

## **Comments on August 22, 2019 MPC Agenda Items Received through August 21, 2019**

### **Item 8: 2019NHL-001-001—Just Pizza**

**From:** Sylvan Park Neighborhood Association [mailto:spna@sylvanpark.org]  
**Sent:** Wednesday, August 21, 2019 9:32 AM  
**To:** Planning Staff  
**Cc:** Kempf, Lucy (Planning); Kathleen Murphy; SPNA Steering Committee  
**Subject:** Please Oppose Case Number #2019NHL-001-001

Dear Planning Commission members:

I am writing on behalf of the Sylvan Park Neighborhood Association to ask that you oppose the request (Case number: 2019NHL-001-001) for a landmark overlay for the property at 320 44th Avenue North. SPNA members and nearby neighbors have had the opportunity to discuss this request with the property owner, and we want to see this property used as a residence. The specific, limited commercial use that was grandfathered in for this property has long since expired, and we believe that it is in the best long-term interest of the neighborhood that this property maintain the same residential zoning as the properties surrounding it. We are also concerned about setting a precedent that would allow further encroachment by commercial development into residential areas.

Rob Robinson  
President  
Sylvan Park Neighborhood Association  
[spna@sylvanpark.org](mailto:spna@sylvanpark.org)  
[rrob13@gmail.com](mailto:rrob13@gmail.com)  
(615) 419-1910

### **Item 12: 2015SP-113-002—Nashville Highlands SP (Final)**

**From:** Noah Charney [mailto:radnor2river@gmail.com]  
**Sent:** Tuesday, August 20, 2019 9:30 PM  
**To:** Planning Commissioners; Kempf, Lucy (Planning)  
**Cc:** Stewart Clifton  
**Subject:** R2R Statement on Nashville Highlands

Dear Planning Commissioners,

Please find attached Radnor To River's statement on the Nashville Highlands final site plan before the Commission this Thursday.

Thank you for all the time, resources, and attention you have given to us during discussions around this important property.

Best,  
Noah

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Noah Charney, PhD

Executive Director

Radnor to River

[www.Radnor2River.org](http://www.Radnor2River.org)

615.351.6913

**SEE ATTACHMENT ON FOLLOWING PAGES**



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

August 20, 2019

Metropolitan Planning Commission  
800 2nd Avenue South  
Nashville, TN, 37210

Dear Commissioners and Members of the Public,

This moment is a turning point for how things are done in Nashville. A recent white paper commissioned by Neighbor 2 Neighbor outlines important changes that will shift planning power back into the hands of the citizens. A new ordinance strengthens standards for tree protection in the city. Twenty-two organizations and agencies recently convened a working group for bringing environmental concerns to the forefront of planning. Our city has awoken to the need for environmental protection, and we have realized our right and our power to change the system.

In considering the plan for Nashville Highlands now before the Planning Commission, I am torn between two competing narratives based upon two different sets of expectations. There's the old way of doing things and the new way. Either this plan is a huge environmental victory, or this plan represents many of the things that are still wrong with our system.

In many ways, the extent to which the recent concerns of the environmental community have been incorporated into these plans is unprecedented, at least within Nashville. The PUD approved in 2004 included plans to blast off a hilltop and fill a stream valley in the center of a 200-acre old forest. But in 2015, the environmental community came together to demand a different future. The vast majority of the property was re-zoned as Open Space and the development was constrained to a 10-acre corner of the property, of which only 3 acres contained old forest. That was a huge win – and, frankly, exceeded my expectations.

In 2019, after the preliminary site plans were submitted, Radnor to River intervened to suggest changes to the plan, and most of those changes were accepted by the developer. Again, another win. Never before has a developer made so many last-minute changes to accommodate environmental concerns. For this, we celebrate the developers and the planning staff for guiding these discussions.

But such responsiveness is merely how it should always be. Our environment has real value. When we draw lines saying that streams and forests must be protected, those lines are firm and should be the basis upon which any plan is formulated.

If you expect the environment to be taken seriously, then you might feel betrayed by these plans. Here, the owner cut off ridgetops and filled forested valleys in the 1990s – causing flooding and siltation of downstream communities. Were they really entitled to do that again to the other half of the forest? From this perspective, the deal cut in 2015 was not the public stripping a landowner of their rights, but, rather, the landowner returning some rights that always belonged to the public.

In this view, the changes adopted in 2019 do not represent newly-protected forests, but instead are simply forests that were already supposed to be protected by the zoning ordinance under the 2015 agreement. The intent of the SP signed into law in 2016 was to prohibit all logging outside of the agreed-upon disturbance limits. Yet, in 2019, neighbors discovered extensive logging 200 feet beyond these lines. The logging permits were issued based upon the unquestioned assumption that a revised site plan (which increased forest clear-cutting from 3 to 8 acres) working its way through the planning department would ultimately be approved.

The 2019 logging enraged many within the environmental community. Here, we had a clear deal, agreed to by all sides and signed into law. Just as Metro won't approve a sign above a sidewalk that is six inches larger than code allows, it's reasonable to expect that the lines drawn around streams and forests will have real meaning. Yet, the developers and the city felt assured – without any hesitation – that the lines drawn by Metro Council through the forest were of little consequence. That's just how things have always been done.

When we raised these issues in the spring of 2019, the leadership of Metro Planning Department understood the problem and pledged to support further negotiations, with the help of Council Member Johnson. Over the course of several months, Radnor To River offered suggestions for improving the plans, some of which have now been incorporated. These changes have reduced the total area of clear-cutting back to approximately 6.5 acres of old forest. Though we're still losing forest, we're losing a bit less than we would have otherwise.

As the new construction phase of Nashville Highlands unfolds, there will still be ways within the scope of this current plan that the environmental impact can be further mitigated. For instance, a stream and important old forest could be protected by reforesting a buffer on the newly regraded slope that extends downhill on the eastern edge of the property. Today, I spoke with Ray Hensler, representing the developer, and he promised to work with us towards that goal. He also promised to work with us on the larger goals of transferring the remaining open space into the public domain so that all Nashvillians can continue to hike through this beautiful landscape of forested hills and streams in perpetuity. I take these commitments seriously, and feel strongly that good working relationships between developers and environmental advocates is extraordinarily valuable.

For these reasons, and with the belief that this moment will be the start of a new phase in how things are done, I am supporting this plan as it passes through the Metro Planning Commission.

Ray Hensler is rightly proud of how responsive they have been to our requests. The developers began with the reasonable assumption that things would work the way they've always worked in Nashville. So, to accommodate environmental concerns to such a degree represents a seismic

shift. From this perspective, the developers have been, and promise to remain, good partners to the environment.

And this is the future. From here on, we expect that all developers in Nashville will partner with the local environmental and neighborhood communities – consulting us at the very start of any major project. From here on, we expect reviewers to understand that our forests, streams, and hills are a public resource – even where they occur on private lands – and we take guidelines protecting these resources very seriously. From here on, forcing a development to fit in with the local landscape without environmental degradation will no longer represent an unexpected victory, but a minimal requirement for any plan to proceed through review. This is what the citizens of Nashville demand and have every right to expect from our government.

Sincerely,

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

Noah Charney, PhD  
Executive Director

## **Comments on August 22, 2019 MPC Agenda Items**

### **Received through August 21, 2019**

#### **Item 14: 2019SP-057-001 PITTS AVENUE SELF STORAGE**

**From:** timblackburnoas@juno.com [mailto:timblackburnoas@juno.com]

**Sent:** Monday, August 19, 2019 3:50 PM

**To:** Elliott, Logan (Planning)

**Subject:** rezone of 2019057001

To the Commissioners: As a former commissioner and mayors rep for the former City of Lakewood, we worked for a year and a half to make our lil place better not worse. Frankly storage units are just easy money with little responsibly. We were looking and had "zoned " that for mixed use, professional building with living above, that was a 9-5 due to the railroad tracks and no light (which are not timed right for the amount of traffic now on OHB) All we have out here is 1.00 stuff one grocery store and junk, the three of us Rayon City, Old Hickory proper and Lakewood had been self sufficient now we are just a drive thru to where you have to get to. We wanted to clean up the city, no pole barns, car lots junk stores how does storage units add to the neighborhood? we have 2 now fill them first. I know I was at 2 meetings Mr. Hagar had when asked about the idea we told him NO. We've been sold out for apts that aren't meeting their goal, tall and skinny's that don't sell ,public housing and 300 more on OHB aka Robinson Rd. We have bigger needs than storage units.

Thanks for your time

Valerie Rion Blackburn

#### **Item 17: 2019S-134-001 – Selma Avenue Cluster Subdivision**

**From:** HMKinley Winchester [mailto:the4winchesters@gmail.com]

**Sent:** Tuesday, August 20, 2019 8:29 PM

**To:** Planning Commissioners

**Subject:** case no. 2019S-134-001 - 0 Selma 37214

Hello MPC

Thanks for reviewing the proposed development for the property located at 0 Selma Dr in Donelson. I live in the neighborhood and we have been involved with this project for the past 18 months or so.

I will not take much of your time. But I wanted to raise awareness once again for the stream and storm water for this property. It is the "funnel" for about 50 acres of land in our community. There is a lot of water that goes through there during/after a storm. The plan will add a lot of impervious surfaces that will generate a lot of runoff from houses, driveways, and the new street.

My concern for the stream relates to the buffer and the placement of the street. The street is running directly parallel to the buffer. My understanding is the buffer is be kept clear of construction and debris from this project. The road placement will require significant buildup where it meets Selma Drive (there is a drop of about 6-10') and for the first 50 feet of so. With the current plan, there is no way to do that and stay out of the buffer.

Thanks for listening to concerned citizens.

Kinley Winchester  
2326 Maplecrest Dr

## **Comments on August 22, 2019 MPC Agenda Items** **Received through August 21, 2019**

**From:** Julie Grine [mailto:jkgrine@gmail.com]  
**Sent:** Wednesday, August 21, 2019 8:20 AM  
**To:** Planning Commissioners  
**Subject:** 2019S-134-001 SELMA AVENUE CLUSTER SUBDIVISION

I am writing to express my opposition to this request. In addition to the more serious concerns raised by Jeannine Huber (in her letter dated 7/19/19) such as storm water drainage, I have concerns about adversely changing the character of this neighborhood. This acreage is full of mature trees and numerous wildlife that is appreciated by residents of the bordering streets. It also serves as a noise buffer from the traffic on Lebanon Road and Briley Parkway, and even from the concerts at Ascend Amphitheater. It is one of the reasons my husband and I chose to plant our roots in this neighborhood. The houses are modest, the yards are sizable, and the views are beautiful.

This also goes against Mayor Briley's Root Nashville campaign, which aims to increase Davidson County's tree-canopy coverage.

Allowing even nine houses would permanently and negatively alter the look and feel of this peaceful neighborhood.

Thank you for your consideration,

Julie Grine  
Maplecrest resident since 2004

### **Item 23: 2019Z-129PR-001—2722 Herman Street**

**From:** Rachel Solava [mailto:rsolava189@gmail.com]  
**Sent:** Saturday, August 17, 2019 2:39 PM  
**To:** Planning Commissioners  
**Cc:** Kindall, Ed (Council Member)  
**Subject:** Case 2019z-129pr-001

I oppose the request to rezone 2722 Herman Street from RS5 to R6A. I own 2721 Herman Street, which is located 280 feet from the property.

Construction will disrupt the flow of traffic and parking on our street. I believe this property should remain a single-family dwelling. Our neighborhood continues to change, and in many instances, developers are obtaining zoning changes in order to increase density and their profits, without regard for the negative effects on the surrounding properties, homeowners and long-term residents.

Please deny the request to rezone 2722 Herman Street.

Thank you,  
Rachel Solava  
309-531-3870