

Comments on July 18, 2019 MPC Agenda Items

Received through July 17, 2019

ITEM 2: 2017Z-037PR-001— Substitute BL2019-1569

From: jpratt3@wi.rr.com [mailto:jpratt3@wi.rr.com]
Sent: Monday, July 15, 2019 9:01 AM
To: Planning Commissioners
Cc: 'cpratt@kUSD.edu'; 'danprattdrums@gmail.com'; 'john.k.pratt@abbvie.com'
Subject: BL2019-1569

July 15, 2019

Dear Metropolitan Planning Commissioner,

We are writing you in regard to BL2019-1569 which is Item #2 on the agenda for the upcoming MPC meeting of July 18, 2019. The bill is a proposed zoning change for 1804/1806 Lischey Avenue from RS5 to SP. We own the property at 342 Edith Avenue, which is zoned RS5 and is adjacent to 1804 Lischey Avenue on the South.

The proposed SP would set the zoning density for 1804/1806 Lischey Avenue at RM20.

This zoning change will benefit an outside property investor at the expense of the current residents of the neighborhood and will negatively affect the value of our property as a single family home.

Our home is within 5 feet of the property line adjacent to 1804 Lischey Avenue. If the SP is implemented in its current form:

--We will have an alley approximately 6 feet from our kitchen window.

--There will be no landscape buffer between the alley and our home.

--The alley will be the only road into and out of the property for the residents of the 46 planned units and for city or emergency vehicles.

--The estimated number of daily trips on the alley, 6 feet from our kitchen window, is 307 per the traffic and parking recommendation section of the bill.

Our request, so that we may continue to enjoy our home and outdoor space is:

--An SP that permits development per the requirements of RM9 or RM15 zoning rather than RM20.

--A 15 foot strip between our property and the edge of the planned alley.

--A type A landscape buffer adjacent to our property on the South, consistent with the proposed type A buffer to be provided per the Metro Zoning Ordinance along the adjacent RS5 zoned property to the West.

Our request is reasonable and more aligned with the vision of the East Nashville Community Plan (T4 NE) and the Highland Heights Study Supplemental Policy.

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We strongly urge you to disapprove BL2019-1569.

Thank you for your time and consideration.

Cordially,

Daniel Pratt & Marie Robertson
John & Christine Pratt
342 Edith Avenue

From: stacy@easeuptravel.com [mailto:stacy@easeuptravel.com]
Sent: Tuesday, July 16, 2019 12:10 PM
To: Planning Commissioners
Cc: Kempf, Lucy (Planning); Birkeland, Latisha (Planning)
Subject: Item 2 - 2017Z-037PR-001 - 1804 & 1806 Lischey Ave

It is good to finally see some conditions placed on this development. Several neighbors and I have met with and tried to compromise with the applicant and the spokesperson to find a workable solution that would allow development albeit with considerations for those most impacted. Unfortunately, our concerns and recommendations have fallen on deaf ears.

The newest conditions added to this substitute bill/SP(R) zoning that need further refinement are as follows –

- 1. Setbacks – Front building setbacks facing Lischey to be consistent with those of the 1801 Meridian SP –**
Unfortunately, that SP has yet to be developed, so there are no existing buildings for which a setback can be determined. In the 1801 Meridian SP, the setback from the sidewalk ROW on Lischey Ave is to be between 5 and 45 feet. To be consistent with the other structures in the neighborhood, we strongly recommend that the setback for those units be defined more consistent with other addresses in the R4 sub-district building regulations – 20-40 feet. This would also be consistent with the RS-5 properties that are located across the street. Such setbacks are defined in the Highland Heights Supplemental Plan and are dependent on the type of structure (e.g. – low-rise townhouses have front setbacks of 10-20 ft while a plex or manor house would have a setback of 20-40 ft).
- 2. Dedication of alley ROW –** A 20-foot alley along the entire southern boundary is in keeping with the Highland Heights Study Mobility Plan, but it creates a roadway that is extremely close to the homes at 342 Edith and 1802 Lischey. The home at 342 Edith sits a mere 5 feet from the property line along which this alley/private road will sit. The home at 1802 Lischey sits 14 feet away from the property line. As this alley/private road will be the only ingress/egress for all the units in the property by being the only connection to Lischey Ave, I would strongly recommend that the width be increased to 26 feet. Such an increase will be consistent with the alley in the 1801 Meridian SP planned along the northern boundary of that SP. It will also provide additional lane width for larger vehicles to use that road for access (ie – fire engines, Public Works trash removal, delivery vehicles).
- 3. Landscape buffer –** the conditions recommended by the Planning staff require a Type A buffer along the RS-5 zoned properties on the western boundary. Why is there no similar consideration for the adjacent RS-5 zoned properties along the southern boundary? I strongly recommend that both landscape buffers be specifically

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listed as either Type A-1 (15-ft buffer) or Type A-2 (10-ft buffer) and no narrower. For the southern border, this buffer should be placed between the property line and the alley/private road to provide additional distance to the two properties most impacted by the alley/private road. Adding a landscape buffer of 15 or 10 feet should not be a considerable impact to the project while providing some additional privacy and peace of mind to the impacted neighbors.

4. **Density** – while I understand that these infrastructure improvements will help justify density of up to 46 units, I still object to that as a maximum number of units. The last time this project was in front of the Commission, there were concerns about providing an appropriate transition from a higher density project to the RS-5 zonings that were adjacent. 1801 Meridian SP will have a density roughly equivalent to 18 units per acre. This potential rezoning will actually go up a bit in density should the max number of units be built. The neighboring properties have considerably less density. The intent of the Highland Heights Supplement Plan will not be honored by having such a drastic reduction in density from a mid-block property compared to the properties across the street and immediately south. I feel a more appropriate density would be 10 units per acre and would request the maximum unit count be limited to between 22 and 24 units. (Please refer to the attached visual.)



I have attached a visual imaging of how these changes may look. Referring to the attached image, the alley/private road that is proposed is in yellow. My neighbors and I request an alley/private road that is shown outlined in blue (10 to 15 ft landscape buffer, 26 ft width). I've super-imposed a rough idea of building placements based on another SP that sits at 844 Cherokee (the super-imposed image uses that SP's building placement of 11 units mirrored). This representation

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depicts 22 units each with a parking garage underneath the primary living space. Due to the unique shape of these 2.3 acres, 46 units – even if they are small studios – will crowd too many cars and people in the space.

While the intent of this project is to create affordable housing, the end result will have the majority of the units sized about 700 sqft and costing roughly \$200,000 (based on the estimates we've heard). To achieve the maximum amount of profit, the owner/developer claims a need to build the maximum number of units. Our neighbors and, consequently, our neighborhood should not have to realize such an impact just to improve an investment that can't make adjustments to neither fit within the neighborhood nor adhere to the Highland Heights Study and Supplemental Plan.

Should the Commission and the applicant agree to these further refinements, my neighbors and I would ask for your approval. However, should the applicant refuse to make these adjustments, we ask for your disapproval.

Gordon Stacy Harmon, CHS

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ITEM 12: 2019S-081-001—FOX VALLEY SUBDIVISION

From: Sasha Mullins Lassiter [mailto:chromecowgirl@gmail.com]

Sent: Monday, July 15, 2019 9:38 PM

To: Planning Commissioners; Swaggart, Jason (Planning); Walker, Tim (Historical Commission); Zeigler, Robin (Historical Commission)

Cc: cc: Robbie Jones; Pridemore, Bill (Council Member)

Subject: Fwd: APPROVAL REQUIREMENTS NEEDED ON 2019S-081-001-I - Neelys Bend Subdivision!

Dear all.

Sasha here again regarding the Fox Valley Subdivision on Neely's Bend. Tonight was the community meeting with the developer representative and their engineer firm as required by Planning Commission. Thank you for making sure they met with the community.

We have very serious concerns and this meeting did not ease our minds at all.

First of all, no one from Metro Planning showed up and the Engineers hired by the Developers kept deferring to Metro Planning, Codes, etc. whenever community concerns were raised. The developer representative (we were not privileged to know who the actual developer is) stated the project is not a Metro priority so that's why Metro Planning was absent at a community meeting to discuss Metro planning in our neighborhood. What?

Not one person in the room is for this high impact development as it is being proposed --with vague answers from the engineers and developer representative to our very serious inquiries. It's just this development is not thoughtfully designed at all and evident in the way the engineers and developer representative stammered answers and kept deferring to Metro Planning and other departments but there was no Metro representative there to converse with! The developer representative suggested that this project was not considered a priority perhaps due to the fact

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that it is within zoning, and that this is just a required meeting they have to fulfill to make Planning Commission happy? Meanwhile this meeting was well attended by many concerned citizens.

While the neighborhood doesn't protest growth per se, an unsmart development design that is so dangerous and over capacity for the property as it relates to the existing conservation overlays on it, and the traffic management situation is what is so concerning. This is old zoning that occurred when the community wasn't even brought into the zoning conversation years back.

There were several issues ranging from traffic safety, storm water, and the rapid rapid growth already happening on Neely's Bend with much more development to come as people sell off large parcels of land and old PUDs get developed out here.

Of course flash forward from when this old zoning was applied and it is painfully obvious this property should NEVER have been zoned this high density compared to the lack of infrastructure and environmental sensitivity of the land and the surrounding river, but here we are stuck with an impossibly high density development that will gravely affect Neely's Bend a two lane highly traveled road on a peninsula surrounded by the Cumberland River. Neely's Bend has several other properties with proposed density, old PUDs and this is all just an absolute disaster for the area.

We have a few musts occur before this thing is green lit:

1) Storm Water Management system and design schematic for this entire development and property MUST carefully studied, considered and uniquely designed to be in place before this thing gets a green light. There are 3 Storm Water control points for outlying neighborhoods and that property as shown on the parcel viewer layers right at this property with wet weather Conservation Overlay creeks that drain from the property INTO more Conservation Overlays and THE 100 AND 500 YEAR FLOOD PLAINS, via Storm channels/culverts that are so overgrown and poorly maintained that the water collects and backs up on to properties as it is. The storm water situation on Neely's Bend is very difficult, unpredictable and we are surrounded by the Cumberland River and with all of the new developments and density occurring in a very fragile environmental area, losing even more earthen ground to high density development is very frightening and concerning to the established historical neighborhoods along the river that must take on this water.

The engineers could not answer our questions and kept saying that they are well within Metro Storm Water, Public Works, codes etc. and not one of them have ever been on the land during a significant rainfall. Not one of them have walked the storm water system to see how it drains into the river, a mere short distance from this property but it travels through many backyards and roads to get there. Again, No one from Metro Planning was at this meeting.

2) Neely's Bend is a two lane road. The traffic implications will certainly erode the quality of life living on a river bend. How in the world will emergency vehicles make their way down such a narrow road with no sidewalks and people walking in ditches to get to public transit? (this question was posed by a woman in the audience). The traffic is already treacherous and the speed limits are constantly broken already. This traffic study they kept referring to sounds like another favorable for the developer study that has no real-life actual thorough research to support the REAL every day volume at our major intersections on Neely's that we deal with every day and night out here.

There were so many other concerns brought up at the meeting such as school capacity for Neely's Bend Middle and Neely's Bend Elementary, the traffic study not being thorough at all to support the challenges of Neely's Bend Rd, the

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safety of children in the neighborhoods where the access points will be placed to access this large development. The topography of the land is like a giant bowl said one concerned citizen. Another talked about how the retention pond they propose cannot possibly hold the amount of water they claim it can.

This is not smart growth at all for an environmentally sensitive area. What can we do? Can the Planning Commission ask for more in-depth environmental impact studies, more detailed traffic studies, better traffic management for Neely's Bend to handle this development and what's to come?

Thank you for your time and consideration. We appreciate all you do and thank you so much for deferring this until the developers (who we were not allowed to know who they were, only speak to a representative) and the engineers could speak with us. NO ONE was happy about this proposed development to come due to how it will adversely impact our quality of life and safety in so many ways.

But here we are.

On Thu, Jun 27, 2019 at 8:46 AM Sasha Mullins Lassiter <chromecowgirl@gmail.com> wrote:

Hello: This is Sasha Mullins Lassiter and I live at 1100 Berwick Trail very close to this proposed subdivision. I just found out about this...um....yesterday because there was no notice to many of the riverfront households that would be affected by this development in the adjacent historic river community.

I echo Robbie Jones' concerns, and further. . .

Smart Growth. This is an example of NOT smart growth. Technically this parcel that is already zoned for dangerous density is the opposite of smart growth considering the environmental sensitivity of the area and low infrastructure support. However, I thank you so very much for supporting smart growth for Madison regarding this very parcel before, when way too extreme high density as an SP was once proposed there and you shut it down. It was a tough battle for the community to beat back these developers with their army of engineers and attorneys and supporters who had never set foot in Madison and knew nothing about it.

Although this parcel is zoned for such low-medium density volume and the developers are most certainly going for the higher end of the zoning spectrum (which in this case is quite the opposite of Smart Growth), there are extreme concerns and hopeful supports to this development that will be required. With all due respect to each of you, here is the info to carefully consider:

I live here on the river off Neely's Bend and can attest to this that the increasing amount of stormwater being delivered from subdivisions through this environmentally fragile riverbend area with a conservation overlay at points is on a trajectory to increasingly damaging homes and existing infrastructure and the environment. There is so much erosion happening to our river properties from excessive and increasing storm water runoff. While there have been some stormwater improvements, the fact that city and state argue who is responsible to keep the storm water channels clear also puts tremendous burden on the property owners because in many cases we are not permitted to touch these channels yet they are terribly overgrown and polluted with large volumes of litter. In addition, where storm water channels can be maintained by property owners, they are not at all for a variety of reasons such as lack of equipment and manpower or time to do

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so! Some of the important ditch and under roadway drain systems cannot at all handle the overflow of water and constantly flood intersections in the river neighborhood which at times backs up onto homeowner properties. Fingers are pointed as to who is responsible, there are lack of funds to fix therefore correcting this vital infrastructure can be a giant feat. As you know and have experienced, poor and insufficient storm water management contributes to flooding our rivers and smaller waterways too. I've been in too many meetings whereby there have been approvals slapped on to developments without very necessary thorough waterway research and exact findings offered which is highly necessary in this day and age in order to deeply understand the cause and effect of a development related thereto.

Also, there are a number of farm and large home lot parcels in this fragile river area of Nashville that are already zoned for low to medium capacity development and as you know developers will certainly go to max capacity on these zonings or try to change the zoning to higher density with SP. Of course all this existing property zoning happened years ago when no one could have EVER predicted the enormous growth of Nashville... therefore these large scale density zonings contribute to overdevelopment and dangerous growth in areas that cannot support such --- such as Neely's Bend.

In addition, I cannot express enough the concerns I have as a longtime Madison community advocate and resident over the lack of vehicle infrastructure on this two-lane riverbend area that is Neely's Bend. Neely's Bend is already very dangerous with cut through traffic from Old Hickory area and Madison areas across Old Hickory Blvd along the River utilizing Neely's as a cut through adding to the volume already on Neely's Bend. At times we have to wait long periods of time just to exit onto Neely's Bend from Center Street/Berwick Trail or any side street near this proposed development, which is already like taking your life into your hands doing so on my motorcycle especially.

There are no sidewalks between Forest Park Rd and closer to the school and what is concerning is the large amount of residents that take the metro bus and must walk to Gallatin along Neely's Bend. Harrowing! It is extremely dangerous with many people including children walking in ditches and in the roadway as there is barely any shoulder.

There is also a tremendous amount of wildlife in the Bend including that wooded area parcel to be developed that will be displaced. Though low on the totem pole of concern, these gentle innocents are put into the path of extreme danger out here too so we need to be smart amount density in the riverbends in Nashville as it relates to the sensitive environmental conditions here. Wildlife is naturally attracted to the river bends.

Save Bells Bend Mayor Briley? How about save Neely's Bend, too.... how about save all the Bends. Hadley's Bend was destroyed with the insane and horrific quarry.

AND, since I live past the 600 or so ft. from this proposed development that is literally right up the street from me, I did NOT receive a notice about the planning commission meetings. I learned about this just yesterday. As a past participant on the Neighborhood Resources' Metro Planning community committee whereby we work with Metro departments to improve early and expansive communication to all neighborhoods regarding development happening within an area; and here in this very example, poor communication, lack of respect and I'm not finding out about a major major development happening on Neely's Bend near my home until the last

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minute. A classic example of poor communication handling of a development that could easily be approved without ANY additional and critical traffic management or stormwater management requirements. While it is zoned for this insane amount of density, there MUST BE an extremely well thought out infrastructure requirement to support this density on a small two-lane environmentally sensitive river area.

I appreciate all of you working hard to oversee and support smart growth and your time and consideration.

Thank you so much for your kind attention to Madison.

Respectfully,

Sasha Mullins Lassiter
1100 Berwick Trail
Madison
917-514-0058

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

From: **Robbie Jones** <robbiejones4@gmail.com>
Date: Wed, Jun 26, 2019 at 4:06 PM
Subject: 2019S-081-001-I - Neelys Bend Subdivision
To:

All,

I am writing to express concerns about the proposed Fox Valley Subdivision along Neelys Bend Road in Madison. I live on Canton Pass in the historic Marlin Meadows neighborhood directly across from the proposed development project.

I am concerned about traffic ingress and egress from the development onto Neelys Bend Road, which is already near capacity. I hope that the development will include proper turn lanes and/or intersection improvements. Vehicles whiz down that stretch of Neelys Bend Road too fast, so pulling out is already dangerous. More traffic will only exacerbate the problem.

I also hope that the development includes proper sidewalks, tree canopy preservation, and storm water drainage protection - issues that are important to residents in the neighborhood, myself in particular. The proposed development is near a school zone so sidewalks are paramount. Too many kids are forced to walk and ride their bikes along Neelys Bend Road where there are no sidewalks and little to no shoulder - it's a disaster waiting to happen.

My recently restored historic home (which won a Metro Historical Commission Preservation Award in 2018) is in the watershed from this development with a wet weather creek running from the proposed subdivision directly down Canton Pass in front of my house to the Cumberland River (I'm three houses from the river), so I am very concerned about stormwater runoff, which floods my neighborhood and property during heavy rains and

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storms. Preserving the tree canopy and hilly topography is extremely important. This issue needs to be taken seriously and properly addressed.

I am not necessarily opposed to the proposed subdivision per se, but want to make sure that it is designed and implemented properly and takes its surrounding historic neighborhoods into account. I know that I speak for many others in my neighborhood.

Thank you for your time and consideration.

Robbie D. Jones

[804 Canton Pass](#)

[Madison, TN 37115](#)

615-400-3966

RobbieJones4@gmail.com

ITEMS FROM PREVIOUS MEETINGS

Case 2018Z-122PR-001 (heard at MPC on 01/10/19) and is now at as BL2019-1623

From: Vicki Cooper [<mailto:vicki.cooper@crye-leike.com>]

Sent: Monday, July 15, 2019 2:37 PM

To: Haywood, Brenda (Council Member); Planning Commissioners; Planning Staff

Cc: Welch Family; Penny Ashby

Subject: rezoning on Knight drive- Owner / donelson

Brenda,

There is concern among the neighbors on Knight drive that the land could have duplexes and mobile homes on it if it is rezoned.

The owner told us he wanted to rezone to build a barn. That is nonsense as a barn can be built on that property already.

We are skeptical of his intentions and as a group we DO NOT WANT to agree on that property being rezoned. He can do everything a "HOMEOWNER " would want to do already.

We are AGAINST this rezoning.

We have fought long and hard to retain our small area as it is and are against the rezoning.

As you know the planning committee stood fast with their decision on Brick Church lane recently saying NO to that rezoning. They stated the long hard work and years of planning by NASHVILLE NEXT as a good reason.

That applies here as well.

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We want the same consideration here.

It seems unfair to allow ONE area to rezone & change the Nashville Next plan and the not allow another.

Follow the rules already laid out just as you did with the Brick church lane rezoning request.

WE DO NOT WANT THE REZONING.

hanks,

Vicki Cooper

REALTOR,Crye-Leike
Multi Million Dollar Club
"Selling Real Estate with Integrity" |
615-268-9020 cell
Efax 739-9736

From: Vicki Cooper [<mailto:vicki.cooper@crye-leike.com>]
Sent: Monday, July 15, 2019 2:45 PM
To: Haywood, Brenda (Council Member); Planning Commissioners; Planning Staff
Subject: no rezoning of KNIGHT DRIVE

Brenda

Please withdraw the motion. See my earlier email regarding NO REZONING.

I left off my address.

My address is 3679 KNIGHT DRIVE Whites Creek and his property touches mine.

I see no reason why or need to rezone that property if he is simply going to live there and build a barn & home as he has stated.

I feel there is another motive. He can easily build whatever he wants as a single home or even several homes with the zoning just as it is.

I AM AGAINST THE REZONING.

Thanks,

Vicki Cooper
REALTOR,Crye-Leike
Multi Million Dollar Club
"Selling Real Estate with Integrity"

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615-268-9020 cell
Efax 739-9736