNext represents. We want new developments to acknowledge and respect our traditional neighborhood characteristics whether they are agricultural, rural, suburban, or urban. When developers try to circumvent requirements for harmoniousness, consistency of neighborhood character or zoning by applying for SP exemptions, people like me become alarmed.

2017SP-092-001 is requesting a SP which does NOT enhance the neighborhood. In fact, it serves to do the opposite. One of the adjacent properties, Hillenglade, serves as a place for veterans, their families and others to get away, ride horses, ponies, play games, have picnics, etc. We are all so proud that Hillenglade recognizes our debt of gratitude to our veterans and their families and has gone to such generous efforts to try to pay them back. Putting anything as dense as 2017SP-092-001 in this area is unthinkable. We have zoning regulations for a reason and I cannot understand why we should tolerate a special allowance for a proposal that does not help the community.

This project continues to lack the specificity of a concept proposal. The elevation of part of the property is already producing flooding concerns, especially since some of the trees have been felled. There are so many reasons to disapprove this SP and no reasons to approve it.

Once again, thank you for your time and effort. Please oppose this SP.

Sincerely,
Elaine A. McReynolds

Please see attachment on the following pages.

Opposition to 2017SP-092-001

Hodges Hill (4000 Brick Church Pike)

Summary

Petitions

T3

T3 NE

17.12.090 – Cluster Lot Option Code

Maps

Example of Area Homes

Flooding Concerns

Letters

SUMMARY

Please **OPPOSE** 2017SP-092-001 Hodges Hill (4000 Brick Church Pike) due to the following:

1. Zoning Noncompliance - Too Much Density

- Under existing zoning (RS-20), less than 2 single family homes per acre are allowed
- Under existing zoning (RS-20), only single family houses are allowed (this proposes manor homes)
- Current zoning would only allow 26 homes on 14 acres (14 acres x 1.9 homes/acre)
- Cluster lot option would only allow 10,000 sqft lots (RS10 is 2 zoning levels more density) - the proposed lots are typically 5,400 sqft and only as large as 7,000 sqft

2. Policy Noncompliance – Lack of Connectivity, Non-Sensitive Design Principles

- Under existing T3-NE Policy (III-CCM-143), developments should have moderate to high levels of connectivity with street networks, sidewalks, bikeways, and mass transit
- Developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers
- Design Principles (III-CCM-144) -Achieving and maintaining healthy watersheds require that new development in T3-NE areas be sensitively designed to contribute to their continuing health

3. Cluster Lot Options – Requires Open Space, Recreational Facilities (none in this plan)

- Under cluster lot option (Metro Code 17.12.090), additional density to RS-10 would be allowed, but would also require large areas of useable open space, recreational facilities, and require larger perimeter lots that are comparable to surrounding lots as to accommodate transition into the areas of more density
- (Metro Ord 17.12.090 Cluster Lot Option C.1,2,3) Under current zoning and policy, the developer could utilize cluster lots instead of an SP, but under Cluster Lots, Perimeter lots would be at least 90% of the size required by actual zoning...or have landscape buffer - but must be in "similar character" to surrounding lots

4. SP Not Providing Any Benefit to Community - Only to Developers

- SPs are designed to give something back to the community and serve as a contract with the community that would trade the ability to build outside the existing zoning and policy in return for the community receiving something in return
- Developers knew the property had RS-20 zoning and T3-NE policy when purchased
- It is not the community's responsibility to ensure the developer/owner make a profit
- The SP does not designate any specific design features that would benefit the community – such as brick siding, large setbacks, rear loading garages, dark-sky lighting (or anything that would provide value to the community in trade for the additional density and units)

3. Negatively Impacts Surrounding Rural Character and Harmony

- The surrounding character of the neighborhood is rural along this stretch, and this would significantly impact that character negatively
- Though the area is in policy T3-NE - the policy seems misapplied since this side of the street is predominantly rural, and not suburban evolving to urban, as T3-NE indicates
- SPs are difficult to enforce with such a small enforcement staff and are complicated to the point where neighbors do not understand many of the provisions – there are no specific penalties/clawbacks to the developer for non-compliance
- Should have provided dense landscape buffers around the development as a transition to the rural surroundings

4. Stormwater

- There are existing springs on the property, and the logging of trees on the property has already caused adverse conditions during rain where runoff is eroding soils and causing flooding to the neighbors
- Current Stormwater notes do not adequately address the underlying springs, the environmental impact to the water after the build, and does not address issues of clean water rights for the adjacent properties

5. Traffic/Roads

- The plan would cause several neighbors to lose part of their property to the turn lanes mandated in the plan
- Concerns of sight visibility of entrance/exit to subdivision along Brick Church Pike not adhering to AASHTO standards (as mandated by subregs)
- Cheshire is the street in Bellshire Estates directly across from the property in question. Cheshire is a street that presently accommodates school buses picking up and dropping off children. It is a street that has a blind hill and curve – it has been a continuing discussion with Metro Police and Metro Council Persons over the years for speed calming. These issues have not been addressed by the developer.

6. No Homeowner's Association (HOA)

- Typically, developments of this type would have a HOA that would provide additional rules to enforce the character preservation of the neighborhood

SUMMARY

Please CHANGE 1875B-1875C to read as follows:

1. Planning Requirements - The Board Shall:

- Review and approve all site plans, subdivision maps, and other documents submitted to the Board for approval.
- Review and approve all subdivision maps, subdivision plats, and other documents submitted to the Board for approval.
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2. Public Participation - The Board Shall:

- Provide a public hearing on all subdivision maps, subdivision plats, and other documents submitted to the Board for approval.
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3. General Provisions - The Board Shall:

- Review and approve all subdivision maps, subdivision plats, and other documents submitted to the Board for approval.
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4. The Board Shall Provide Any Benefit to Community - The Board Shall:

- Provide a public hearing on all subdivision maps, subdivision plats, and other documents submitted to the Board for approval.
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5. The Board Shall Provide Any Benefit to Community - The Board Shall:

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8. The Board Shall Provide Any Benefit to Community - The Board Shall:

**IN OPPOSITION TO
SPECIFIC PLAN 2017SP-092-001
The Villages at Hodges Hill SP**

THE PROPOSED ZONING CHANGE FROM R20 TO SP-MR CIRCUMVENTS THE PRESENT RESIDENTIAL DENSITY OF THE SURROUNDING PROPERTIES (RS-20). THIS PROPOSED DEVELOPMENT WOULD HAVE A NEGATIVE IMPACT UPON THE HEALTH AND WELL-BEING OF THE HOMEOWNERS AND RESIDENTS OF THE BELLSHIRE AREA.

THE PROPOSAL IS NOT IN KEEPING WITH THE PRESENT DENSITY OR SUBURBAN CHARACTER OF THIS LONG ESTABLISHED NEIGHBORHOOD.

NAME	ADDRESS
1. Elaine McReynolds	1517 Naples Ave 37207
2. George McReynolds	" " "
3. Jennifer O'Neill	30 Hillingdale Dr 37207
4. [Signature]	30 HILLINGDALE DR 37207
5. [Signature]	4007 Rickmont Drive 37207
6. Lu Dai	4004 Sussex Dr.
7. James Ladd	4008 SUSSEX DR 37207
8. King Davidbridge	4017 Dumbarton Dr. 37207
9. DWIGHT TOWEN	3900 BRICK CHURCH PK
10. PARK BOOMAN	3824 " " "

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NAME	ADDRESS
1. Karen B Frusser	1346 Cheshire Dr Wash
2. Bobby Frusser	1346 Cheshire Dr 37207
3. Carmen Clay	1346 Cheshire Dr 11
4. Arthur Sanders	1341 Cheshire Dr 11 37207
5. Anna Carter	1332 Cheshire Dr. 37207
6. James E. Burton	1332 Cheshire Dr. 37207
7. Calci Cox	1328 Cheshire Dr. 37207
8. Rebekah Watson	1329 Cheshire Dr 37207
9. Deborah Fuller	1325 CHESHIRE DR 37207
10. _____	1309 Bell Grimes Dr 37207

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THE PROPOSAL IS NOT IN KEEPING WITH THE PRESENT DENSITY OR SUBURBAN CHARACTER OF THIS LONG ESTABLISHED NEIGHBORHOOD.

- | | NAME | ADDRESS |
|-----|----------------------|-------------------------------|
| | Jennie J. Camp | 4008 Ridgemont Dr. |
| 1. | Jennifer M. Cripps | 4010 Ridgemont Dr. |
| 2. | Charasma Moseley | 4012 Ridgemont Drive |
| 3. | Glen R. Teal | 4013 Ridgemont Dr. |
| 4. | JAMES & Mary Doss | 4005 Ridgemont DR. |
| 5. | Michael & CANDY HALL | 1319 Bell Grimes Ln |
| 6. | KEVIN BEGGS | 4021 RIDGEMONT DRIVE |
| 7. | James + Essie Cook | 301 Bell Grimes Ln. |
| 8. | HAROLD P Black | Bell Grimes Dr. near LAE Lane |
| 9. | James Rutherford | 4024 Ridgemont Dr |
| 10. | David Rutherford | 4024 Ridgemont Dr |

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NAME	ADDRESS
1. Jean Chaney	1336 Cheshire Dr.
2. Robbie Chaney	1336 Cheshire Dr.
3. Jamaica Clement	1321 Cheshire Dr.
4. Zack Clement	" "
5. Kea Brorsma	1312 Bell Grimes Ln.
6. Amanda Roche	1306 Bell Grimes Ln.
7. Carl R. Fort	1302 BELL GRIMES LANE
8. Shenika Wiley	4019 Ridgemont DR
9. Michelle Wiley	4017 Ridgemont Dr
10. Gavin Malin	4004 Sussex Dr.

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NAME	ADDRESS
1. Tracy Hunter	3923 Brick Church
2. Magdalen Mitchel	4016 Devonshire Dr, Nash. 37207
3. Derrick Armstrong	1300 Bellshire
4. Christine Grimes	4028 Sussery Dr Nashville
5. Kelvin Jenkins	4016 Dumbarton Dr
6. Elise Jenkins	4016 Dumbarton Dr Nashville
7. Carolyn S. Brown	3921 Banbury Dr. Nash. 37207
8. John J. Brown	3921 Banbury Dr. Nash. 37207
9. [Signature]	1136 Tuckahoe Dr NASH 37207
10. Arthur & Angela Ewing	1131 Tuckahoe Dr 37207

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NAME	ADDRESS
1. <u>Stut Wolk</u>	1208 SUSSEX CT ^{372R} NASHVILLE TN
2. <u>R. Armes</u>	3917 DEVONSHIRE DR
3. <u>Jan Yoder</u>	1239 RUGBY DR ³⁷²⁰⁹
4. <u>Ewa Smith</u>	4008 Oxbow Dr.
5. <u>Dale Canada</u>	4009 Oxbow Dr
6. <u>Mary Ruth Curtis</u>	4004 Oxbow Dr
7. <u>Bond Curtis</u>	4004 Oxbow Drive
8. <u>Martylye</u>	1212 Rugby Dr.
9. <u>Marilyn Connor</u>	1212 Rugby DR
10. <u>R. Esturgel</u>	1212 Rugby Dr

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NAME	ADDRESS
1. Margaret Bales	1324 Cheshire Dr.
2. Loraine Bales	1324 Cheshire Dr.
3. GEORGE EWING	4601 WHITES CREEK PIKE
4. Taylor Hudson	4588 Whites Creek Pk
5. James Hudson	536 BRICK CHURCH LN
6. Marcella D. Hudson	527 Brick Church LN
7. Cheryl Hudson	536 Brick Church Ln
8. Wesley Hudson	527 BRICK CHURCH LN.
9.	
10.	

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SPECIFIC PLAN 2017SP-092-001
The Villages at Hodges Hill SP**

THE PROPOSED ZONING CHANGE FROM R20 TO SP-MR CIRCUMVENTS THE PRESENT RESIDENTIAL DENSITY OF THE SURROUNDING PROPERTIES (RS-20). THIS PROPOSED DEVELOPMENT WOULD HAVE A NEGATIVE IMPACT UPON THE HEALTH AND WELL-BEING OF THE HOMEOWNERS AND RESIDENTS OF THE BELLSHIRE AREA.

THE PROPOSAL IS NOT IN KEEPING WITH THE PRESENT DENSITY OR SUBURBAN CHARACTER OF THIS LONG ESTABLISHED NEIGHBORHOOD.

NAME	ADDRESS
1. <u>Lynn Weinstein</u>	<u>3910 Brick Church Pike</u>
2. <u>AARON FISHBEIN</u>	<u>4020 RIDGEMONT DRIVE</u>
3. <u>Jacqueline Brownlow</u>	<u>1200 Bell Grimes Ln</u>
4. <u>Zach Runquist</u>	<u>4020 Brick Church Pike</u>
5. <u>LeMoyné Runquist</u>	<u>4020 Brick Church Pike</u>
6. <u>Lise Hudson</u>	<u>4601 Whites Creek PK Whites Creek 37189</u>
7. <u>MARIS</u>	<u>4010, 4012, 4014 Brick Church Pike</u>
8.	
9.	
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**IN OPPOSITION TO
SPECIFIC PLAN 2017SP-092-001
The Villages at Hodges Hill SP**

THE PROPOSED ZONING CHANGE FROM R20 TO SP-MR CIRCUMVENTS THE PRESENT RESIDENTIAL DENSITY OF THE SURROUNDING PROPERTIES (RS-20). THIS PROPOSED DEVELOPMENT WOULD HAVE A NEGATIVE IMPACT UPON THE HEALTH AND WELL-BEING OF THE HOMEOWNERS AND RESIDENTS OF THE BELLSHIRE AREA.

THE PROPOSAL IS NOT IN KEEPING WITH THE PRESENT DENSITY OR SUBURBAN CHARACTER OF THIS LONG ESTABLISHED NEIGHBORHOOD.

NAME	ADDRESS
1. <i>Becky Fitts</i>	<i>1328 Bellshire Dr.</i>
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T3 Suburban

Introduction

The T3 Suburban Transect category is the bridge between the Rural and Urban Transect areas. Development within T3 Suburban is designed to thoughtfully transition from the least dense natural and rural environment to the denser urban environments. T3 Suburban areas are moderately developed with nature strategically incorporated into the site design. Existing vegetation is preserved to define curvilinear streets and parks, and the green space associated with civic and institutional uses is part of the neighborhood's design. The balance of nature and buildings tips toward nature with more open space and vegetation framing the street than buildings.

Classic models of suburban development allow nature to take a prominent role while the buildings remain secondary, creating a setting that, while not rural, still features open space prominently. This model separates residential and nonresidential land uses and provides moderate street connectivity. West Meade, parts of Madison, parts of Donelson, Crieve Hall, and Bellshire are examples of the classic suburban model.

While the classic model is found in suburban areas, the more recent "conventional suburban" model is also present. Relative to the classic model, the conventional suburban development model places less emphasis on nature and more emphasis on buildings and infrastructure. Commercial centers, open space, and civic and institutional uses are developed as isolated uses separated from residential land uses with low connectivity.

T3 Suburban Community Character policies areas encourage improvements to the conventional suburban model by supplementing with a combination of classic model and traditional neighborhood form elements intended to achieve complete suburban communities (complete communities are defined in General Principles of this document). The form of development should emulate the classic suburban model, preserving the natural environment by incorporating existing vegetation and land forms into the site design. T3 Suburban policies modify the classic suburban model in two distinct

GENERAL CHARACTERISTICS OF T3 SUBURBAN*

- Predominantly residential
- Mixed use centers & corridors
- Moderately developed
- Low to medium density
- Diversity of housing types in center & corridors
- Accessible open space
- Moderate connectivity (ped/bike/vehicular)
- Single and shared access driveways
- Generally larger lots
- Moderate distance between intersections
- Wide curvilinear & linear streets
- Moderate lot coverage
- Regular & consistent setbacks
- Moderate spacing between buildings
- Low rise development
- Formal 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.*

T3 Suburban

ways: framing the street with buildings and enhancing connectivity between commercial, open space, and civic and institutional uses.

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 the classic suburban model, fewer public parks exist because open space and park activities were provided via larger yards. The current suburban model features smaller yards, so open space is typically provided in the form of a common open space within individual developments, regional public parks, or open space offered in conjunction with schools or libraries. As the new suburban model evolves, open space should be carefully interwoven into the fabric of the neighborhood, creating open space that may be accessed by pedestrians or people in vehicles and that serves the needs of the immediate suburban neighborhood.

Neighborhoods

Neighborhood housing generally has shallower and consistent setbacks and closer spacing in order to achieve the desired suburban neighborhood form. It incorporates nature into design, but allows buildings to serve a more prominent street-framing role. Neighborhood developments integrate existing vegetation in order to preserve the classic suburban model's characteristic green space and dense foliage.

A complete suburban neighborhood features a mix of housing types that are thoughtfully integrated in the neighborhood. While traditional single-family and two-family housing types prevail, housing types also include



Public open space in a suburban neighborhood

multi-family residences in the form of manor houses to create the appearance of single-family structures. Other housing types such as townhouses and flats may become more common as well. Although the building form and placement may change from the classic suburban model, the suburban character of the residential areas is maintained by preserving existing vegetation and balancing buildings with open space.

Centers

Suburban centers play an integral role in complete neighborhoods. The current prevailing suburban center model is typically located on the edge of several neighborhoods with vehicle access and limited access to mass transit. To create suburban neighborhoods that offer residents the option to walk or bike to meet some of their daily needs, smaller neighborhood-scaled suburban centers may co-exist within residential suburban neighborhoods. Larger and more intense community-scaled suburban centers remain at the edge or boundary of several neighborhoods.

T3 Suburban policies encourage the evolution of suburban centers into more intense mixed use and commercial nodes along major corridors with the goal of—creating a neighborhood or community center rather than strip commercial. The evolution of suburban centers calls for:

T3 Suburban

- Increased building heights;
- Shallow building setbacks;
- Larger building footprints in relation to the lot size; and
- Internally and externally connected by sidewalks and bikeways.

T3 Suburban policies also encourage redevelopment of centers into destinations that appeal to pedestrians and cyclists (e.g. multi-modal access with less reliance on the automobile). While suburban commercial centers have traditionally served pass-through customers, the evolving suburban mixed use centers will be accessible via auto, existing or planned transit, bike, or on foot, truly serving the surrounding neighborhoods.

Evolving suburban neighborhoods should have a highly connected street system that provides multiple routes for traveling to commercial centers, civic and institutional uses, and open space.

Corridors

Residential and mixed use corridors link suburban neighborhoods to suburban centers and have a distinct character and function in the neighborhoods versus in the centers. Suburban corridors allow vehicles to move efficiently while accommodating pedestrians and cyclists. In suburban centers, buildings and the streetscape frame the corridor. In suburban neighborhoods and between suburban centers, open space frames the corridor, preserving existing vegetation and land forms.

Conservation

Conservation (CO) policy is applied to areas in the T3 Transect where environmentally sensitive features are identified. These areas contain sensitive environmental features that have already been developed or that remain undisturbed. Construction of new buildings in undisturbed CO areas within T3 is inappropriate unless the site in question cannot be developed at all without some disturbance of the sensitive environmental

features. The design principles outlined in the CO policy area balance the conservation of sensitive environmental features and the supported principles of the T3 Transect.

Development is grouped on the site to preserve the environmentally sensitive features. Lot configuration and right-of-way prioritize the preservation of environmentally sensitive features over consistency with the surrounding lot and right-of-way patterns. Site specific vegetation and topography are used to determine where buildings are best located to minimize environmental disturbance, and sensitive environmental features are used as site amenities.

The presence of environmentally sensitive features often diminishes the development capacity of property even though they provide natural features whose beauty and distinctiveness can be incorporated as site amenities; therefore, property owners must be prepared to utilize unique development tools and options for land that contains environmental constraints and recognize that the perceived value of the land may be compromised by the presence of environmentally sensitive features.

Additional Guidance for Development of Sites that Contain Historically Significant Features

Many areas contain buildings or settings that are historically significant. 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:
 - Worthy of Conservation
 - Eligible for Listing in the National Register of

T3 Suburban

Historic Places

- Listed in the National Register of Historic Places
- National Historic Landmark

Owners of these properties are encouraged to work with the MHC to protect and preserve the historic features in conjunction with any 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 these policies, including older development plans that were approved but 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, the development can be built without guidance from the Community Character Manual (CCM) or the applicable Community Plan. In some cases, development plans may require additional review if significant changes to the approved plans are sought. In those cases, the policies of the CCM or 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 considerations below 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 sometimes confronted with proposals for adaptive reuse of sites or buildings where existing activities are no longer viable. Proposals for adaptive reuse may be accompanied by rezoning requests, which would be reviewed for consistency with this policy, provided that:

- There is no territorial expansion of the use and/or zoning
- Proposal would generate minimal non-local traffic that can be served by the transportation network
- Proposed development can be served by existing infrastructure
- Proposal is consistent with the character of the surrounding transect area
- Proposal 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 a change in use and/or zoning districts that are inconsistent with policy, or 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.

In primarily residential policy areas, there may be certain kinds of institutional uses supported by the policy that may be proposed for some type of adaptive reuse (e.g. religious or educational institution). Adaptive reuse proposals may include activities that the policy would not normally be supported under the policy. In order to

T3 Suburban

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 Metropolitan Historical Commission and/or Metropolitan Historic Zoning Commission:
 - 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;

- The proposed development would generate minimal non-local traffic and the traffic can be adequately served by the existing transportation network;
- The proposed development can be adequately served by existing infrastructure;
- The proposed development is consistent with the character of the Transect area in which the site is located;
- The proposed development is consistent with the Design Principles of the policy; or
- 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.

T3 Suburban



T3 Suburban Open Space



T3 Suburban Neighborhood



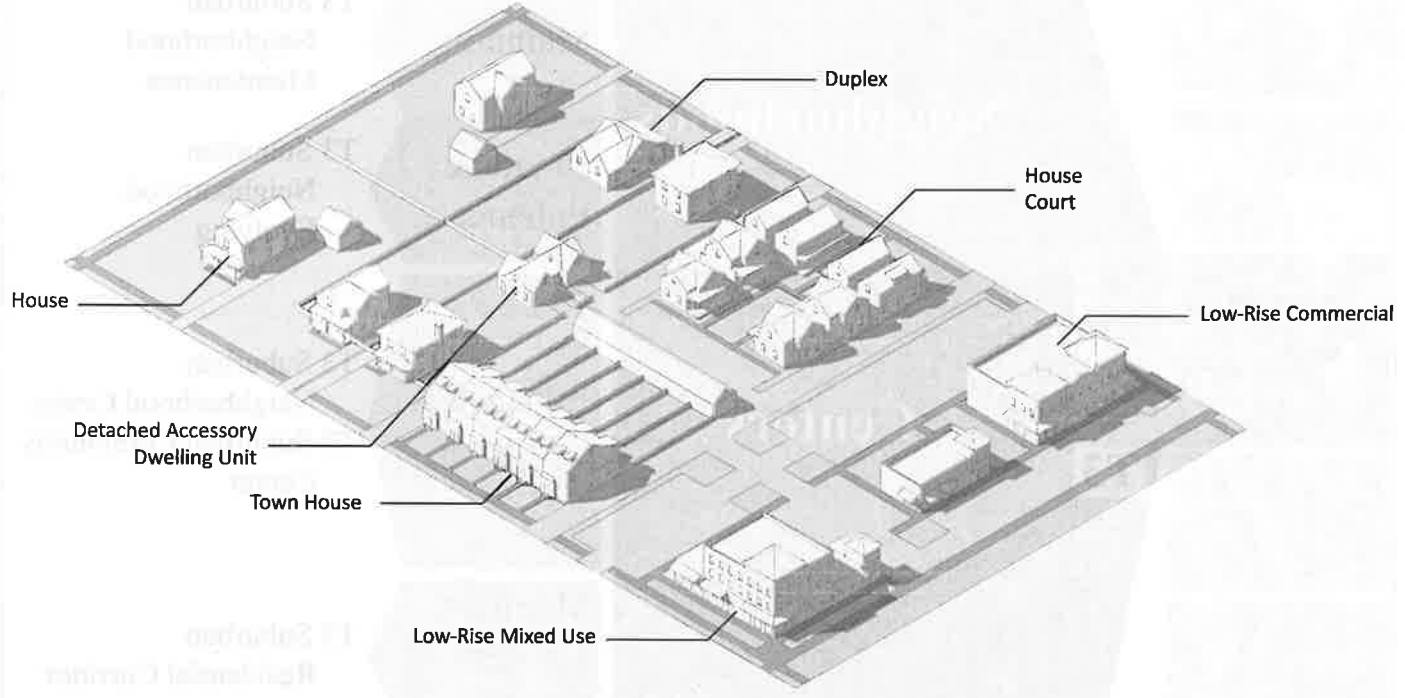
T3 Suburban Corridor



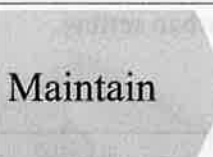



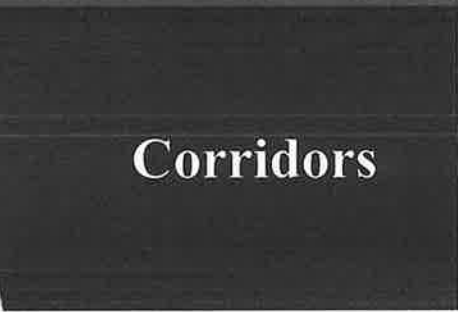
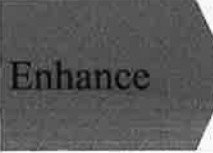


T3 Suburban Center

T3 Suburban

A mix of building types in a suburban setting.



Transect	Elements	Intent	Policy
	 <p data-bbox="487 514 868 577">Neighborhoods</p>	 <p data-bbox="901 451 1055 493">Maintain</p>	<p data-bbox="1136 409 1372 525">T3 Suburban Neighborhood Maintenance</p>
		 <p data-bbox="901 577 1055 661">Create & Enhance</p>	<p data-bbox="1136 556 1372 672">T3 Suburban Neighborhood Evolving</p>
	 <p data-bbox="576 819 779 882">Centers</p>	 <p data-bbox="901 798 1088 892">Enhance & Create</p>	<p data-bbox="1136 766 1469 924">T3 Suburban Neighborhood Center T3 Suburban Community Center</p>
			 <p data-bbox="552 1123 803 1186">Corridors</p>
	 <p data-bbox="901 1197 1047 1249">Enhance</p>	<p data-bbox="1136 1186 1453 1260">T3 Suburban Mixed-Use Corridor</p>	

T3-NE Suburban Neighborhood Evolving

Policy Intent

Create and enhance suburban neighborhoods with the best qualities of classic suburban neighborhoods—greater housing choice, improved connectivity, and more creative, innovative, and environmentally sensitive development techniques.

General Characteristics

T3 Suburban Neighborhood Evolving (T3-NE) areas are undeveloped, underdeveloped, or suitable for substantial infill and redevelopment and are anticipated to be developed in suburban residential patterns, but at higher densities and with greater housing variety than classic suburban neighborhoods. Where transportation infrastructure is insufficient or not present, enhancements may be necessary to improve pedestrian, bicycle, and vehicular connectivity.

T3-NE areas have the characteristics of the following:

- Moderate-density development patterns with residential and institutional land uses;
- Moderate setbacks and spacing between buildings;
- Lots generally accessed from local streets, but may have alley access;
- Consistent use of lighting
- Consistent use of both formal and informal landscaping;
- Moderate to high levels of connectivity with street networks, sidewalks, bikeways, and mass transit;
- Developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers; and
- "Infill Areas" in T3-NE differ from those in T3 Suburban Neighborhood Maintenance (T3-NM). T3-NE areas are generally larger and places an emphasis on a more diverse housing mix and a higher level of connectivity.

EXAMPLES OF APPROPRIATE LAND USES*

- Residential
- Community Gardens & Other Open Spaces
- Institutional

ZONING*

- RS7.5, RS7.5-A
- R8, R8-A
- R10, RS10
- R15, RS 15
- RM9-A
- RM15-A
- RM20-A
- Design-based zoning

BUILDING TYPES

- House
- Detached Accessory Dwelling Unit
- Plex House
- House Court
- Low-Rise Townhouse
- Mid-Rise Townhouse
- Manor House
- Courtyard Flat
- Low-Rise Flat
- Mid-Rise Flat
- Institutional

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T3-NE Suburban Neighborhood Evolving

Development patterns in T3-NE areas will have higher densities than classic suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land without sensitive environmental features and the cost of developing housing—challenges that were not faced when the original classic, suburban neighborhoods were built.

Application

T3-NE policy is applicable to areas that are zoned residential, where the primary land use is residential, or that are envisioned to become primarily residential. T3-NE policy is typically applied in the following situations where there is:

- An expressed interest in the evolving development pattern of an area to promote a mixture of housing types, greater connectivity, and the use of more innovative environmentally sensitive development techniques; or
- Existence of the following characteristics:
 - High proportion of vacant land;
 - High potential for consolidation or subdivision of incongruous lots (not an established lot pattern);
 - Incongruity between the existing land use and the zoning;
 - Proximity to evolving centers or corridors; and/or
 - Age and condition of the existing development.

Commonly used boundaries to define T3-NE areas include, but are not limited to: boundaries defined by evolving or intended development patterns (considering lot size, spacing of homes), environmental features including, but not limited to, watershed boundaries,

human-made features (rail lines, major utility easements, prominent roads and streets), 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

T3-NE areas have an integrated mixture of building types to create housing choice. The mix and placement of building types is designed to be cohesive throughout the development and in relation to adjacent developments, providing a thorough mix of housing types versus groupings of single types of housing.

The mixture and placement of building types consider the street type and effects on nearby sensitive environmental features guided by Conservation policy and the overall health of the watershed. While protection of an individual environmentally sensitive feature—a sink hole, a steep slope, etc.—may lead to a site plan that avoids this feature, the protection of the overall health of the watershed, may lead to building and site design that reduced stormwater runoff through compact site design and other innovative building and site design features.

Because many of these areas are currently undeveloped or underdeveloped, the development that occurs can have a disproportionate impact on the natural features in these areas, especially on streams and rivers. While Conservation policy is applied to environmentally sensitive features, including floodplains and steep slopes, areas outside of floodplain still drain to streams, creeks, and rivers within the watershed. Achieving and maintaining healthy watersheds requires that new development in T3-NE areas be sensitively designed to contribute to their continuing health.

Massing – Building massing results in footprints with moderate lot coverage.

T3-NE Suburban Neighborhood Evolving

Orientation – Buildings are oriented to the street or to an open space, which may vary and could include courtyards or other types of functional and accessible open spaces.

Setbacks – Building setbacks and spacing are generally moderate and consistent.

Density – Density is secondary to the form of development; however, T3-NE areas are intended to be moderate density with smaller lots and a more diverse mix of housing types than are typically found in T3 Suburban Neighborhood Maintenance areas.

Building Height – Buildings are generally one to three stories in height. Buildings up to four stories may be supported in appropriate locations, such as abutting or adjacent to major corridors as identified on the NashvilleNext Growth & Preservation Concept Map, abutting or adjacent to centers, and to support affordable and workforce housing.

Consideration of taller heights is given based on the following factors:

- Adequate infrastructure, such as appropriately sized water and sewer service, complete streets, and streets and sidewalks that are adequately wide to support the increased height without the building overshadowing the street or degrading its walkability;

- Access to major transportation networks;
- Opportunities for higher connectivity;
- Proximity to existing or planned transit, with increased height benefits for areas within 0.25 mile of a High Capacity Transit station;
- Ability to form transitions from adjacent higher-intensity development to the lower-scale neighborhood interior;
- Ability to support the viability of nearby consumer businesses; and
- Ability to provide affordable or workforce housing as defined in the Glossary of this document.

Along Major Corridors – The mix of building types should be thoughtfully placed in relation to corridors and centers, placing taller buildings that contain more units abutting or adjacent to centers and corridors, and use these more intense building types as land use transitions.

Double Frontage Lots – Development does not result in the creation of double-frontage single- or two-family lots, unless there are extenuating circumstances, such as the need to avoid disturbing sensitive environmental features. For example, development in these areas does not create a situation that would result in the rear of a building facing a street.

Open Space – New developments that create their own street or internal drive systems also provide inviting, functional, and accessible open space as an integral part of the development. This is particularly important in areas with a deficiency of public open space or where there is a need to protect nearby sensitive environmental features or protect watersheds. Less extensive new developments provide smaller open spaces. In any case, the open spaces created through new development should serve multiple purposes, such as rain gardens that serve both as storm water management devices and site amenities.



Residential building height

T3-NE Suburban Neighborhood Evolving

Landscaping – Landscaping may be formal or informal. Existing vegetation should be retained to preserve the randomly spaced clusters of mature trees like those found in classic suburbs and to provide air and water quality protection. New developments use native plants, natural rainwater collection, and other low-impact stormwater management techniques to minimize maintenance costs and burden on infrastructure, to protect any sensitive environmental features that may be nearby, and to protect the overall health of the watershed. 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 for single- and two-family buildings is generally provided by driveways on private property with limited on-street parking. Parking for multifamily is provided on-site in surface parking lots, which are behind or beside the primary structure and are screened from view.

Parking for institutional land uses is provided on-site behind or beside buildings. The use of pervious pavement is strongly encouraged and may be required in certain situations where nearby sensitive environmental features and the watershed could be negatively affected by runoff.

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.

Transitioning

Infill – T3-NE policy may be applied either to undeveloped or substantially under-developed “greenfield” areas or to developed areas where there is a desire for redevelopment and infill that produce a different character inclusive of increased housing diversity and connectivity. Redeveloping these existing neighborhoods involves somewhat different considerations than development of new suburban neighborhoods in “greenfield” settings. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors.

Adjacent Historic Structures – New structures are designed to provide a transition in scale and massing to adjacent historic structures. A successful transition may be provided by reducing the height and massing of the new structure when approaching a smaller historic structure and using a building type such as articulated townhouses near historic structures to complement the historic structure’s form. Applicants are also encouraged to offer additional or alternative innovative ways to provide transition in scale, massing and building type. In all cases, new structures adjacent to historic structures complement in height and massing historic structures and do not threaten the integrity of the historic property and its environment.

Higher Intensity – Allowing for higher-density residential building types placed in relation to corridors and centers adds value to neighborhoods by growing the market and demand for consumer services and the demand for transit. Buildings at the edges of the T3-NE area form transitions in scale and massing where it adjoins lower-density policy areas, with thoughtful attention given to the placement and orientation of buildings within these edges as they relate to their surroundings. Higher-intensity through rezoning occurs as proposals are judged on their merits and ability to meet the goals of the Community Plan. Buildings at these edges:

T3-NE Suburban Neighborhood Evolving

- Step down in height as they move closer to adjacent lower-density areas. This may require different heights within an individual structure;
- Avoid placing parking lot entrances opposite lower-density areas;
- Respond to differences in topography to avoid buildings that loom over smaller buildings at lower elevations;
- Respond to the height of smaller adjacent historic buildings so that they do not loom over them;
- Are oriented so that there is a back-to-back relationship between the taller buildings and smaller buildings;
- Are separated from lower-density areas by rear alleys or service lanes; and
- Articulation of façades that face lower-intensity policy areas.

Connectivity

Access – Single-access driveways from the street to an individual residence are common, though access to multiple residences may warrant shared driveways or alley access. Existing shared driveways should be retained, particularly on arterial-boulevard and collector-avenue streets. Shared driveways are provided along arterial-boulevard and collector-avenue streets with new development or redevelopment.

Block Length – Blocks are curvilinear and linear with moderate distance between intersections.

Pedestrian/Bicycle – Pedestrian and bicycle connectivity is moderate, and is provided in the form of sidewalks, bikeways, and greenways. Sidewalks, bikeways, and greenways connect adjacent subdivisions, institutional uses, existing or planned transit, and neighborhood centers. They may play an important role for providing connectivity in areas nearby sensitive environmental features like streams, floodplains, and steep slopes limit vehicular connectivity. Meanwhile, the presence of natural features may provide additional

connections for bicyclists and pedestrians, as well as providing pathways for animal migration and safety, all while protecting sensitive natural features. It is appropriate to link existing cul-de-sacs with sidewalks or multi-use paths to other nearby cul-de-sacs or common open spaces.

Transit – Access to existing or planned mass transit is provided in convenient locations that allows for coordination with sidewalks and bikeways.

Vehicular – Vehicular connectivity is moderate and is provided in the form of local streets, collector-avenues, and arterial-boulevards that add to the overall street network and provide residents with multiple routes and reduced trip distances. An alley network may complement the street network that provides access to residences. With new development, connectivity is established to provide residents with multiple route options to destinations, which reduces congestion on primary roads. Nearby sensitive environmental features such as streams, floodplains, and steep slopes may affect connectivity.

Balancing Conservation and Evolving Policies

Decisions for properties in T3-NE areas containing Conservation (CO) policy require flexibility, as environmental constraints may complicate development without disturbing the sensitive features. Development is grouped on the site to preserve the environmentally sensitive features. Lot configuration and right-of-way prioritize the preservation of environmentally sensitive features over consistency with surrounding lot and right-of-way patterns. Site-specific vegetation and topography are used to determine where buildings are best located to minimize environmental disturbance. Sensitive environmental features are used as site amenities.

In the event that new construction is supported, the density or intensity of development for the environmentally constrained portions of a site is lower than for the more developable portion of a site, to an extent that preserves the essential integrity of the

T3-NE Suburban Neighborhood Evolving

natural landform and vegetation. Specific residential densities are determined by physical site characteristics, the presence of existing or planned infrastructure, adjacent policy areas, and the impact that the proposed development would have on the environmental feature in question. In general, the more environmentally sensitive the site is, the lower the acceptable density or intensity of development is.

Building mass is generally small in footprint with a low impervious surface ratio in relation to the lot size to protect sensitive environmental features. Building height may be more limited than would otherwise be supported by the T3-NE policy based on factors such as the need to alter sensitive environmental features for engineering purposes to achieve the desired height or to provide access and parking.

Building orientation and placement minimize disturbance of existing environmental features. Buildings are oriented to face public streets to the extent that protecting sensitive environmental features permits.

The adequacy of the infrastructure (including, but not limited to, roads and sewers) and the feasibility of extending infrastructure are also considered with development of property with or adjacent to CO policy. For example, a property guided by CO and T3-NE policies may not be able to achieve increased intensity where surrounding sensitive environmental features limit provision of adequate infrastructure and connectivity improvements.

Zoning

The following is a list of zoning districts that may be appropriate within a given T3-NE area subject to the applicant's ability to prove that the requested zoning district is consistent with for the other provisions of T3-NE policy as detailed above. A site's location in relation to centers and corridors will be weighed when considering which zoning districts would be appropriate in a given situation. 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 T3-NE policy in a manner that brings them closer to conforming to the policy. These situations may warrant the use of zoning districts that might not otherwise be considered appropriate.

- RS7.5, RS7.5-A
- R8, R8-A
- R10, RS10
- R15, RS15
- RM9-A
- RM15-A
- RM20-A
- Design-based zoning

Other existing or future residential zoning districts may be appropriate based on the locational characteristics and surrounding context 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 deal with potential effects on nearby environmentally sensitive features and the overall health of the watershed.

17.12.090 - Cluster lot option.

In order to provide for flexibility of design, the creation of common open space, the preservation of natural features or unique or significant vegetation, subdivisions in the R/R-A and RS/RS-A districts may cluster lots subject to the following restrictions:

- A. The preliminary plat of subdivision shall establish that clustering is proposed and display the layout and area of all lots and common areas and all phasing boundaries. Within a preliminary plan of subdivision, large contiguous areas may be proposed for development of single-family lots that contain less land area than normally required by Table 17.12.020A for the associated zoning classification of the subdivision. Subdivisions proposed for cluster lot development shall clearly delineate on the preliminary plan of subdivision the alternative lot size standards to be employed and describe those land areas required to satisfy the open space requirements of this section.
- B. The minimum area within the cluster lot subdivision shall be no less than ten times the minimum lot area for the base zoning district as established by Table 17.12.020A. For example, in the R10 district the minimum area for the subdivision would be one hundred thousand square feet. (Ten thousand square feet minimum lot size times ten).
- C. Lots may be reduced in area the equivalent of two smaller base zone districts. As an example, a subdivision in the R15 district may utilize the cluster lot option to create lots equivalent in size to the R8 and R8-A district. In similar fashion, a subdivision in the RS15 district may create lots equivalent in size to the RS7.5 and RS7.5-A district. The bulk standards of a comparable district which most closely resembles the alternative lot sizes chosen for any given phase of development shall be employed for that phase of the subdivision. Perimeter lot sizes shall adhere to the following standards:
 1. The minimum size of perimeter lots oriented towards an existing street shall be at least ninety percent of the minimum size required by Table 3-A for the actual zoning of the property. If, however, the property on the opposite side of the street has previously developed with smaller lot sizes, or has a currently approved plan of development with smaller lot sizes, the planning commission may permit the perimeter lots to be of a comparable size to those opposite lots within the overall size limitations established by this section.
 2. Perimeter double-frontage lots oriented to an internal street may be reduced in size the equivalent of one zoning district provided that a standard C landscape buffer yard is provided within common open space along that boundary. Alternatively, perimeter double frontage lots may be reduced in size the equivalent of two districts with the installation of a standard D landscape buffer yard.
 3. Perimeter lots otherwise abutting a conventional R/R-A or RS/RS-A subdivision may be reduced in size the equivalent of one zoning district with the installation of a standard B landscape buffer yard located within common open space. Perimeter lots may be reduced in size the equivalent of two zoning districts with the installation of a standard C landscape buffer yard. In situations where abutting lots of a neighboring development are smaller in size than would otherwise be required of the perimeter lots in the cluster lot subdivision, the planning commission may permit the perimeter lots to be of a similar character to those abutting lots within the overall size limitations established by this section.
- D. Utilization of alternative minimum lot sizes shall result in the creation of common open space. At a minimum, open space shall be provided for in each phase of a development employing alternative lot sizes at the rate of fifteen percent of that phase's gross land area.
- E. The determination of lot yield shall be based upon assigning fifteen percent of the gross land area to streets and dividing the remaining eighty-five percent of the gross land area by the minimum lot area of the actual zone district.
- F. Standards for the development of single-family and two-family lots in hillside and floodplain areas shall be as set out in Chapter 17.28.
- G. Recreational facilities.
 1. Any property owner or developer of a subdivision utilizing the cluster lot option shall install and/or construct recreational facilities on a portion of the common open space required pursuant to the provisions of this

section. For purposes of this section, "recreation facilities" mean active play facilities (including but not limited to tennis courts, basketball courts, swimming pools, playgrounds, baseball/softball diamonds or volleyball courts) and passive amenities (including but not limited to walking trails, picnic shelters or gazebos, shared docks, and similar passive recreation amenities). Proposed recreation facilities shall be defined on the concept plan of a subdivision and shall be demonstrated appropriate to the intended demographics of the cluster lot option subdivision.

2. Recreational facilities required pursuant to this subsection shall be located within usable open space areas and shall not be constructed within the following areas:
 - a. Natural areas with slope greater than fifteen percent;
 - b. Within the floodplain;
 - c. Within a sinkhole; or
 - d. Within areas that would impact cultural resources.

Editor's note— The word "usable" was misspelled by staff in the original bill. The dictionary spelling is "useable."

3. At a minimum, recreational facilities shall be constructed and/or installed in accordance with the following schedule:
 - a. Residential developments containing fewer than twenty-five units shall be exempt from the requirement to install recreation facilities.
 - b. One recreational facility shall be installed for developments containing between twenty-five and ninety-nine total residential units, plus an additional recreational facility for every one hundred residential units in excess of the first ninety-nine units.

(Ord. BL2015-1153 §§ 15, 16, 2015; Amdt. 1 to Ord. BL2007-1365 § 1, 2007; Ord. BL2007-1365 § 1, 2007; Ord. 2002-1015 § 1 (part), 2002; Amdt. 1 with Ord. 98-1268 § 1 (part), 1998; Ord. 96-555 § 3.8, 1997)

Approved and Prior FEMA Floodplain / Floodway

Compare the Approved and Prior FEMA Floodplains.











The Federal Emergency Management Agency (FEMA) has produced updated Flood Insurance Rate Maps (FIRM) for Nashville and Davidson County. These maps were recently adopted by Metro Council.

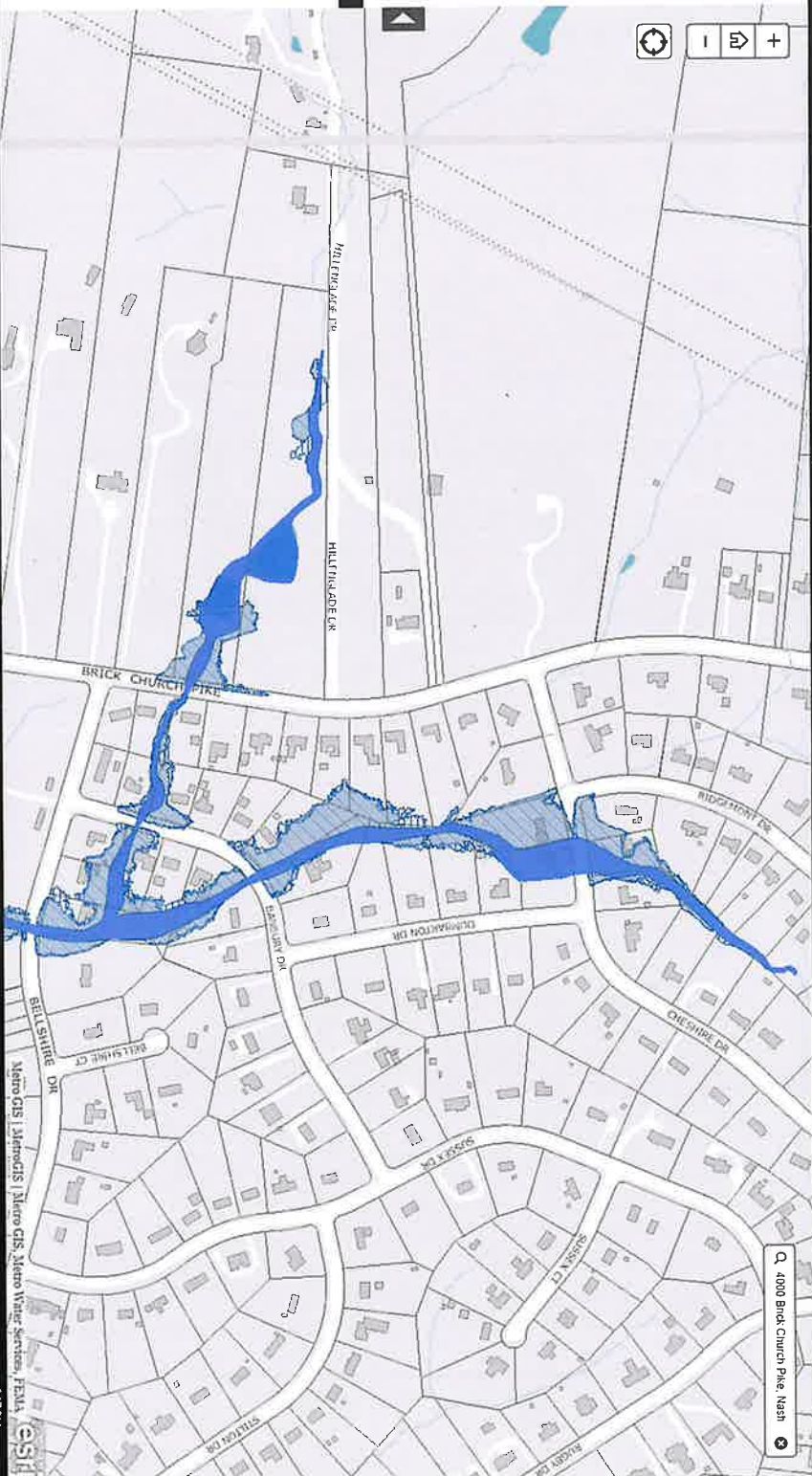
This site allows users to compare the currently Approved FEMA data with the prior 2001 FEMA data.

LEFT SIDE: 2001 FEMA Data

RIGHT SIDE: Currently Approved

Legend

- | | |
|---|--|
|  2001 FEMA Floodplain/Floodway |  Approved FEMA Floodplain/Floodway |
|  Floodway |  Floodway |
|  100 Year Floodplain |  100 Year Floodplain |
|  500 Year Floodplain |  500 Year Floodplain |
|  500 Year Floodplain Protected by Levee |  500 Year Floodplain Protected by Levee |

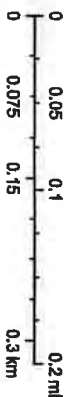


Nashville / Davidson County Parcel Viewer



April 22, 2019

- Ownership Parcels
- Planned Unit Development
- Zoning



1:4,514

Nashville Planning Department, MetroGIS
Metro GIS









Water runoff and flooding are already issues in our neighborhood, as there are many creeks in the area. This development and the lack of research on how they will handle stormwater, will only make this situation worse.



From: **Jennifer O'Neill** <hillengladehhh@gmail.com>
Date: Mon, Apr 22, 2019 at 2:49 PM
Subject: Washout Damage at Hillenglade
To: lisakay3 <lisakay3@att.net>
Cc: Merv Louque <douglascorner@comcast.net>, MICHAEL MAPLES
<maplesm14@msn.com>, <listenerlynn@yahoo.com>

Dear Lisa,

I am emailing you photos of washout damage at 30 Hillenglade Dr on behalf of Jennifer O'Neill.

Please see the attached photos, most of which are before and after photos of the damage from the washout and photos of the culvert replacement. As you can see, the damage was extensive to this property and not only cost over \$7,500 to repair, but kept the nonprofit from functioning, as the culvert was dangerous and the ring had no sand (we are an equine assisted programs charity, so the ring is where we do the majority of our work).

Please let me know if there is anything else I can do to be of assistance.

Blessings,
Candace Baker

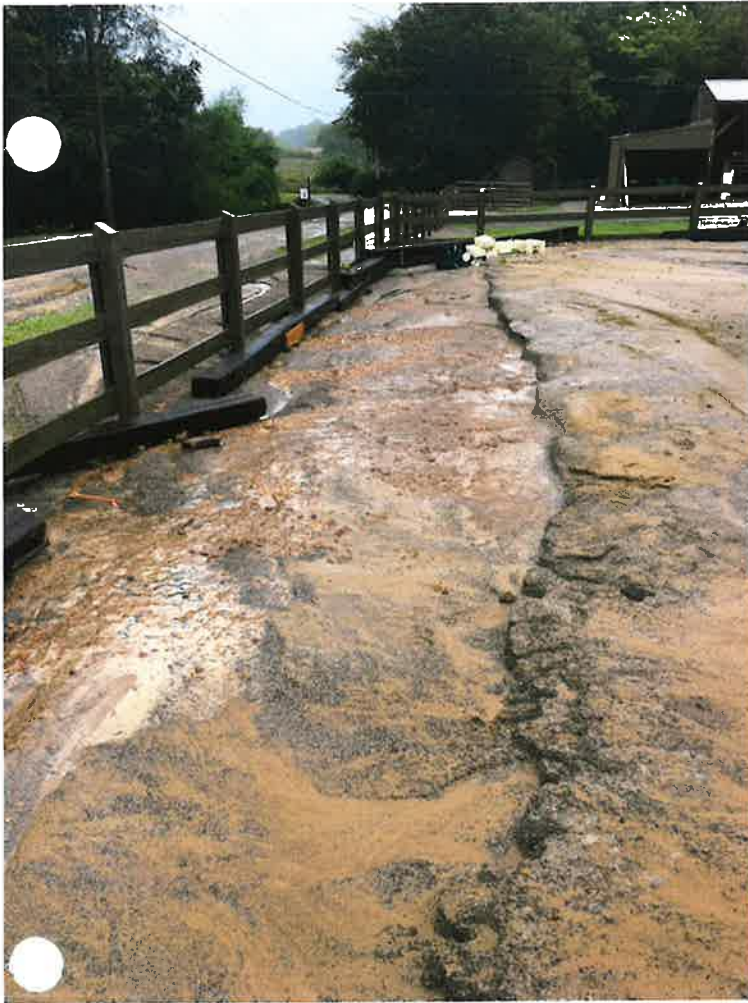
Executive Director
Hope and Healing @ Hillenglade

Executive Assistant
Jennifer O'Neill

—

Founder/ President of HHH

Hope & Healing at Hillenglade
30 Hillenglade Drive
Nashville, TN 37207
Office: 615.868.6309
hillengladehhh@gmail.com
www.hillenglade.org
www.jenniferoneill.com



Photos of flood damage due to recent logging activity at 4000 Brick Church Pike. They are not even building yet, and it is already affecting and causing permanent damage to our homes and properties.





Before and After photos of the damage to neighboring properties from stormwater runoff from the property at 4000 Brick Church Pike, after recent logging to clear out parts of the land.



2017SP-092-001

from: **Michael McAllister** <mcallisterm17@gmail.com>
to: planning.commissioners@nashville.gov
cc: brenda.haywood@nashville.gov,
date: Apr 24, 2019, 9:01 AM

Dear Councilwoman Haywood and Planning Commissioners,

I would like to express my concern about the upcoming hearing for the rezoning of the 4000 brick church pike property. As an involved member of the community, we take pride in working with our neighbors to communicate, cooperate, and help one another. I am opposed to the rezoning of this property. We have done everything we can to come together and hear the new plans. The developers seem to have done everything in their power to avoid every opportunity to fully answer the communities questions and concerns. In every way we look at it, the plan to rezone will not benefit the surrounding community. We would like to add value to our community. If this property is rezoned, it will only add value to the pockets of the developers. It will not add any value to the people that call Bellshire home.

Thank you for your time and consideration.

Michael McAllister
4016 Ridgemont Dr, Nashville, TN 37207

Reference 2017SP-092-001

from: **Debby Fuller** <fuller.dl@att.net>

date: **Apr 24, 2019, 10:03 AM**

The proposed zoning change for 4000 Brick Church Pike will not be a benefit to the Bellshire Estates Community; instead, this proposed rezoning plan will only greatly impact our present auto traffic and those who choose to exceed the speed limit. I say this as a homeowner who recently was a victim of property damage to front yard due to a speeding vehicle. Also, I live on a street that accommodates school buses picking up/dropping off children - the increase of traffic is not in the best interest or safety for our residents. I am not opposed to progress. However, progress can be accomplished by maintaining the existing zoning RS-20.

Debby Fuller
1325 Cheshire Dr.
Nashville, TN 37207

2017-SP-092-001 - Villages of Hodges Hill/ 4000 Brick Church Pike

from: **lisakay3** <lisakay3@att.net>
to: planning.commissioners@nashville.gov,
planningstaffing@nashville.gov,
abbie.rickhoff@nashville.gov,
Brenda Haywood
<Brenda.Haywood@nashville.gov>
date: Apr 24, 2019, 7:07 AM

Commissioners: Good morning! thank you for your service and attention. This proposed SP zoning request over a two year period has yet to come to the community with a plan that was coherent and cohesive. The plan in its current form is not harmonious with the neighborhood. Bellshire Estates are single family homes, brick on primarily acre lots. There are no "manor homes" (4 cell unit homes) in the area nor any apartments. Additionally, there have been no plans shown for the structural designs. This is an incomplete plan that continues to come before you again and again and again.

This is not only of great concern to area home owners: it is frightening! Their inability to schedule, notify and even attend THEIR own meetings is outrageous behavior. The trust that we had attempted to build and has been established is eroded by such reckless practices.

Please do not allow the zoning to be changed on this property. I beseech you to vote against the zoning change.

Thank you for your consideration and attention to this matter.

Lisa Kay Johnson
4001 Ridgemont Drive
Nashville TN 37207

from: **Rebecca
FITTS** <brfitts@bellsouth.net>

date: **Apr 24, 2019, 8:38 AM**

Reference 2017SP-092-001

The proposed zoning change on Brick Church Pike will greatly harm our long established neighborhood. I am not opposed to change when there are positive benefits. In this case I can only see negative results in changing the zone. It will disturb the natural springs, creeks and streams that runs throughout our neighborhood. There is a creek that runs thru my back yard. So many homes that are proposed to be built will produce much more vehicle and foot traffic. The property is located on a hill and curve. I am not opposed to building as is currently zoned RS-20. However, I am opposed to building on the proposed zone change.

Becky Fitts
1328 Bellshire Dr.
Nashville, Tn. 37207

Louie Johnston Jr. <louiejohnston@gmail.com>

to planning.commissioners, brenda.haywood

Reference 2017 SP-092-001

I oppose the development of the land at issue, for the following factual, documented reasons, primarily the preservation of the EAST SIDE OF BRICK CHURCH PIKE between Brick Church Pike and Interstate 24, historically open farm land that is a treasure of Nashville.

Background...

In 2018 my sister and I inherited the property at 4014 Brick Church Pike in Bellshire Subdivision where I was raised since 1962. I hunted on the property at issue since my teen years and I am now age 68. Adjoining the property at issue on its South side is a dairy farm that once was a part of "Country Maid Dairies" that sponsored my baseball team ages 9-12.

The property at issue is just 100 yards from 4014 Brick Church Pike, but more importantly, on the WEST side of Brick Church Pike that separates the Bellshire subdivision and other more recent, more inexpensive, densely built residential development from the beautiful open farm land that makes this specific area of Nashville a treasure. I personally know very well that property previously owned by the Hodges family, whose sons Reid and Ricky were my high school classmates.

FACTS...

- Metro Nashville Government allowed the Bellshire subdivision built on the **EAST SIDE of Brick Church Pike** (that featured quality ranch brick homes on acre plus lots, to have property values drastically lowered by adjacent inexpensive densely packed residential homes on tiny lots, bringing high crime rates with the new "development". Bellshire subdivision property owners have suffered from Metro "development" on the WEST SIDE of Brick Church Pike, but to date Metro government has drawn the line for development down the middle of Brick Church Pike and kept development to the **WEST SIDE**, historically preserving the **EAST SIDE** farm land history and beauty. We ask you to continue this by denying the proposed development of the farm land at issue.
- In 2019 erosion from the backside of the property at issue caused a landslide onto Interstate 24 that shut the interstate down for weeks. Further stripping of the land at issue to build housing units must not be allowed on land already proven to be problematic in doing so.
- Traffic from such a proposed residential development could not be more dangerous ingress and egress than this section of Brick Church Pike in the curves that severely restricts line of sight in both directions.

For the reasons stated above, I oppose the proposed "development" of the farm land at issue.

Louie Johnston Jr.

Founder of...

www.LaymanLessons.org

www.PatriotPastors.net

www.AmericanConstitutionCenter.org

www.BlueWingUSA.com

www.LouieJohnston.com

From: Elaine McReynolds <elainemcreynolds@att.net>
Date: 4/10/19 12:06 PM (GMT-06:00)
To: brenda.haywood@nashville.gov, Brendahaywood@icloud.com
Cc: planning.commissioners@nashville.gov
Subject: 2017SP-092-001 The Villages At Hodges Hill

Many of us in District 3 recognize that the open spaces of undeveloped land also makes us a magnet for developers. We are a diverse district residentially, commercially, economically, racially, and age-wise. We also recognize that we will be a key player in Nashville's growth. We want growth that honors the commitments that NashvilleNext represents. We want new developments to acknowledge and respect our traditional neighborhood characteristics whether they are agricultural, rural, suburban, or urban. When developers try to circumvent requirements for harmoniousness, consistency of neighborhood character or zoning by applying for SP exemptions, people like me become alarmed.

2017SP-092-001 is requesting a SP which does NOT enhance the neighborhood. In fact, it serves to do the opposite. One of the adjacent properties, Hillenglade, serves as a place for veterans, their families and others to get away, ride horses, ponies, play games, have picnics, etc. We are all so proud that Hillenglade recognizes our debt of gratitude to our veterans and their families and has gone to such generous efforts to try to pay them back. Putting anything as dense as 2017SP-092-001 in this area is unthinkable. We have zoning regulations for a reason and I cannot understand why we should tolerate a special allowance for a proposal that does not help the community.

This project continues to lack the specificity of a concept proposal. The elevation of part of the property is already producing flooding concerns, especially since some of the trees have been felled. There are so many reasons to disapprove this SP and no reasons to approve it.

Once again, thank you for your time and effort. Please oppose this SP.

Sincerely,

Elaine A. McReynolds

Jennifer O'Neill <hillengladehhh@gmail.com>

Tue, Apr 23, 2019 at 4:22 PM

To: Brenda Haywood <brendahaywood@icloud.com>, abbie.rickoff@nashville.gov
Cc: maggie@silentevents.com, MICHAEL MAPLES <maplesm14@msn.com>, lisakay3 <lisakay3@att.net>, James Ladd <jrladd48@gmail.com>, listenerlynn@yahoo.com

To whom it may concern, and Dear Brenda,

Hope you and yours are well, and you had a glorious Easter!

We haven't spoken personally in months, but I want to express to you that I've been extremely distressed with the last of multiple meetings in regard to 4000 Brick Church Pike that you were not in attendance- until this last Monday...To that end, I'm concerned that you're missing the very loud and clear voice of our united neighborhood in regard to a zone change and the mass building at 4000 Brick Church Pike.

Frankly, this has been such a disaster, with meetings being called on-and-off at the last minute, including the recent formal zoning hearing that was canceled TWO HOURS before everyone in the neighborhood intended to show up (including me). My husband Merv and I, along with an extremely concerned and agitated neighborhood, clearly recognize that our voices and legitimate-documented concerns, have not been heard or embraced- ESPECIALLY with this proposed zoning change for the Hodges' property at 4000 Brick Church Pike! We will not tire, and we will be heard!

I was sorry to have missed the last minute called meeting in regard to 4000 Brick Church Pike this past Monday (April 22), but I was glad to hear that you allowed some of the neighborhood concerns to be heard by you, since, at the prior meetings, desires of the builders were more of statements rather than an exchange of community-betterment. With the last meeting that I attended, the "Contractor/builder" repeatedly fielded legitimate questions of the neighborhood with "I don't know", as well as comments like, "This IS going to happen in your neighborhood whether all of you like it or not" - and the precursor of the meeting was "Not everyone's going to be happy, but this is the way it is."

Brenda, I believe you when you say you want to represent your constituents in a Godly, honest and uplifting manner for the entire area... Unfortunately, this whole scenario at 4000 Brick Church Pike has become a circus - Kerry's purchase of the property has already affected my neighboring farm when the 4000 Brick Church Pike's land was raped by logging, causing flooding that washed away a major culvert on Hillenglade Drive and our Ministry riding ring (at the cost of \$7500+ to repair, see pictures attached).

Brenda, I know how busy you are, BUT WE ALL ARE, and I'm writing this to you because, due to the last minute changes at the zoning committee, I will not be able to attend the on the 4/25/19 due to a business trip booked well in advance. I know that many, many, many have reached out to you with their credible concerns, but let me please weigh in with you and the zoning commission as clearly as I can... Re-zoning this land to accommodate building structures that, not only the existing roads and schools and general traffic could not accommodate, the ebb and flow of the property at 4000 Brick Church Pike, under the proposed re-zoning and building plans is a DISASTER. No one is trying to stop progress, but rezoning and building should always lift the neighborhood up in a positive fashion - Brenda, this clearly is not that intention, for very obvious financial gain for non-resident builders and planners.

Our voices will be heard, no matter how many meeting dates and times are changed: Neighborhood rezoning and housing must be beneficial to the neighborhood- As you know, that is the legal intent for the best growth of Nashville.

If you remember from your visit to my home for a lunch, my husband and I have dedicated our land in support of our Active Duty Military, Veterans, First Responders and their families for free Equine Assisted Programs and a safe, quiet haven for these heroes. We intend to serve the Community, as I'm sure you are as well.

Grace and peace,

Jennifer O'Neill

P.S. Attached are photos of the flood issue.

P.P.S. Mike and Mervin, please send this along to whomever you like.

--

Founder/ President of HHH

Hope & Healing at Hillenglade

30 Hillenglade Drive

Nashville, TN 37207

Office: 615.868.6309

hillengladehhh@gmail.com

www.hillenglade.org

www.jenniferoneill.com

From: **Ryan Dowd** <ryan@silentevents.com>

Date: Wed, Apr 10, 2019 at 11:01 AM

Subject: The Village @ Hodges Hill Case #: 2017SP-092-001

To:

I am a resident of the Bellshire community and I'm emailing you regarding the property at 4000 Brick Church Pike. I want to tell you that I, along with **every** neighbor I have spoken with, that we are all **against rezoning** this parcel to an SP. This request to rezone does not fit the purpose of an SP according to the Specific Plan District Ordinance published by the Metro Planning Department.

I'm not against building on that land but build something that fits the zoning for the land. When they purchased that land they knew the zoning for that. By allowing them to rezone it tells everyone that the rules can be changed if you have enough money. There is plenty of land on the current property for it to be developed, as is. The investor and developer told us this themselves only a couple of weeks ago. As there is money to be made for them, and housing opportunities for the city that can be developed under the current zoning, **there is absolutely no reason to allow them to change the zoning to an SP**. What about this project needs to be SP? As it gives nothing back to the community.

It should be very clear to you that this community is adamantly against the rezoning. The developers have not provided concrete plans or information regarding how they will tackle the **stormwater issues**, the terrain of the parcel without affecting neighboring properties, what they plan to do with the remaining land on the property (formally "phase 2 and 3") or how this community as a whole could sustain this extreme increase of concentrated population in such a small area of land not to mention that the two-lane road of Brickchurch cannot handle it as well.

Do not allow this to happen. Leave the zoning as it is, RS20. Thank you for your time and I look forward to seeing you on the 11th,

Ryan Dowd
4004 Sussex Dr.
Nashville, TN 37207

From: lisakay3 <lisakay3@att.net>

Date: 4/10/19 12:12 PM (GMT-06:00)

To: planning_commissioners@nashville.gov, planningstaffing@nashville.gov, abbie.rickhoff@nashville.gov, Brenda Haywood <Brenda.Haywood@Nashville.gov>

Cc: maplesm14@msn.com, Elise Hudson <elise@elisehudson.com>, elainemcreynolds@att.net

Subject: 2017-092-002: Villages of Hodges Hill/4000 Brick Church Pike

Thank you for your consideration and your volunteer service to the Community. Please review and vote against this proposal.

The proposed plan for this development is lacking specificity and therefore does not meet the neighborhood standards requirements. It does not fit within the character of Bellshire Estates a long established, neighborhood. Homes in Bellshire Estates are brick construction and average a one acre lot.

The proposed building of 71 residences on 14.8 acres on the front sloping frontage of a 43 acre parcel at 4000 Brick church Pike presents several additional concerns:

Flooding and storm water management

During heavy rains it is common for creeks to flood threatening homes. Some homes have been damaged excessively. There are numerous creeks and natural springs in Bellshire Estates which flow eventually into the north Ewing watershed and make their way to the Cumberland River. (Metro Nashville/ Federal Government purchased several in the area due to flooding in recent years). Additional heavy blasting and ground disturbances may make changes to the natural environmental landscape and climate.

The accommodation for vehicles has not been addressed. Parking? The traffic generated will be unbearable. Rush hour on Cheshire is a speedway daily M-F currently.

Conservation of tree canopy, wildlife, dark sky density.and green space are not addressed.

Bellshire Estates and surrounding neighbors simply deserve better: a more developed quality, definitive planning for a new neighborhood enhancement. Less density, single homes, quality construction and concerns for the surrounding community. This is not in the best interest of health and well being of the residents and would have a have a negative impact if implemented.

Thank you again for your consideration and please vote against this proposed zoning change.

Lisa Kay Johnson

From: **lynn weinstein** <listenerlynn@yahoo.com>

Date: Sun, Apr 21, 2019 at 12:10 AM

Subject: Email Response re: The Villages at Hodges Hill, Development, Rezoning at 4000 Brick Church Pike

To: Bellshire Crime Watch Bellshire Crime Watch

<bellshirecrimewatch@yahoo.com>, <brenda.haywood@nashville.gov>, <planning.commissioners@nashville.gov>, <kmckibbens@comcast.net>, <maplesm14@msn.com>, <hillengladehhh@gmail.com>, <Douglascorner@gmail.com>

April 19 at 2:00 PM

Bellshire Neighbors,

POSTPONED TIL MONDAY:

meeting concerning the The Villages at Hodges Hill, Development
(developer is requesting rezoning of property at 4000 Brick Church Pike)

May I please ask: What is this meeting regarding??? The numerous, previous times Mr. McKibbens called a meeting he answered "I don't know" to most questions that were asked of him. What is the goal here, diversion and/or to wear everyone down? Because that's what it seems like to me after so many meetings he's called already. It is perfectly clear that he cares not one iota about this neighborhood, only about lining his own pockets. I am 100% against this development by these people! And here are a few reasons why:

- 1) This area does not have the required infrastructure to transport, provide sidewalks, utilities, police and fire protection, protect the environment, eliminate clear and present dangers of continued flooding and also educate and school the number of new families this subdivision will attract.
- 2) The property in question is the source of a deep, raw and natural spring which waters the animals of an adjacent Farmer.
- 3) The recent failure of the mud/rock hill onto I-24 and the temporary detour informed the trucking industry of our "secret" route aka Brick Church Pike. This info has more than doubled the number of cars and previously unseen and unheard of large transport trucks who have "discovered" and long after the detour signs were removed, are still using, Brick Church Pike as a means to get around our already Clogged Interstate System.
- 4) The constant "Jake Brakes" and noise pollution alone has indeed impacted quality of life issues along with Impending Safety Issues on the

same stretch of Brick Church Pike as this planned zone change which would even further increase traffic and decrease safety.

5) It seems either the builder/developer or the city should improve infrastructure BEFORE going forward with new projects or developments to lesson the impact on Residents. The city in the last couple of years seems to always be in a "catch-up" position and this greatly impacts our quality of life. Just try driving on our Interstate system and you will quickly experience that our community/neighborhoods and the city of Nashville is completely over-stretched in its capacity to handle the number of people moving into this area and the resulting transfer of goods and services on our roads.

6) What we need is not to be continuously Reacting but we need to be Planning, like our neighbor Hendersonville/Sumner County who denied a new subdivision because of the Lack of Infrastructure and has implemented a 2035 Comprehensive Plan: Sumner County's Blueprint to the Future.

7) This area has no Natural Resources Protection Focus Group to speak on its behalf and we have no idea what else, besides the natural spring, could be endangered by changing the long held Zoning Laws.

And another question: Does anyone and everyone have the freedom to call a meeting at any time? And are there no time considerations and/or restraints on the time given for We the Neighborhood to plan our lives accordingly in a normal, convenient manner? Most of our citizens work and will be at work at 1:00 on this Monday, April 22nd, the latest time for the newest meeting. It seems that this man just loves to wield his ability/authority to "call" meetings at any time for any or no reason i.e. "calling" a meeting and then changing a meeting in less than 48 hours before said meetings after he had inquired and had been cautioned about the disrespect of doing so Yet Again, with one of our resident community leaders. Such **Disrespect** for the people of our neighborhood is very foreboding when considering to allow this man and his cohorts to manipulate our Zoning Laws which in turn **Destroys** our sense of community, **Degrades** our quality of life, **EnDangers** our citizens, **Depreciates** our property values and **Denigrates** our Natural Resources.

Lynn Weinstein

3910 Brick Church Pike

From: **Jennifer O'Neill** <hillengladehhh@gmail.com>

Date: Wed, Apr 10, 2019 at 10:03 AM

Subject: Case #: 2017SP-092-001 The Village at Hodges Hill

To: <planningstaff@nasvhill.gov>

Cc: Brenda Haywood <brendahaywood@icloud.com>, <abbie.rickoff@nashville.gov>

To Our Planning Leaders,

My wife and I have a farm directly next door to the proposed 'The Village at Hodges Hill' development and are adamantly opposed to this re-zoning effort.

We, and other members of this community, work extremely hard to keep this area of Bellshire a traditional family- oriented neighborhood, and feel that changing zoning to allow multi-family dwellings as this development proposes would radically change what we all have established. We also have concerns regarding the change in the ebb and flow as it pertains to water, wildlife and the general nature of the land. Soon after the property was purchased by the new developers, they began to log the hills. Since that time we have had more rain water coming off of that hill than ever, more than during the flood of 2010. This change of water flow even washed out the culvert accessing our property which, as a result, had to be totally rebuilt.

We are aware that Nashville is growing at a rapid pace, and we know it is coming our way. We are merely fighting to preserve the current character of the neighborhood we love and have worked so long to maintain. Members of this neighborhood have lived here for many years and raised their families here. Our hope is to have new development that will improve our neighborhood, not lower the standard by providing low cost housing and inviting a more transient lifestyle to the area.

The attached brochure below shows the (501c3) efforts we do at our farm for our Military and their families.

Thank you for your time,
Mervin Louque
Jennifer O'Neill
30 Hillenglade Dr.
Nashville, TN 37207

--

Founder/ President of HHH

Hope & Healing at Hillenglade
30 Hillenglade Drive
Nashville, TN 37207
Office: 615.868.6309
hillengladehhh@gmail.com
www.hillenglade.org
www.jenniferoneill.com



HHH MISSION

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- as the unseen enemy that follows all too many of our soldiers home from war... Every 65 minutes, at least one of our national heroes' life is ended by suicide.

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Jennifer O'Neill

30 Hillenglade Drive / Nashville, Tennessee 37207

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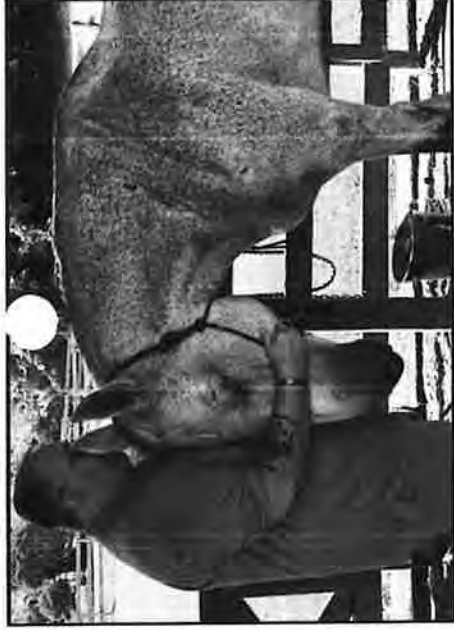


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WHAT PEOPLE ARE SAYING

"Thank you for your support of Veterans and their families through your programs - especially those suffering the effects of PTSD."

-Barry Rice, Former President / Tennessee State Council / Vietnam Veterans of America



"Thank you for arranging such a superb program... I look forward to helping you with your future events."

-Lt. General Hugh Smith, Retired

"I'm, your latest HHH event, as always, was a warm, relaxing, joyful gathering of Heroes who had the privilege of being honored by you and the HHH Team with food, music, games and a healing ambiance... And of course magical horses!" -Tia Acosta / M.D. Specialist in PTSD

"The therapeutic effect of the horses on victims of PTSD is remarkable; according to O'Neill, as FoxNews found to be true while covering an HHH Event. Dr. Marc Siegel, professor of medicine at NYU Langone Medical Center and a FoxNews contributor said Equine Therapy is becoming increasingly common in treating victims of PTSD. 'What really works well for PTSD is love - whether that's from a person or an animal, it doesn't matter,' Siegel said. 'Horses are absolutely therapeutic. I believe in this.'"

-Cristina Corbin / New York-based reporter for FoxNews.com



"My friend Jennifer has created an extraordinary program at HHH in lifting up our heroes. Bravo!" - Kathie Lee Gifford



"No amount of medicine or rest or hospitals or spinal implants (of which I have multiples!) has ever given me the feeling of peace, nurturing and healing that Bru the horse has given me, along with the wonderful girls at Hope and Healing at Hillenglade." -Ray Ashby Nuckles III, Sergeant (Retired) US Army

"It was exciting to work with an animal that could sense your issues and wanted to connect with you. Once the horse connected with you, you were shown it's true love."

-Sergeant First Class (SFC) John Dvorak

"Everyone at Hillenglade thanked us over and over for our military service, and loved on our kids like they were their own. It was so amazing..." -Rachel J. / Military Wife

**OUR MISSION IS CLEAR ...
THE NEED IS GREAT...**

Maggie Malone <carriemmalone@yahoo.com>

To: brenda.haywood@nashville.gov

Apr 9 at 4:04 PM

Against Rezoning of 4000 Brick Church Pike

Hello Brenda,

I am a resident of the Bellshire community and have emailed you before regarding the property at 4000 Brick Church Pike. I want to tell you again that I, along with every neighbor I have spoken with, is against rezoning this parcel to an SP. This request to rezone does not fit the purpose of an SP according to the Specific Plan District Ordinance published by the Metro Planning Department.

There is plenty of land on the current property for it to be developed, as is. The investor and developer told us this themselves only a couple of weeks ago. As there is money to be made for them, and housing opportunities for the city that can be developed under the current zoning, **there is absolutely no reason to allow them to change the zoning to an SP.**

You were elected to represent this community, and it should be very clear to you that this community is adamantly against the rezoning. The developers have not provided concrete plans or information regarding how they will tackle the stormwater issues, the terrain of the parcel without affecting neighboring properties, what they plan to do with the remaining land on the property (formally "phase 2 and 3") or how this community as a whole could sustain this extreme increase of concentrated population in such a small area of land.

Do not allow this to happen. Leave the zoning as it is, RS20. Thank you for your time and I look forward to seeing you on the 11th,

Carrie Malone

4004 Sussex Dr.

Nashville, TN 37207

From: MICHAEL MAPLES <maplesm14@msn.com>

Date: 4/22/19 12:18 AM (GMT-06:00)

To: planning.commissioners@nashville.gov, abbie.rickoff@nashville.gov, anita.mcCaig@nashville.gov

Subject: 2017SP-092-001

Dear Staff and Commissioners:

After a last minute deferral without reason on 4/11/2019, this application is set to go before the commission on 4/25/2019. There have been no new notices sent out for the hearing and the developer still has yet to remove the old hearing notice signs on property to be replaced with the new date.

There is either carelessness, incompetence, or a direct attempt to divert and confuse this very active community who is adamantly opposed to the unfitting nature of this project.

Here is a recent timeline of what this community has been trying to navigate and I hope you will consider:

3/28 - A 48 hour notice was given that the developer wanted to present updated project information to the community. The developer made no attempt to send invites.

3/30 - A last minute meeting was held with a large attendance, some individuals with only 12 hours notice.

4/10 - After much question on whether the 4/11 commission hearing would happen, it was confirmed with planning staff that the developer would proceed with the hearing.

4/11 - 2:10pm it was announced that the developer had chosen to defer to 4/25 hearing. (Less than 2 hours before the hearing and after they knew that a host of community members had already taken off work and mobilized to attend hearing)

4/16 - A late notice announcement was made through the grapevine that developer would hold another last minute community meeting on 4/20. When asked, the developer would not give reason for the meeting (see attached) The developer also, once again, made no attempt to invite anyone.

4/19 - it was announced through the grapevine that the meeting on 4/20 was cancelled and would be held on 4/22 @1pm (right in the middle of a work day). The developer has made no attempt to invite anyone. The councilwoman has said that she would like to use this meeting to see if people in the community are opposed to the project.

Most people are now confused and don't know when to show up, giving the community yet another unfair chance to give reason why this development is not fitting for this community.

Michael Maples

I have blind copied as many neighbors email addresses that I have. If there are any inaccuracies in what I have said, I would ask that any of them speak up to correct me.

From: Elaine McReynolds <elainemcreynolds@att.net>
Date: 4/13/19 10:29 PM (GMT-06:00)
To: Brenda Haywood <brenda.haywood@nashville.gov>
Subject: NFL Draft and the Planning Commission Meeting - Traffic Concerns

Lady Haywood,

Would you consider asking the Planning Commission to defer Hunters Run and 4000 Brick Church Pike items on the April 25th agenda to the May 9th meeting? The NFL Draft is scheduled for April 25th and several of us seniors are worried that we may not be able to get to the meeting with so many downtown streets closed.

As always, I appreciate your time and attention.

Sincerely,

Elaine McReynolds

Item 11: 2019S-043-001 – Highland View

From: Ruth Cirillo [mailto:cirillo.ruth@gmail.com]

Sent: Monday, February 18, 2019 2:53 PM

To: Ruth Cirillo

Subject: "Highland View at the Knob"

Importance: High

By now I am sure you have all heard from more than one person in my neighborhood regarding the planned subdivision "Highland View at the Knob". Yesterday, Sunday February 17th we held a meeting at the police station regarding the Knob Hill development.

I live on the last block of Fleetwood and today I came home to discover a man standing in my driveway with a surveyor machine. I asked him what he was doing and he said he thought it was for a water main. He said he did not know who ordered the survey. Once again we are all feeling invaded!

Several neighbors have called Metro and been unable to get ANY information as to who is requesting all these actions on our street. The gas company, water and sewer people have all been out and sprayed markings and placed flags up and down Fleetwood and even up onto our driveways.

It is our collective opinion that Roy Dale is behind it all as he is trying again to push through this development. Why no one can give us any information is unsettling to say the least. Someone at the utility companies MUST know who is requesting all this.

I am sure you will be hearing from others in my area. We are planning to do everything we can to block this development once again.

Ruth Cirillo

www.throughruthseyes.com

From: Rene LaSpina [mailto:Rene.LaSpina@wsmv.com]

Sent: Friday, February 15, 2019 9:09 AM

To: Rickoff, Abbie (Planning)

Cc: Roberts, Mary Carolyn (Council Member)

Subject: Case 2019-043-001 Highland View At The Knob

Dear Ms. Abbie Rickoff:

I am the Vice President/General Manager of WSMV-TV, Channel 4 (NBC) located at 5700 Knob Road, Nashville. I have been told that you are the Reviewer assigned to the proposed Highland View At The Knob subdivision concept plan, Case # 2019S-043-001.

This proposed development is next-door to our 1368' high television transmission tower that has been here since the late 1950's.

While WSMV-TV believes in the power of Nashville and embraces its growth, the station has serious safety concerns with the location of the proposed Highland View At The Knob subdivision. WSMV-TV has expressed similar concerns in relation to past proposals near the tower.

Principally, WSMV-TV is concerned about the proximity of the proposed homes given the real dangers of ice falling from the tower. Under certain weather conditions, when there is freezing rain, ice forms on metal towers like ours and the guy-wire cables that support it. When the weather warms the ice falls off the tower and the guy-wires, sometimes in large pieces that are capable of causing property damage and injury to people.

Thus far this winter there have been two instances of this happening. [On November 16th](#) dangerous ice chunks fell in the parking lot of our main studios, 700' away. When that incident happened we took the usual precaution of having our employees move their cars to the East end of the parking lot, believed to be out of range of the falling ice. [On December 11th](#), ice again formed on the tower and when it fell the wind was such that it was hitting somewhat new homes on Maudina Avenue that are approximately 650' away from the tower. Homeowners from that area reached out, but there is nothing we can do in advance.

Here is a link to a video clip on You-Tube showing ice falling from a tall tower (not the wsmv tower) for perspective only.

<https://www.youtube.com/watch?v=YWqiSHRwmk8>

We have other concerns, like the effect of blasting on the stability of guy wires (and thus the whole tower), but we ask for the opportunity to meet with you to discuss the ice and other concerns directly. Please give me a call at 615-353-2210.

Very truly yours,



René LaSpina
Vice President & General Manager
615-353-2210 Office
615-970-8620 Mobile
5700 Knob Rd. Nashville, TN 37209

From: kathy.cloninger@gmail.com [<mailto:kathy.cloninger@gmail.com>]

Sent: Monday, February 18, 2019 10:51 AM

To: Rickoff, Abbie (Planning)

Subject: Highland View at the Knob - case # 2019S-043-001

Hi Abbie. It looks like we are back at it again with the concept plan submitted by Roy Dale. It appears that this case is currently slated for the consent agenda at the March 14 Planning Commission meeting. It is my understanding that anyone in attendance can ask that an item be removed, so that we can discuss it in more detail. We plan to have someone from our group ask for this item to be placed as a regular item, so that we can speak about it. I thought it would be helpful for you to know, in case you are trying to determine the timing of agenda items for that evening. We will most likely be contacting you in the next few weeks, as we try to understand the new plan filed by Roy. We had a community meeting yesterday with over 40 residents attending, and there are lots of questions about his concept plan. We will meet with our city council members, Mary Carolyn Roberts and Kathleen Murphy again next week. Thanks for your help when we did this in 2017, and we will appreciate continued assistance as we work through it again now. Sincerely, Kathy Cloninger

From: 12strings22@gmail.com [mailto:12strings22@gmail.com]
Sent: Tuesday, April 23, 2019 10:44 AM
To: Planning Commissioners
Subject: issues with streams and runoff

To: Metro Planning Commissioners

From: Mike Williams, resident at 6457 Fleetwood Drive, Nashville TN 37209

Subject: Highland View concept plan, # 2019S-043-001

Date: April 23, 2019

The Highland View concept plan falls woefully short of dealing with streams – on the surface and underground – on Knob Hill. And neighbors doubt Roy Dale's assertion that we have nothing to fear from subdivision water runoff.

I recently walked the proposed subdivision site on a sunny day and saw water running in two watercourses whose path may affect eleven lots (#20 through #30) along the north extension road. Those watercourses converge in the TV tower cable easement and flow as a stream from just below the "middle turnaround" all the way down to Knob Road, likely passing through Lots #31 and #1.

In this stream, within fifteen feet of the middle TV cable anchor, active springs are bubbling out of the limestone. How stable can that cable anchor be?

Knob Hill is an ever-changing aquifer: the whole hill fills and seeps from rain. Much ground near the "middle turnaround" is wet with seepage, and moss grows everywhere including the hilltops, proving that the whole hill weeps.

Roy Dale's assurance that the finished development will protect surrounding neighbors against run-off damage just does not "hold water" and his promise looks foolish when you see the drainage catastrophes caused by construction nearby, particularly on Ocoola and related streets, and the cave-in of the proposed soccer field behind West End Community Church.

Please reject the Highland View concept plan. Or at least defer it until better study can be done on the streams and underground water flow on Knob Hill, and the dangers of runoff during construction. PLAN FIRST. THEN BUILD.

Thank you for caring about this unique feature of your city.

From: jamesmahon@earthlink.net [mailto:jamesmahon@earthlink.net]
Sent: Tuesday, April 23, 2019 1:30 PM
To: Planning Commissioners
Subject: Knob Hill

I just found a notice on my mailbox about the development of Knob Hill. This is the first I have heard of this. In 2015 the planning commission decided that my neighborhood on Ocoola Avenue should be demolished and replaced by a bunch of cheaply built crap that totally clashes with the remaining existing architecture and it has run up our property taxes for which we get nothing. It has been a disaster for everyone but these who are making money from the destruction of our once lovely neighborhood. Your decisions have been disastrous for the residents of all the neighborhoods around Nashville that you have targeted for destruction. And so I don't trust you to ever do right by the small people, but only by those who profit from the destruction of our neighborhoods and running up our property taxes for which we get absolutely nothing in return. Whatever your neighborhood destroying cronies want to do on Knob Hill will surely be very bad for those who live in the are. I oppose it!!!

From: Bess, Michael D [mailto:m.bess@Vanderbilt.Edu]
Sent: Tuesday, April 23, 2019 1:53 PM
To: Planning Commissioners
Cc: Kempf, Lucy (Planning); Rickoff, Abbie (Planning)
Subject: Knob hill development

Dear planning commissioners,

My wife Kimberly and I own the property at 806 Russleo Drive, which sits directly down the hill slope from the proposed new development on Knob Hill. After attending the neighborhood meetings and hearing the attempts at reassurance from the developer, we remain completely unconvinced that this new development will bring positive changes to our neighborhood. We feel very strongly that the multiple concerns being voiced by the neighborhood committee have NOT been adequately addressed, and would like to register our fervent opposition to this development. We are particularly concerned about the position of the new development above our property. We feel that the possibility for soil erosion, water drainage into our house foundation, and other concerns have simply not been met, and we believe we would have no recourse if things went badly after the new development has been built.

We therefore respectfully request that you REJECT this proposed new development.

Thank you for considering our perspective.

Sincerely,

Michael Bess
Kimberly Bess
Owners of 806 Russleo Drive.

Michael D. Bess
Chancellor's Professor of History
Associate Chair, Department of History
Professor of Communication of Science and Technology
Professor of European Studies
208 Benson Hall

Office Hours, Spring 2019: By appointment

Department of History

VU Station B 351802

Vanderbilt University

Nashville, TN 37235-1802 USA

Telephone: (615) 322-3340

Fax: (615) 343-6002

Web: <https://www.michaelbess.org/>

From: John Cirillo [mailto:john.cirillo@gmail.com]

Sent: Tuesday, April 23, 2019 3:03 PM

To: Planning Commissioners; Kempf, Lucy (Planning); bbie.rickoff@nashville.gov; Roberts, Mary Carolyn (Council Member); Johnson, Mina (Council Member); Murphy, Kathleen (Council Member)

Subject: Re: Highland View concept plan, # 2019S-043-001

Importance: High

On Apr 22, 2019, at 5:26 PM, Ruth Cirillo <cirillo.ruth@gmail.com> wrote:

To: Metro Planning Commissioners

From: **John Cirillo** resident at **6473 Fleetwood Dr.**, Nashville, 37209

Subject: Highland View concept plan, # 2019S-043-001

Date: April 23, 2019

I am writing to express my concerns about the Highland View concept plan, which is on your April 25 agenda. We live on a house on dead end side of Fleetwood Dr.

Nashville's overarching planning goal is to accommodate growth while preserving the qualities that make our city good to live in. City planners have worked hard, in partnership with neighborhoods, to write sensible development policies. The West Nashville Community Character Policy Plan/Nashville Next, the West Nashville Community Plan, and the Metro Subdivision Regulations create standards for development. In particular, limits on Knob Hill development are imposed by five special policies: Conservation Policy; Open Space Policy; Maintenance Policy; the Special Policy for Hillwood/West Meade (Nashville Next, Volume III, page 46); and the Special Policy for Knob Hill (Nashville Next, Volume III, page 49).

I object to a cluster lot layout on Knob Hill. Half-sized lots are inconsistent with the character of the surrounding neighborhood and the goals for west Nashville and specifically for Knob Hill. The five special policies emphasize the importance of R40 lot size, minimal grading of steep slopes, protecting existing tree coverage, and preserving the character of the West Nashville suburban neighborhood. The five policies clearly refer to Knob Hill as a unique piece of land, offering green space, view shed, and valuable tree covered slopes.

Open Space Policy says, "Should the existing use [of Knob Hill] cease, the intent is for the site to be retained as open space and placed in public use if the opportunity should arise."

If development does occur, the five policies give clear guidance that it must follow existing patterns of low density, single family homes, averaging one dwelling per acre. Parcels could be SLIGHTLY smaller to create protected open space and prioritizes protection of steep slopes, mature vegetation and view sheds. "Slightly smaller" is not "half size."

Some may argue that cluster lot layout is a way to protect sensitive environment. That makes no sense on Knob Hill, where doubling the numbers of lots does nothing to protect sensitive environment. Besides the fact that the concept plan is using the cluster lot option to effectively re-zone the hill R20, the cluster lot layout is just not appropriate on Knob Hill with all its

ecosystem of steep slopes, streams, woods, view shed and wildlife habitat.

I and my neighbors may support development on Knob Hill that is compatible with R40 zoning and that is in character with the surrounding streets. I ask the Commission to reject the cluster lot option on Knob Hill. If you can't just vote NO, then at least defer the case, to provide time to gather more data on the impact of construction on this unique, sensitive property.

Thank you for your stewardship of Knob Hill.

Ruth Cirillo

www.throughruthseyes.com

John Cirillo



john.cirillo@gmail.com

www.johncirillo.com

www.reverbNation.com/johncirillo

www.soundcloud.com/john_cirillo

831.359.0161

From: Cindy Anderson [mailto:nutsforgarden@yahoo.com]

Sent: Tuesday, April 23, 2019 3:43 PM

To: Planning Commissioners

Subject: Highland View #2019S-043-001

To: Metro Planning Commissioners

From: Cynthia Anderson resident at 1211 Watts Terrace, Nashville TN 37209

Subject: Highland View concept plan, # 2019S-043-001

Date: April 23, 2019

If Knob Hill is developed with the cluster lot option, then the sub regs mandate that at least 15 percent of the property must be open space. The Highland View concept plan claims 40 percent is open space. But that figure doesn't hold true if you subtract:

- The unusable stormwater catchment facilities

- The unusable fenced-off TV cable easement
- The unusable fenced-off 500-foot safety zone around the TV tower
- The unusable steep wooded slopes.

Less than 15 percent usable open space remains, just room enough to squeeze in a small so-called park with a gazebo.

This design, with too many cluster lots and too little usable open space, is not compatible with the surrounding R40 neighborhood's one-acre green spaces that give this area its special suburban character.

Please don't approve this unbalanced concept plan, that detracts from the long-established neighborhood around it.

Thank you for making sensible choices, to develop Nashville.

From: Carole Richmond [mailto:carolerichmond@comcast.net]
Sent: Tuesday, April 23, 2019 4:37 PM
To: Planning Commissioners; Kempf, Lucy (Planning); Rickoff, Abbie (Planning)
Subject: Highland View concept plan, # 2019S-043-001

To: Metro Planning Commissioners

From: Carole Richmond, resident at 810 Cammack Court, Nashville TN 37205

Subject: Highland View concept plan, # 2019S-043-001

Date: April 23, 2019

Metro sub regs offer a "cluster lot option" that is designed to let developers, in some situations, create half-size lots for the purpose of protecting sensitive environment.

That doesn't make good sense on Knob Hill. Cramming twice as many half-size lots onto Knob Hill's steep slopes is a threat to the sensitive environment of the property, which is carefully protected by five special policies that make Knob Hill ill-suited to the cluster lot layout.

A developer can't just build cluster lot "by right." In this R40 zone on Knob Hill, the Planning Commission has the power to veto the cluster lot option and insist on 40,000 square-foot lots, which matches the one-acre-lot, suburban character of every single home in the surrounding neighborhood.

Please don't approve this concept plan, which cheapens the character and value of the long-established community around Knob Hill.

Thank you for safeguarding sensible development in Nashville.

From: Steve Wilkison New Comcast [mailto:swilkison@comcast.net]
Sent: Tuesday, April 23, 2019 4:40 PM
To: Planning Commissioners; Kempf, Lucy (Planning); Rickoff, Abbie (Planning)
Subject: Highland View concept plan, # 2019S-043-001

To: Metro Planning Commissioners

From: Steve Wilkison, resident at 810 Cammack Court, Nashville TN 37205

Subject: Highland View concept plan, # 2019S-043-001

Date: April 23, 2019

Metro sub regs offer a “cluster lot option” that is designed to let developers, in some situations, create half-size lots for the purpose of protecting sensitive environment.

That doesn’t make good sense on Knob Hill. Cramming twice as many half-size lots onto Knob Hill’s steep slopes is a threat to the sensitive environment of the property, which is carefully protected by five special policies that make Knob Hill ill-suited to the cluster lot layout.

A developer can’t just build cluster lot “by right.” In this R40 zone on Knob Hill, the Planning Commission has the power to veto the cluster lot option and insist on 40,000 square-foot lots, which matches the one-acre-lot, suburban character of every single home in the surrounding neighborhood.

Please don’t approve this concept plan, which cheapens the character and value of the long-established community around Knob Hill.

Thank you for safeguarding sensible development in Nashville.

Steve Wilkison
swilkison@comcast.net
stevewilkison.com
twitter: stevewilkison
facebook: stevewilkison

From: info poodooleash.com [mailto:info@poodooleash.com]
Sent: Tuesday, April 23, 2019 7:19 PM
To: Planning Commissioners; Kempf, Lucy (Planning); Rickoff, Abbie (Planning); Roberts, Mary Carolyn (Council Member); Johnson, Mina (Council Member); Murphy, Kathleen (Council Member)
Subject: Highland View Concept Plan #2019s-043-001 OPPOSED

To: Metro Planning Commissioners

From: **Rhonda Pinkerman**, resident at **728 Branch Creek Road**, Nashville, 37209

Subject: Highland View concept plan, # 2019S-043-001

Date: April 23, 2019

I am writing to express my concerns about the Highland View concept plan, which is on your April 25 agenda. For 17 years I've lived in the West Meade Area.

My street runs one street parallel to the above concept plan. I walk my dogs regularly on Knob Road as part of it has a sidewalk (limited in our area). Knob road already is busy with traffic and has flooding issues after a good rain (prior to any new building).

Although I believe every person has a right to develop their property, I object to the Knob Hill Development for many reasons listed below. Furthermore, after the recent development on White Bridge Road (from the other church developing the townhomes), my friends off of Whitebridge now have flooding from runoff and cracks in their foundation from blasting. They have not been able to recover any help from the builder to pay for the damages. Mr. Dale also stated the builder is "somewhere out of Texas". This is concerning that he could not even tell us the builder's name. Somewhere out of Texas means they can come in, cause havoc, and leave town without recourse should they damage existing homeowner's properties.

Nashville's overarching planning goal is to accommodate growth while preserving the qualities that make our city good to live in. City planners have worked hard, in partnership with neighborhoods, to write sensible development policies. The West Nashville Community Character Policy Plan/Nashville Next, the West Nashville Community Plan, and the Metro Subdivision Regulations create standards for development. In particular, limits on Knob Hill development are imposed by five special policies: Conservation Policy; Open Space Policy; Maintenance Policy; the Special Policy for Hillwood/West Meade (Nashville Next, Volume III, page 46); and the Special Policy for Knob Hill (Nashville Next, Volume III, page 49).

Listed below are the reasons I oppose the Knob Hill Development:

1. **Special regulations protect Knob Hill development. West Nashville is zoned R40, T3 Suburban, mainly one-acre lots, low to moderate density, with environmental features that should be preserved.** Knob Hill is a rare pristine ridge in West Nashville. Five different Metro special policies safeguard Knob Hill's unique features and limit what developers can build there.
2. **Cluster Lot Option.** There is a "cluster lot option" in Metro sub regs, that is designed to let developers, in some situations, create half-size lots for the purpose of protecting the sensitive environment. That's not logical on Knob Hill. The cluster lot option does not mean that developers can build cluster lots "by right." The Planning Commission has the power to veto the cluster lot option and insist on 40,000 square-foot lots, which makes much better sense on Knob Hill. Knob Hill, under the protection of all five special policies, is not suited to the cluster lot option.
3. **Cluster Lot Option and Open Space.** In cluster lot options, at least 15 percent of the property must be open space. Dale and Associate's concept plan claims 40 percent open space; but if you subtract the stormwater facilities, fenced-off TV cable easement, fenced-off 500-foot TV tower safety zone, and unusable steep wooded slopes, less than 15 percent remains usable, for one small park with a gazebo. This design is not compatible with the surrounding one-acre green spaces of the R40 neighborhood that gives this area its special suburban character.
4. **Steep slopes throughout this development.** Much of Knob Hill consists of slopes 15 percent or greater. Slopes greater than 20 percent must be identified as "critical" on the concept plan. The 2019 concept plan for Knob Hill shows fewer critical slopes than the 2017 concept plan did. We believe some slopes on Knob Hill may be steeper than the 2019 concept plan shows. We need time to get further data on how steep these slopes are. Specifically, we believe the western cul-de-sac street crosses dangerous slopes of over 25% and are requesting a deferment until this data has been compiled.
5. **Northern road access.** This subdivision can't be built unless its street connects to Watts Lane. In 2017 the Commission a nearly-identical Knob Hill subdivision plan that didn't have this connecting street. Roy Dale and planning staff then called a north connection impractical and destructive. Now this northern road is a deal

breaker. To build it over steep slopes, lots of blasting, cutting, and filling must be done. Also, they must widen several hundred feet of Watts Lane from the development to Charlotte, which means moving drainage ditches and telephone poles. And a homeowner at the end of Watts Lane claims the dead end of the street is on his land. He's willing to sell his land for a steep price. We need to answer questions about the feasibility of a road into the subdivision from Watts Lane. If that road cannot or should not be built, there's just one way in and out – which the Commission already voted down in 2017. This would allow for people to cut through the subdivision to avoid Charlotte Avenue traffic, creating additional traffic issues for Knob Road.

6. **Soil erosion and water drainage.** Neighbors in our area are especially worried about this. Blasting. Trees coming down. Trees are our best asset to keep soil intact and preventing flooding. Knob Hill is “mimosa soil” which has a poor rating. All over Nashville and specific to the Nations and the Ocoola neighborhood on the northern side of Knob Hill, where new construction has caused flooding, runoff damage, and residents are suffering the consequences at their own expense.
7. **TV Tower.** Neighbors below the Meredith owned WSMV TV tower – farther away than the planned subdivision – have had ice darts during the winter and lead paint from tower sandblasting blow onto them. The tower is designed to withstand 120 mile-an-hour winds with a full coat of ice, but a tornado could give it a worse test. One cable anchor sits next to an active spring bubbling out of Knob Hill's limestone. The TV tower has borne more than 60 years of wear and tear . . . and it replaced a prior tower that collapsed during construction and killed four people.
8. **Accountability for damages.** Neighbors get zero chance to safeguard any development process after the Planning Commission approves a concept plan. We need our homes protected from damage during construction, and for years afterward. If you have a story to tell about dealing with this issue, please write the Commissioners about your situation.
9. **Deferment.** Knob Hill is complicated by poor quality soil, steep slopes, underground streams, runoff issues, tree issues, rare habitat, and wooded refuge . . . we need to study the impact of a subdivision and consider if Knob Hill can serve Nashville in better ways. Let's take time, now, to plan wise development with neighborhood agreement. Since Nashville may change its Tree Policy in early June, let's postpone this concept plan, to synch the plan with changes in this vital part of our ecology.

Unfortunately, I will not be able to attend Thursday's meeting. Please do the right thing for Nashville. Defer decision on this project or VOTE AGAINST IT!

Respectfully,
Rhonda Pinkerman
615-414-4490

From: High Cotton [mailto:jmpend@gmail.com]

Sent: Tuesday, April 23, 2019 7:28 PM

To: Planning Commissioners; Kempf, Lucy (Planning); Rickoff, Abbie (Planning); Roberts, Mary Carolyn (Council Member); Johnson, Mina (Council Member); Murphy, Kathleen (Council Member)

Subject: Highland View Concept Plan #2019s-043-001

Hello. My name is James Pendergrass. I have lived in West Meade for 6 years. I am totally opposed to the Highland View Project. Flooding, blasting, increased traffic, destruction of wildlife, damages to existing homes, and a cut through from Charlotte Ave to Knob Road, are just a few of the reasons I am opposed to this ludicrous plan.

I believe landowners have a right to build on their property, however, this is not the right plan for West Meade. Vote against this Highland View Development. Save Knob Hill.

Sincerely,

James Pendergrass

728 Branch Creek Rd, Nashville, TN 37209

From: Trish Bolian [mailto:tmbolian@comcast.net]

Sent: Tuesday, April 23, 2019 10:02 PM

To: Planning Commissioners

Cc: Kempf, Lucy (Planning); Rickoff, Abbie (Planning)

Subject: Highland View concept plan, # 2019S-043-001

Many in this area, myself very much included, are concerned about soil erosion and water runoff that may be caused by the proposed Highland View subdivision.

We've seen literal water catastrophes in our own and adjacent neighborhoods from other construction. Some of this damage recently severely harmed our friends on Oceola and the connecting streets which lead to this proposed development. We've seen the proposed soccer field behind West End Community Church collapse and subside. And we've already struggled with many issues of water running off Knob Hill into yards and causing flooding to and onto White Bridge Rd.

Before you is a request to approve the building of 40 new homesites atop Knob Hill. This would involve blasting in a fragile area along the same ridge of homes built in the 1950's. Sound waves along rock ridges travel far and wide. Current blasting regulations do not and will not protect homes (we know this given our years of experience from blasting in the quarries on Robertson Rd.). Trees will come down during the road-building phase, and many more trees will be cut away to put up houses. Trees are our best asset to keep soil intact and prevent flooding. Knob Hill is Mimosa soil which has a "poor" rating and may collapse and slide when cuts are made in the fragile topsoil and the limestone below. Once this happens it is not something that can just be "fixed". The devastation to this fragile area will be enormous.

Engineer Roy Dale has asserted (as the stormwater regulations require) that the finished subdivision will add zero water to the runoff we already experience. Sadly, that promise has been made before, flooding has occurred, and that usually leads to comments of "Well, you can't control water." This is of very critical concern here.

We are very concerned about runoff from the finished Highland View subdivision and are also quite worried about runoff issues DURING CONSTRUCTION of the project's roadways and infrastructure and the 40 new homes. Who or what will protect us during the long span between tearing up the hill and putting all the supposed safeguards of the finished project into place? Sadly, the experience of many neighborhoods over recent years reveals that the answer is "nothing and

nobody”. In this case, this is far from flat developable land. It is a ridge of stark boulders of mammoth size who’s water streams and underground obvious water issues are held in place by existing trees and rock. Remove those and all of the protections disappear.

I am asking the Planning Commission to defer Highland View until real guarantees can assure surrounding homeowners that the construction – blasting, cutting and grading, risking the stability of Mimosa soil – and the loss of tree cover, and the trade-off of permeable soil for impermeable roads and roofs and driveways, WILL NOT ENDANGER PROPERTIES in the immediate area and all of those affected by such efforts all along the ridge.

I am imploring you to be extraordinarily careful about all of the massive issues involved in developing this fragile ridge. The Conservation Plan and policies for Metro Nashville and the need for them come alive in an area such as this ridge.

Thank you for your service to our city. I know that the job to be done by you is enormous but I urge that this proposed development receive your very careful deliberation due to its very fragile nature.

Trish Bolian
6002 Hickory Valley Rd.
Nashville, TN 37205
April 23, 2019

From: Duncan Ragsdale [mailto:duncanrag@comcast.net]

Sent: Tuesday, April 23, 2019 10:47 PM

To: Planning Commissioners; Kempf, Lucy (Planning); Rickoff, Abbie (Planning); Roberts, Mary Carolyn (Council Member); Johnson, Mina (Council Member); Murphy, Kathleen (Council Member)

Subject: Highland View at Knob Hill, #2019S-043-001

To: Metro Planning Commissioners,

From: Duncan Ragsdale, resident at 6453 Fleetwood Drive Nashville, TN 37209

Subject: Highland View Concept Plan, # 2019S-043-001

Date: April 23, 2019

I am writing to you to day to implore you to defer this case until appropriate research can be done about this special piece of property. We have even enlisted someone from Vanderbilt that can help us look into the problems on this hill and do it safely. We are all concerned.

This sensitive area requires limited development and special attention before it gets approved. If we approve this plan as it is and find out there are way too many problems after they begin we are all in big trouble including those of us that surround the Hill already. We have concerns about how many homes are being built on this property because of things like run off from too much impervious surface, blasting with sink holes and aquifers under ground, storm water that pours on the existing homes below the development while building is going on and landslides like on the surrounding hills a few years back.

The loss of trees and land that would soak up the water and old and poorly maintained directions that the water now flows onto Knob Hill will affect even those across the street from this project. Several weeks ago the water rose to the sides of the road and back up into the neighbors yards.

We are worried about whats going to happen to our homes because of what has already happened around us in the same neighborhoods. Flooding and blasting have damaged countless homes. The runoff has not even been fixed all around

the hill on both sides where developers have started clearing lots of trees. I am afraid that when this gets going we will have no recourse to stop any terrible things that start to ruin our homes. We need to be careful about how this is decided on and take steps to prevent such problems that can occur.

Please defer this project until we can get more resources to decide what is the best course of action.

Respectfully,

Duncan Ragsdale

duncanrag@comcast.net

duncanragsdale.com

615.294.5441

From: Caleb Dixon [mailto:calebdixon@gmail.com]

Sent: Wednesday, April 24, 2019 8:27 AM

To: Planning Commissioners; Kempf, Lucy (Planning); Rickoff, Abbie (Planning)

Subject: Highland View concept plan, # 2019S-043-001

To: Metro Planning Commissioners

From: Caleb Dixon, resident at 6461 Fleetwood Dr. Nashville TN 37209

Subject: Highland View concept plan, # 2019S-043-001

Please vote against the planned Highland View subdivision on Knob Hill. There are many unanswered questions and justifications that need to be vetted by you and your fellow commissioners. I ask you to consider these all that will be presented not only on face value, but at the sum of their parts.

You will see how this plan has lots of holes in it like it did 2 years ago when it was voted down (thank you). You will also see how key issues of safety and water management are not fully accounted for and attempted to be justified in generalities and promises by the developer.

Thank you,

Caleb Dixon

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

Sent: Wednesday, April 24, 2019 9:32 AM

To: Planning Commissioners

Subject: Knob Hill development

I'm writing to express my opposition of the cluster development proposed for Knob Hill. There are so many valid reasons this is not a good plan. It does not fit Metro's planning policy, the amount of clear cutting and blasting would be destructive to the neighborhood surrounding it, the strain on our existing infrastructure would be immense and long term flooding and mudslides are a huge concern. Please do the right thing for current, long term surrounding residents and turn this proposal down.

Thank you,

Susan Sasser
880 Bresslyn Rd
Nashville, 37205

From: Katie Patton [mailto:walkinlegends@hotmail.com]

Sent: Wednesday, April 24, 2019 10:02 AM

To: Planning Commissioners

Cc: Kempf, Lucy (Planning); Roberts, Mary Carolyn (Council Member); Johnson, Mina (Council Member); Murphy, Kathleen (Council Member); Rickoff, Abbie (Planning)

Subject: OPPOSE the concept plan of Highland View, case #2019S-043-001

To the Members of the Planning Commission,

I would like to urge you to please vote NO on the proposed development of Knob Hill, in the Hillwood neighborhood, known as Highland View, case #2019S-043-001 - and if not NO, then to defer the case, to provide time to gather more data on the impact of increased density in a long-established neighborhood, as well as the impact of construction on this unique, sensitive property.

Knob Hill is a rare and vital symbol of Nashville's need to take the long view in planning for growth while balancing environmental and aesthetic values such as tree canopies and green space, as well as maintaining a density consistent with established neighborhoods. This is indeed what drew us to this neighborhood in the first place, what makes Nashville a unique city, and what is currently threatened by short-sighted planning by out-of-town developers looking to exploit our city's growth at the cost of our city's character.

The concept plan for this development does not fit this character, allowing two homes on one-acre lots where the surrounding lots are single-family on one-acre parcels. I object to a cluster lot layout on Knob Hill. Half-sized lots are inconsistent with the character of the surrounding neighborhood and the goals for [west Nashville](#) and specifically for Knob Hill. The five special policies emphasize the importance of R40 lot size, minimal grading of steep slopes, protecting existing tree coverage, and preserving the character of the [West Nashville](#) suburban neighborhood. The five policies clearly refer to Knob Hill as a unique piece of land, offering green space, view shed, and valuable tree covered slopes.

City planners have worked hard, in partnership with neighborhoods, to write sensible development policies. The West Nashville Community Character Policy Plan/Nashville Next, the West Nashville Community Plan, and the Metro Subdivision Regulations create standards for development. In particular, limits on Knob Hill development are imposed by five special policies: Conservation Policy; Open Space Policy; Maintenance Policy; the Special Policy for Hillwood/West Meade

(Nashville Next, Volume III, page 46); and the Special Policy for Knob Hill (Nashville Next, Volume III, page 49).

Open Space Policy says, "Should the existing use [of Knob Hill] cease, the intent is for the site to be retained as open space and placed in public use if the opportunity should arise."

If development does occur, the five policies give clear guidance that it must follow existing patterns of low density, single family homes, averaging one dwelling per acre. The cluster lot layout is just not appropriate on Knob Hill with all its ecosystem of steep slopes, streams, woods, view shed and wildlife habitat.

Metro must do more to ensure that development of our neighborhoods adds value to ALL our citizens - not just monetary value to developers. I appreciate what a difficult and sensitive balancing act this is, and I am hopeful that going forward, the best decisions will be made not only for our little neighborhood, but for our city. It will be done one small step at a time. Please let Knob Hill be a step in the right direction.

Thank you for your service to our city and neighborhoods.

Sincerely and with gratitude,

Katie Patton
5732 Knob Rd
Nashville, TN 37209

From: Paul B. Miller [mailto:paulberni@gmail.com]

Sent: Wednesday, April 24, 2019 10:05 AM

To: Planning Commissioners; Rickoff, Abbie (Planning); Kempf, Lucy (Planning)

Cc: Roberts, Mary Carolyn (Council Member); Johnson, Mina (Council Member); Murphy, Kathleen (Council Member)

Subject: Knob Hill cluster development

Dear Committee Members,

I am writing to express my deep concern about the housing development on Knob Hill proposed by Roy Dale and associates. There are many reasons to be worried about the proposed subdivision, among them them the ecological disaster (loss of trees, wildlife habitat) it would entail, the storm water issue, the proximity of houses to the Channel 4 antenna, among others.

Personally, the issue that I find most disturbing about the proposed subdivision is the affect it will have on traffic and congestion on Knob Road. As a resident of (5721) Knob Road since 2012, I have witnessed a fairly quiet suburban road transform into a continually crowded thoroughfare between Charlotte and White Bridge. No one respects the 30 mph limit, and the lack of sidewalks makes walking along the road a hazard to life and limb. The creation of the subdivision will only exacerbate the traffic and congestion issues on Knob and at the very least a traffic study should be undertaken to gauge the impact of the subdivision. Knob Road will be the main access route to the subdivision and the pernicious results will be irreversible for my neighborhood.

I urge you to consider this factor among others and to **defer** the approval of the subdivision.

Respectfully submitted,

Paul B. Miller
Associate Professor of French
Vanderbilt University

From: Anna Haferman [mailto:annahaferman@gmail.com]
Sent: Wednesday, April 24, 2019 10:38 AM
To: Planning Commissioners
Subject: Case No. 20195-043-001

Dear Planning Commissioners,

I am writing regarding Case No. 20195-043-001. I am against development on Knob Hill for many reasons but especially because of concern for the runoff from storm water that it will cause for neighbors living downhill from the site. I live on DeMoss Road next door to a development planned by the same engineering firm. We have had numerous issues with them not adhering to original plans for the SP which specifically called for saving a line of trees. These trees, which would have helped with drainage, have now been cut down. Around the corner from me on Ocoola Avenue is another SP overseen by the same engineering firm. The property next door, where my neighbor has lived for 15 years, has been flooded out due to improper grading of the development directly next door to her.

Please do not approve this plan.

Sincerely,

Anna Haferman
125 DeMoss Rd
Nashville, TN 37209

From: ray@raywaddle.com [mailto:ray@raywaddle.com]
Sent: Wednesday, April 24, 2019 11:33 AM
To: Planning Commissioners
Cc: Kempf, Lucy (Planning)
Subject: opposing case #2019S-043-001

Dear Commissioners - I live on Kendall Drive and join my neighbors in opposing the plan to develop the Knob Hill development as currently designed. I'd support development that's compatible with R40 zoning and the Knob Hill area, not cluster lots.
Thank you,
PR Waddle

From: David Livingston [mailto:livingst_d@att.net]
Sent: Wednesday, April 24, 2019 11:44 AM
To: Planning Commissioners
Subject: Knob Hill Development

I am writing regarding case no. 2019S-043-001, and requesting that you vote against this development. My name is David Livingston, and I live at 108 Stoneway Close, one street over from where the proposed development would be. I am concerned about any development that would reduce the wildlife habitat, the tree canopy, and increase potential traffic in this area. We don't need another development in this area of town.

In addition, development on that hillside will likely create soil erosion and potential flooding issues.

I urge you to vote against this development.

Sincerely,
David Livingston

From: Kyle Miller [mailto:kylemillermix@gmail.com]
Sent: Wednesday, April 24, 2019 12:00 PM
To: Planning Commissioners
Cc: Rickoff, Abbie (Planning); Kempf, Lucy (Planning)
Subject: Highland View opposition case #2019S-043-001

Hello,

My name is Kyle Miller, I live at 125 Demoss Rd. Nashville, TN.

I am writing to express my opposition to the proposed subdivision Highland View case #2019S-043-001.

See below many concerns shared with other residents in the neighborhood.

I live next door to the Demoss Rd Homes SP which has been engineered by the same firm and am greatly concerned about the adverse impact not only will the Demoss SP have on the well being on my home at 125 Demoss, but also the Higland Ridge sibdivision will surely add to our already overstressed stormwater drainage situation on Demoss Rd, Maudina Ave and Oceola Ave.

Please at the very least defer Highland Ridge until modern studies can take place to determine viability. I have little confidence in relying on land studies that were completed 45 years ago as applied to current developement

Thank You

6. **Soil erosion and water drainage.** Neighbors in our area are especially worried about this. Blasting. Trees coming down. Trees are our best asset to keep soil intact and preventing flooding. Knob Hill is "mimosa soil" which has poor rating. All over Nashville and specific to the Nations and the Oceola neighborhood on the northern side of Knob Hill, where new construction has caused flooding, runoff damage, and residents are suffering the consequences at their own expense.
7. **TV Tower.** Neighbors below the Meredith owned WSMV TV tower – farther away than the planned subdivision – have had ice darts during the winter and lead paint from tower sandblasting blow onto them. The tower is designed

to withstand 120 mile-an-hour winds with a full coat of ice, but a tornado could give it a worse test. One cable anchor sits next to an active spring bubbling out of Knob Hill's limestone. The TV tower has borne more than 60 years of wear and tear . . . and it replaced a prior tower that collapsed during construction and killed four people.

8. **Accountability for damages.** Neighbors get zero chance to safeguard any development process after the Planning Commission approves a concept plan. We need our homes protected from damage during construction, and for years afterward. If you have a story to tell about dealing with this issue, please write the Commissioners about your situation.

9. **Deferment.** Knob Hill is complicated by poor quality soil, steep slopes, underground streams, runoff issues, tree issues, rare habitat and wooded refuge . . . we need to study the impact of a subdivision and consider if Knob Hill can serve Nashville in better ways. Let's take time, now, to plan wise development with neighborhood agreement. Since Nashville may change its Tree Policy in early June, let's postpone this concept plan, to synch the plan with changes in this vital part of our ecology.

Thank You,

Kyle Miller

125 Demoss Rd

From: SUZETTE CRUTCHFIELD [mailto:suzettecrutch12@bellsouth.net]

Sent: Wednesday, April 24, 2019 11:55 AM

To: Planning Commissioners

Cc: Murphy, Kathleen (Council Member)

Subject: Case #2019S-043-001

Planning Commissioners,

Regarding Holland View at the Knob, please consider denying the cluster lot option requested for this development. There are problems with water runoff in this area already, and this density will likely make that problem much worse.

Homes near the WSMV tower have ice shards fall on them in the winter, which would almost certainly be a factor for any new homes built in that area.

Please consider a deferral on this plan until additional study can be done to ensure homes in that area are protected from potential flooding and landslides.

Thank you for your consideration.

Suzette Crutchfield

5406 Knob Road

Item 17: 2019S-059-001 – Saint Charles Estates Subdivision

From: John Wright [<mailto:johnwright2013@gmail.com>]

Sent: Wednesday, April 24, 2019 11:24 AM

To: Planning Staff

Cc: planningcommissioners@nashville.gov

Subject: Case # 2019S-059-001

I own the property at 5514 Kelly Road which is next to the property the is the subject of the hearing on 04/25/19. I will not be able to attend the meeting that day due to other commitments and also the events that are going on in Nashville. I have a couple of requests to be considered in the hearing.

1. I would request that the amount of lots for building be limited to no more than eight. The lots as currently planned are way too small for the area. I realize that the developer will make more money with the maximum amount of lots and the city will city will make more tax revenue with more lots but the area will be forever changed for the worse with 13 houses on this property. I would think that it could be reworked with five less lots and everybody still come out ahead.
2. If the commissioners decide to approve this plan as requested, I would ask if there is any way, please prohibit any short tern rentals on this property. It would be great if any rentals could be outlawed but especially short term rentals such as airBnBs.

Please give consideration to my requests during the meeting on 04/25/19. I think my requests are reasonable for this property.

John Wright

615-491-5134

Item 18: 2019S-068-001 – Hunters Run

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

Sent: Tuesday, April 23, 2019 10:45 PM

To: Planning Commissioners

Cc: Haywood, Brenda (Council Member)

Subject: Opposition to 2019S-068-001 Hunters Run

Thank you in advance for your attention to this matter. Residents of Grande Villa Estates, Dalemere Subdivision and Hunters Lane have met with Council Lady Brenda Haywood, representatives of Goodall Homes, and the Storm Water Department. As recently as this past Saturday Ms Kempf and others from her staff attended the public meeting that Council Lady Haywood held at Davidson Academy. We have used every opportunity to be involved in a polite discourse on the proposed concept plan. Consistent throughout the old proposal and the new one is that we are not opposed to a new development but we are opposed to efforts to circumvent the zoning laws and the subdivision regulations by utilizing the cluster lot option without regard harmoniousness with the community character as specified in Chapter 4 Rural Character Subdivision.

Harmoniousness with T2-RM (Rural Maintenance) in order to maintain the rural character of the area **is the cornerstone** of the Community Character Manual as well as the Subdivision Regulations. As Commissioners you are required to maintain the harmony of developments. Planning staff, as stated at Saturday's meeting, defines harmony within the limitations of a street but not within the community. It is difficult to understand what staff uses for definitions since existing streets are not existing streets and rural surroundings as exists on Hunters Lane are considered harmonious with concentrated housing on a small footprint. Only you are empowered to use your judgment to assure Nashville that its growth is consistent with the promises made by NashvilleNext and codified in the Subdivision Regulations, Chapter 4.

I believe the basic issue is how and when the cluster lot option is used. The existing residents believe that all the requirements of the subdivision regulations must be met before a Cluster Lot option can be used. Staff declares that an owner has the right to utilize the a cluster option by right of ownership. I, personally, think this issue should be adjudicated for this case and the rest of Nashville. My reading of the policy and regulations lead me to believe that the cluster lot option which allows for a severe reduction in zoning was not designed to circumvent the present zoning regulations any time a developer buys land that is not buildable because of sensitive topographical issues. If that were the case, the policy and regulations would have said so. On the contrary, NashvilleNext assumed that citizens like you would exercise your common sense and judgment to discern when the cluster lot option was appropriate. Staff cannot and should not make that determination. Staff's responsibility is to review and provide input. Commissioners, like you, are the only ones in cases like this where Metro Council input is not required that can make that determination. You have the rare responsibility for adherence to the overarching policy, rules and regulations.

With that in mind, it is not unreasonable for a developer to be required to adhere to the established building standards. In this case, the developer could build to the R-20 zoning and subdivision requirements, creating 1/2 acre lots, with architecture, appearance, and concentration harmonious with the existing developments as required. Otherwise, almost every development in the northern part of District 3 would result in the usage of cluster lots no matter the surrounding character of existing developments or the existing zoning.

At Saturday's meeting we learned that staff had added a Crash Gate at Bellavista Boulevard. At no time during our meetings with Goodall Homes was this ever mentioned. You must see that if a Crash Gate is used on Bellavista Boulevard, then Bellavista is then an existing street which would require lot sizes and setbacks for lots abutting an existing street. Of course, the Crash Gate appears to be proposed to satisfy the developer's flawed design since Emergency vehicles like police, fire and medical are not likely to ever use it. EMS would want to access the Hunter's Run residents as quickly as possible by accessing

Hunters Lane with a simple turn off Dickerson Road. Hunters Run has two ways in and two ways out. Fire Station #1 is located at 130 Broadmoor near the corner of Dickerson Road. Fire Station #39 is located at 1247 S Dickerson Road down the street from Hunters Lane and Dickerson Road. The nearest police precinct is in Madison near OHB which intersects with Dickerson Road. A simple turn onto Hunter's Lane would get the police to Hunter's Run. Emergency vehicles coming from I-65 North or South would use OHB to get to Dickerson Road and simply turn onto Hunters Lane. Emergency vehicles coming from I-24 East or West would exit on OHB and turn onto Brick Church Pike at the traffic light and then turn onto Hunters Lane. I cannot think of an emergency situation where going through Grandville Boulevard to turn onto Bellavista Boulevard to go through a Crash Gate would be advisable, feasible, or timely. I agree that the plan has too many cut de sacs but opening Bellavista is not the solution to this flawed plan. Adhering to the R-20 rules and regs is what is required.

The citizens who have made these communities what they are should not have to sacrifice their health and well-being so that a developer can maximize his or her profits at the risk of a community's character which is assured in the Community Character Manual.

Please do not approve this request. It is not harmonious. It is not respectful of the sensitive soil that exists in this area. Please see my letter to Director Scott Potter that identifies these water related issues.

Thank you,

Elaine A. McReynolds

From: Elaine McReynolds [mailto:elainemcreynolds@att.net]
Sent: Tuesday, April 23, 2019 9:54 PM
To: Potter, Scott (WS)
Cc: Haywood, Brenda (Council Member); Planning Commissioners
Subject: Attached Letter

Please see letter on the following pages.

Mrs. Elaine A. McReynolds

1517 Naples Avenue

Nashville, TN 37207

elainemcreynolds@att.net

615-868-1291

April 23, 2019

Mr. Scott Potter, Director

Metropolitan Water Services

1600 2nd Avenue North

Nashville, TN 37208

Dear Director Potter:

My neighbors in Grande Villa Estates and Dalemere Subdivision have asked me to bring the following issues to your attention: flooding, sinkholes, underground springs, and inadequate culvert at Old Hickory Boulevard. Previous attempts to reach you by telephone have been unsuccessful.

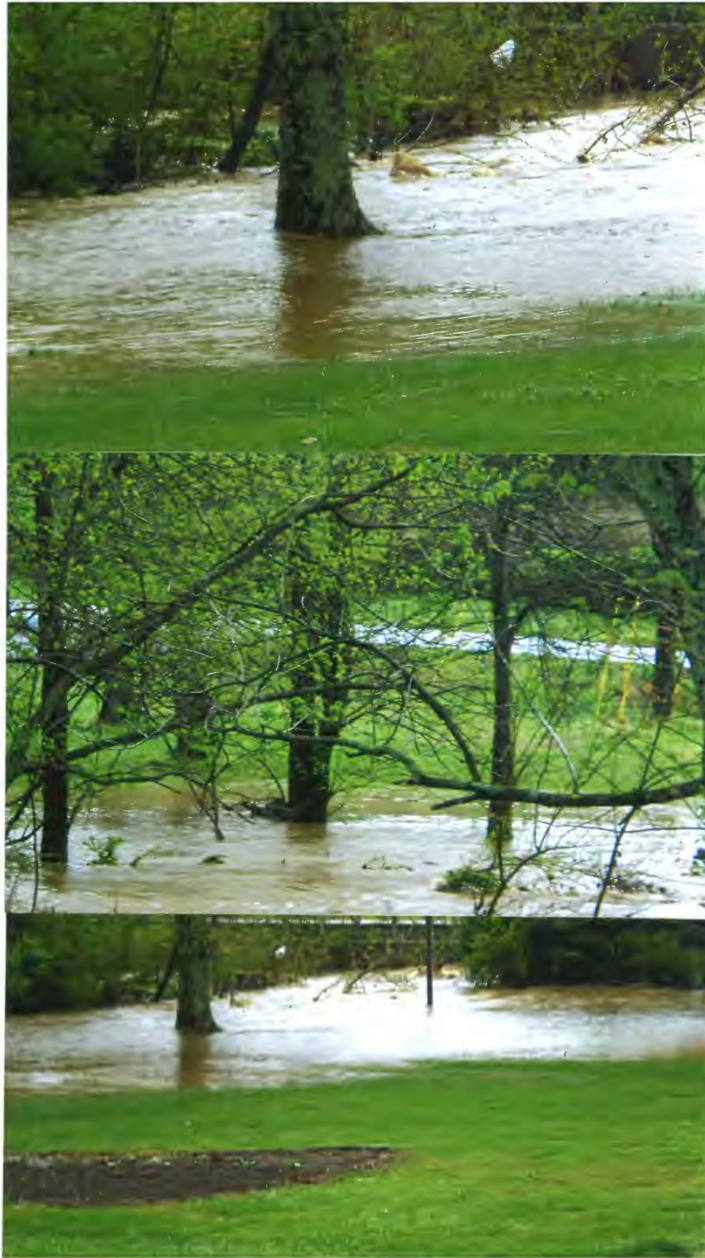


Many of us have lived in this area of northern Davidson County for forty plus years. Recently, the soil and water conditions have worsened. In addition, discussions about allowing a dense concentration of housing on a small footprint between and around the Little Creek Tributary 1 and the Little Creek Tributary 2 for the Hunters Run concept proposals (2018S-204-001 and 2019S-068-001) have created great concern among the homeowners here.

During normal heavy rains we experience flooding from the Little Creek. This photograph was taken October 15, 2018 at the intersection of Grandeville Boulevard and Old Hickory Boulevard.



This photograph was taken at the same time facing north toward the North Side Church of Christ. As you can see, the water level is almost at the OHB street level. We have seen the water covering the road.



These photographs were taken in a backyard that backs up to The Little Creek during April 2017. It appears that the culvert at OHB is not adequate to carry a high volume of rain water to prevent flooding.

Many of the lots in Grande Villa and Dalemere sit atop a series of underground springs that tend to create water pressure sufficient to push the water to the surface from time to time. It appears that hydrostatic pressure of the water from below may be creating new issues for us.



At the corner of Bellavista Boulevard and Grandeville Boulevard a sudden sinkhole developed that was large enough to swallow an adult. Someone from your department dumped the large rocks in it but the opening is still open and large enough for a small child or pet to get stuck beneath the road. There is a schoolbus that does drop children off in this subdivision. We are thankful that so far no child has fallen into this cavern.



This is dangerous and scary. There is a layer of soil several inches below the surface level that may be a clue to the water force that caused this massive erosion.

Mr. Potter, it is even more troubling that there are more examples of the soil sinking.



Your department placed the cone near the electric pole to note the sinking soil.





The drainage grates are sinking. When you add this to the mysterious landslide on I-24, just a short distance away, I think you can understand why we would like to have answers on what is happening here. We would also like to know what we should expect when you place additional pressure on such sensitive soil by a closely packed development.

When I was the Federal Insurance Administrator, appointed by the President to serve as the Administrator of the National Flood Insurance Program I saw first hand the power of underground hydrostatic pressure. After North Dakota experienced the mysterious swelling of Devil's Lake, I was hoping that the Corps of Engineers would undertake studies throughout the nation to study hydrostatic pressure of underground springs. Neither Mr. Honeysucker nor Mr. Mishu could answer my questions nor the residents concerns about this unsettling situation. Perhaps you can.

This part of District 3 has many acres of agricultural land that is likely to be converted into housing in the near future. I am asking you to help us plan ahead for the requirements of this sensitive land.

Thank you for your time and attention.

Sincerely,

Elaine A. McReynolds

CC: Council Lady Brenda Haywood

The Planning Commissioners

Mrs. Anne McNair

Dr. Carolyn Baldwin Tucker, ex-Council Lady

Mr. William Griggs

From: Elaine McReynolds <elainemcreynolds@att.net>
Date: April 10, 2019 at 12:06:27 PM CDT
To: brenda.haywood@nashville.gov, Brendahaywood@icloud.com
Cc: planning.commissioners@nashville.gov
Subject: 2017SP-092-001 The Villages At Hodges Hill

Many of us in District 3 recognize that the open spaces of undeveloped land also makes us a magnet for developers. We are a diverse district residentially, commercially, economically, racially, and age-wise. We also recognize that we will be a key player in Nashville's growth. We want growth that honors the commitments that NashvilleNext represents. We want new developments to acknowledge and respect our traditional neighborhood characteristics whether they are agricultural, rural, suburban, or urban. When developers try to circumvent requirements for harmoniousness, consistency of neighborhood character or zoning by applying for SP exemptions, people like me become alarmed.

2017SP-092-001 is requesting a SP which does NOT enhance the neighborhood. In fact, it serves to do the opposite. One of the adjacent properties, Hillenglade, serves as a place for veterans, their families and others to get away, ride horses, ponies, play games, have picnics, etc. We are all so proud that Hillenglade recognizes our debt of gratitude to our veterans and their families and has gone to such generous efforts to try to pay them back. Putting anything as dense as 2017SP-092-001 in this area is unthinkable. We have zoning regulations for a reason and I cannot understand why we should tolerate a special allowance for a proposal that does not help the community.

This project continues to lack the specificity of a concept proposal. The elevation of part of the property is already producing flooding concerns, especially since some of the trees have been felled. There are so many reasons to disapprove this SP and no reasons to approve it.

Once again, thank you for your time and effort. Please oppose this SP.

Sincerely,

Elaine A. McReynolds

From: carolyn b. tucker [<mailto:ladybaldwintucker@gmail.com>]
Sent: Wednesday, April 24, 2019 2:21 AM
To: Planning Commissioners
Cc: Kempf, Lucy (Planning); carolyn b. tucker
Subject: Hunters Run Concept Plan (2019S-068-001)

To Mr. Greg Adkins and Planning Commissioners:

1. When the revised proposal was presented to a review group of residents from the Grande Villa and Dalemere neighborhoods, we were told by the developers that there would be no extension of Bella Vista into the new subdivision. However, when reviewing the staff report for the April 25, 2019 Commission Meeting regarding the Hunter's Run project, Item 3 states "Road C shall connect to Bella Vista Boulevard as an emergency only access". This is not clear. Does this mean that individuals who deems they have an emergency can access the opening? It does not define "emergency access".
2. If Road C is to connect to Bella Vista, this would then necessitate that the Subdivision Regulations Chapter 4 regarding Cluster Lots be followed which requires SP zoning. No explanation regarding how that connection would

manifest has been afforded the neighborhoods. Further, such access does not appear on the renderings of the Concept Plan, as the Hunters Run plan shows what appears to be a cul-de-sac street (Road C) ending before the buffer area. No mention is made in the staff reviewer's report of a crash gate, or what will be utilized in designating Bella Vista for "emergency only access".

3. The proposed Concept Plan for Hunters Run (2019S-068-001) is not harmonious with T2RM rural character of the setting in which the proposed development will be located. The houses on Hunters Lane, to which Road A from Hunters Run will connect, are R20 (and larger) as reflected in the spacious lots.
4. In the staff reviewer's report Item 14: "Pursuant to 2-3.5.e of the Metro Subdivision Regulations, **because this application has received conditional approval from the Planning Commission**, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to or with any application for a final site plan or final plat". Thus, I raise the question as to when did the Hunters Run Concept plan receive "conditional approval" by the Planning Commission? At the public hearing of the Planning Commission which was held February 28, 2019, the Hunters Run Concept plan was DISAPPROVED. Therefore, I ask how is 2-3.5e of the Subdivision Regulations applicable in this situation since the plan has not yet received conditional approval? Was this approved without public notice? If it has already received the conditional approval, why is it on the agenda for April 25, 2019?

Because of the issues raised in the afore stated ascertains and queries, I respectfully request the Commission to **Disapprove** the Hunters Run Concept plan as presented. In summary, the request for Disapproval is based on the following:

1. The connection of Road C to Bella Vista would call for an SP zoning since it will be a connection to an existing street.
2. The Concept Plan rendering does not reflect where the "emergency access" is to be located; nor does it define "emergency access".
3. The Hunters Run Concept Plan is not harmonious with the T2RM policy.
4. The staff report gives the impression that the Hunters Run Concept plan has already received "conditional approval" by the Planning Commion which defeats the purpose for it appearing on the agenda of the April 25, 2019 Planning Commission Meeting. It also, implies that the Commission will "lock step" follow the staff recommendation thus, thereby, preempting the discretion of the commission.

Sincerely,

Dr. Carolyn Baldwin Tucker
Grande Villa Estates

From: lisakay3 [mailto:lisakay3@att.net]

Sent: Wednesday, April 24, 2019 10:21 AM

To: Planning Commissioners; planningstaffing@nashville.gov; Haywood, Brenda (Council Member)

Cc: elainemcreynolds@att.net

Subject: Hunters Run 2018S 204-001

Commissioners: Dalemere and Gran Villa are established neighborhoods. This proposed development and implementation of it would have severe consequences on the daily lives of the residents. There are multiple issues which complicate this development: traffic, flooding/storm water, density, etc. Furthermore, the plan is not harmonious with the neighborhoods' character. Please do allow this plan to go further.

Thank you for your attention.

Lisa Kay Johnson

Please see attachment on the following pages.

For the discussion of Hunters Run 2019S-068-001

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.

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.**

- 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

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.