

PARKER | LAWRENCE

April 23, 2020

VIA EMAIL: logan.elliott@nashville.gov

Metro Planning Commission
Metropolitan Nashville and Davidson County
Planning Department
800 2nd Avenue South
Nashville, TN 37219

Re: Concept Plan 2020S-064-001
3901-3905 Ivy Drive
PLCS No. 23.20010

Dear Commission Members:

We have been retained to represent approximately 160 residents of Metro, including Ms. Robbie Lynn Hunsinger and Ms. Margaret Littman, who are neighbors to the above referenced development. They are all opposed to this development.

First, we are raising an objection to the notice issued in this case, and the nature of the hearing that is being held. We do not believe either provides for adequate due process.

As to the notice, the development was originally scheduled for consideration sometime ago. Notice was sent which contained the time and place of the hearing - an in person hearing at the Planning Commission meeting room.

This matter has been continued since that original notice. I believe it has been continued twice, but the continuance was not beyond 90 days, so we are advised. For that reason, Metro takes that position that new notices did not need to be sent.

We do not agree because the original notice upon which Metro relied stated the place of the meeting. Now, due to Covid 19 procedures, the new hearing will not take place as stated in the notice. The hearing will take place via electronic measures. Given that, we believe that new notices should have been sent regarding this meeting and the procedures to be employed. Persons may very well show up at the meeting room only to find it locked and inaccessible.

Second, we object to this hearing on the grounds that it does not afford a meaningful opportunity to be heard. The Metro Planning Department staff has done what it can to provide a hearing under the circumstances, but the problem is that the circumstances simply do not afford a meaningful opportunity. People will not be present at the hearing. The Commission will not be assembled together, only electronically. And people will not be able to make the same kind of presentation that only live presence permits. This is why we do not have jury trials and other important tribunals electronically.

This is a sensitive project. It involves 9.05 acres which are currently developed with only 2 homes. The project seeks to construct 30 or more homes. The land is currently pastoral and a sanctuary for animals and a stream. The project is almost adjacent to the Cumberland River.

Given what is at stake, and the high level of public interest in this project, we request that the hearing be continued to the next available date when a public hearing can occur.

Third, we have concerns about whether this project meets the Metro standards that are applied to this project. We do not believe the applicant has demonstrated in its submittals that the project can be graded as shown. There is no grading plan submitted showing proposed contours, and the contours that are shown on what has been submitted are not workable. There are other problems with the project, including the lack of adequate recreational facilities for a cluster lot subdivision, and issues related to some lots, tree preservation, and the cul de sac. We have attached several aids that we will attempt to use at the hearing. We will provide additional specifics to the Commission electronically, as best we can, given the severe limitations of the forum.

Thank you for your service and your consideration.

Very Truly Yours,

A handwritten signature in cursive script that reads "Marshall Albritton".

L. Marshall Albritton

Enclosures by separate email

Drawing Date:
February 3, 2020

Revisions

Development Summary

Map 73-05 Parcels 78-82
3901-3905 Ivy Drive
Nashville, TN 37206

Total Site Area - 9.05Ac.
Council District #07 - Emily Benedict

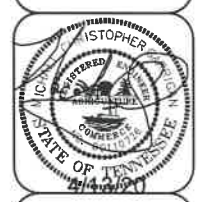
Owner:
Marcia Malone
3905 Ivy Drive
Nashville, TN 37216

Charles Wehby & Sally J. Living Trust
3901 Ivy Drive
Nashville, TN 37216

Engineer:
Dale and Associates
Contact: Michael Garrigan
516 Heather Place
Nashville, TN 37204
Phone: 615.297.5168
Email: michael@daleandassociates.net

Floodnote
This Property does Not Lie Within a Flood
Hazard Area as Depicted on the Current
Flood Insurance Rate Maps (FIRM)
Number 47037C0254H Dated 4/5/2017.

Concept Plan
3901-3905 Ivy Drive
Map 73-05 Parcels 78-82
Nashville, Davidson County, Tennessee



Grading and
Drainage Plan

D&A Project #19140
3901-3905 Ivy Drive
C3.0

* Denotes critical lot due to slope.
NOTE: Trees On This Sheet Are
To Remain. **5.**



Scale 1" = 40'



PERMITS:
Case No.
2020S-064-001

Dale & Associates
Civil Engineering
Landscape Planning & Zoning
516 Heather Place
Nashville, TN 37204
(615) 297-5168



Drawing Date:
February 3, 2020

Revisions

Development Summary

Map 73-05 Parcels 78-82
3901-3905 Ivy Drive
Nashville, TN 37205

Total Site Area - 9.05Ac.
Council District #07 - Emily Benedict

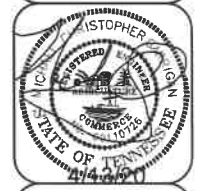
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Dale and Associates
Contact: Michael Garrigan
516 Heather Place
Nashville, TN 37204
Phone: 615.297.5166
Email: michael@daleandassociates.net

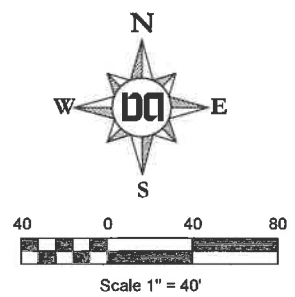
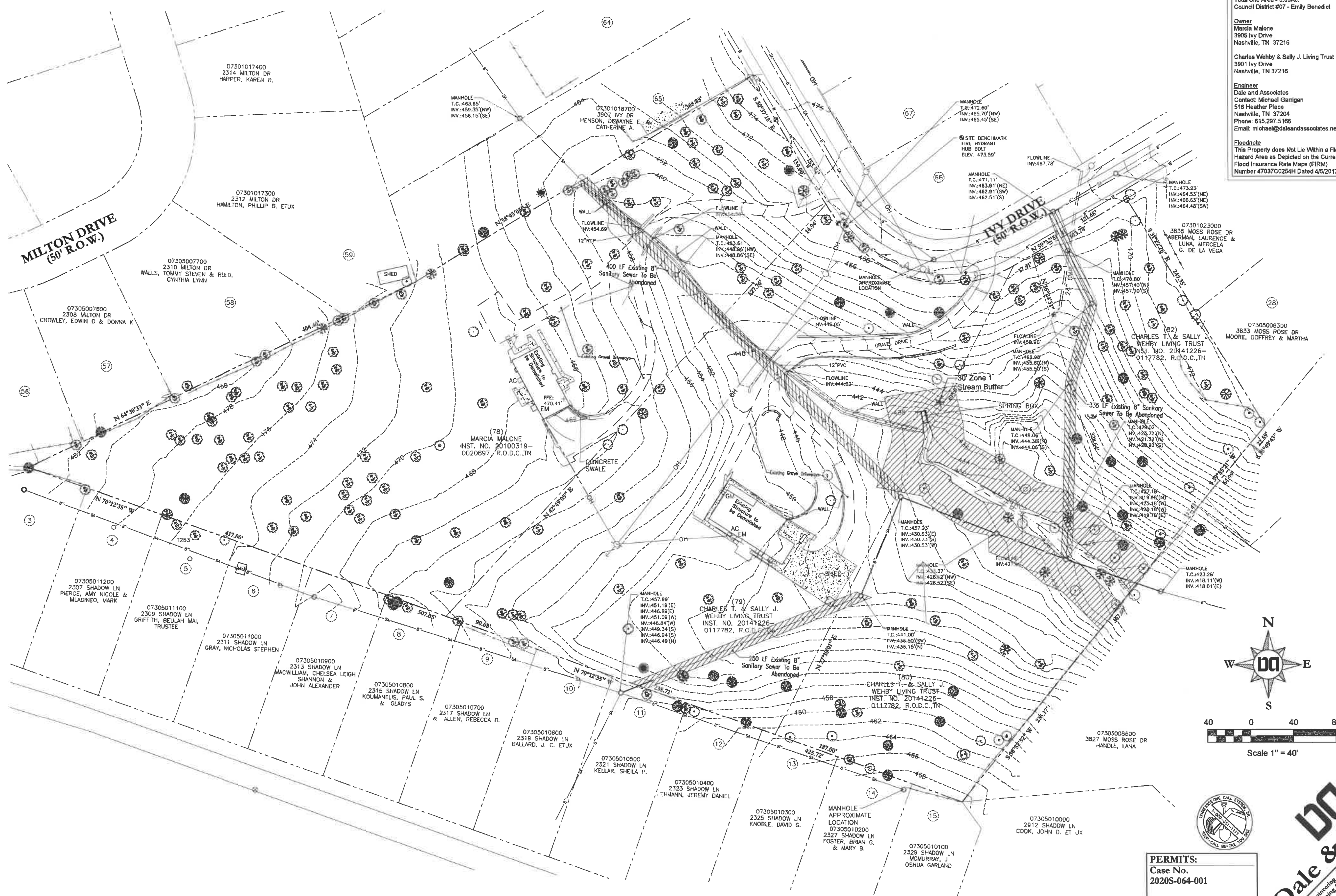
Floodnote
This Property does Not Lie Within a Flood Hazard Area as Depicted on the Current Flood Insurance Rate Maps (FIRM) Number 47037C0254H Dated 4/5/2017.

Concept Plan
3901-3905 Ivy Drive
Map 73-05 Parcels 78-82
Nashville, Davidson County, Tennessee



Existing Conditions

D&A Project #19140
3901-3905 Ivy Drive
C1.0



PERMITS:
Case No.
2020S-064-001

Dale & Associates
Civil Engineering
Land Planning & Zoning

516 Heather Place
Nashville, TN 37204
(615) 297-5166

Drawing Date:
February 3, 2020

Revisions

LOT #	Sq Ft	Area
1	5000	17 5433
2	5000	18 5137
3	5000	19 5017
4	5000	20 5213
5	5000	21 5009
6	5034	22 5209
7	5507	23 5331
8	5780	24 6230
9	7704	25 6089
10	21747	26 5000
11	6733	27 5000
12	5978	28 5000
13	5394	29 22903
14	6066	30 22895
15	8759	

Development Summary

Map 73-05 Parcels 78-82
3901-3905 Ivy Drive
Nashville, TN 37206

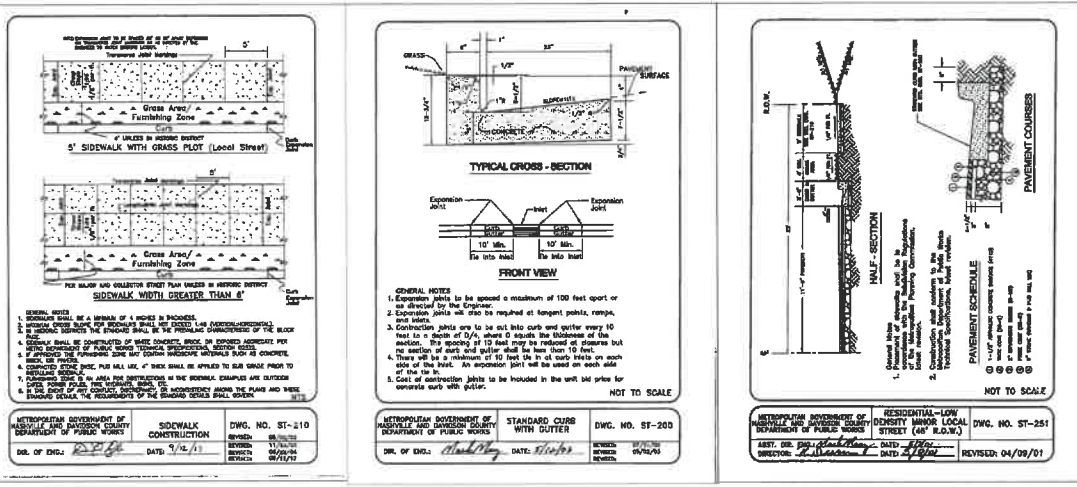
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Nashville, TN 37216

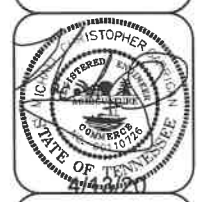
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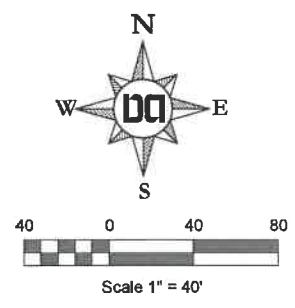
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Concept Plan
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Nashville, Davidson County, Tennessee



Layout and Utility Plan



PERMITS:
Case No.
2020S-064-001

Dale & Associates
Civil Engineering
Land Planning & Zoning

D&A Project #19140
3901-3905 Ivy Drive
C2.0



This stormwater retention area flows over a **12 foot grade** towards lot 21 and the Federally protected stream

This stormwater retention area is over a **19 foot grade** directly towards the Federally protected stream

This stormwater retention area flows down a **6 foot grade** directly into the Federally protected stream

This storm water retention area is on an **8 foot grade** flowing towards the cul-de-sac

