

Comments on May 14, 2020 MPC Agenda Items

Received through May 14, 2020

UPDATED PUBLIC MEETING GUIDANCE

The regularly scheduled [May 14 Planning Commission meeting](#) Planning Commission meeting will be virtually held at 4:00 p.m. Central Standard Time.

Watch the Meeting Live

- Comcast Channel 3
- Google Fiber Channel 3
- AT&T UVerse Channel 99
- Roku (search for Metro Nashville)
- [MNN Live Stream](#)

The public can send comments to the Planning Commission for the items on the May 14, 2020 meeting in a variety of ways:

1. **Email** your comments by May 12 at 3:00 p.m. to the [Planning Commissioners Inbox](#).
2. **Call 629-255-1900** and leave a voice message by Tuesday May 12 at 3:00 p.m. Your message will be played at the Commission meeting. Remember to limit your statement to 2 minutes for individuals.
3. **Call-in Live** directly to the meeting. Please only call-in live if you have not already left a voice message. The message will be played in its entirety and treated as a call-in live comment.
 1. Tune into the meeting (instructions above)
 2. Wait for the Chair to announce when your item is ready for live call in
 3. Dial 629-255-1901 and wait for operator assistance
 4. You will be asked if you are calling for the current case on hearing
 5. **Mute your TV or live stream when it is your turn to speak**
 6. Once your testimony begins, you state your name, address, and whether you are for or against the case
 7. During your testimony, you will receive a 30-second warning

Please note: In an effort to promote social distancing, **no remote location** will be available for the May 14 Planning Commission meeting.

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Items for Deferral/Withdrawal

Item 2. 2015SP-062-002 Brentwood Skyline

From: Lacey Blair <lacey2450@aol.com>
Sent: Wednesday, May 13, 2020 10:24 PM
To: Planning Commissioners <Planning.Commissioners@nashville.gov>
Cc: Swope, Robert (Council Member) <Robert.Swope@nashville.gov>
Subject: Brentwood Skyline Case 2015SP-062-002

Dear Metro Planning Commissioners:

Please see the attached letter regarding concerns with the pending rezoning of Case 2015SP-062-002, Brentwood Skyline.

Thank you,

Lacey Blair
Lacey Patterson Blair
615-881-0525
lacey2450@aol.com

SEE ATTACHMENT ON FOLLOWING PAGE

May 13, 2020

Planning Development
Metro Office Building South
P.O. Box 196300
Nashville, Tennessee 37219-6300

Dear Metro Planning Commission:

On May 14th the Planning Commission will hear a rezoning proposal for a new development, Brentwood Skyline. While we have no opposition to the development, we would like to express concerns regarding our property and the potential for further water damage due to water runoff.

My husband and I currently reside at 5645 Valley View Road. Over the last 12 months, we lost four large trees and experienced multiple basement flooding incidents as a result of new developments causing an ever-changing water table and excess water runoff.

Throughout our neighborhood, standing water has become an issue even when a small amount of rainfall occurs. This has cost my family thousands of dollars and the Brentwood Skyline development will certainly impact our property and the landscape of our neighborhood.

We kindly ask Lukens Engineering Consultants to consult further with property owners and the appropriate parties to ensure all water drainage issues will be mitigated throughout and following the construction process.

Thank you for your time and consideration.

Lacey Blair

5645 Valley View Road
Brentwood, TN 37027
615-881-0525
Lacey2450@aol.com

cc Robert Swope
Lukens Engineering Consultants

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Item 7. 2020S-066-001 DARROW DOWNS

From: Quinn Gallen <quinn.gallen@gmail.com>

Sent: Thursday, April 9, 2020 2:25 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: April 9, 2020 Zoning meeting: 170 Antioch Pike 37211 Development - CASE: 2020S-066-001

Hi,

I was unaware of the comment deadline of Tuesday for today's meeting, however I would still like to submit these comments on the off chance they can be reviewed as a part of the subject case.

Our home, 163 Elkmont Drive, is directly behind the proposed construction site and will likely impact our property quite substantially.

The proposal as it is currently drafted is extremely worrisome and seems to be inconsistent with other development that has occurred in the 16th District. I've been anticipating rezoning of this lot for sometime, due to the lot size, however I was not anticipating a proposal that included 4 homes on the lot. It is our strong opinion that this lot should be zoned similarly to the lots on the same street, divided in two to accommodate an additional house, not 3 additional houses.

Southlake is usually very busy and people drive unreasonably fast. Our driveway entrance is on South Lake, it is already difficult to enter and exit the street. The proposed houses' proximity to the traffic light will create a safety hazard, especially with three additional driveways. There is no street parking around on either Antioch Pike or Southlake. With the small amount of land proposed for each home, overflow parking will likely fall at the nearest side street, in front of our house.

Our two biggest concerns are related to how close the 4th build is to our property line. I have a friend that have experienced a developer building over the property line onto their property and had to hire a lawyer to get it resolved. It is my opinion that the structure boarding our property line and our neighbor Barbara's property line is too close, the proposal contains too many buildings and should not be permitted.

We are also extremely worried about how construction of three new buildings will impact water run off. The lots are sloped and I've already taken measures to divert water away from our house so water does adversely impact our home. Will the builder be required to build proper water mitigation for both my property and our neighbors property? It is my strong opinion that any development plan should include appropriate storm water considerations. At the very least a french drain directing water away from our homes and towards Antioch Pike would be in order. There is already a lack of proper storm drainage in our subdivision and I really don't want to incur water damage or increased expense at the benefit of a developers checkbook. How will I be indemnified by any careless action taken by the developer?

There are several neighbors who aren't as directly impacted as us who have voiced opposition and seem to be seeking changes to this proposal as well. Any information or advice you can provide on how we can effectively contest and stop these plans from being approved is greatly appreciated.

Quinn Gallen

163 Elkmont Drive

From: Edsel Holden III <edsel_holden@icloud.com>

Sent: Thursday, April 9, 2020 2:03 PM

Item 7. 2020S-066-001 DARROW DOWNS

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To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: 2020S-066-001 Darrow Downs case

My name is Edsel Holden and I live at 163 Elkmont Drive as a tenant. I am speaking in OPPOSITION for case 2020S-066-001 Darrow Downs.

170 Antioch Pike is seeking rezoning to go from a one home plot to a FOUR home plot. My current house shares a direct border with that lot and I cannot imagine how bad it would be for the immediate locals.

Between the Middle and High school, traffic is already awful around our area. I hear a wreck on the corner of Southlake and Antioch Pike at least once a month.

Many of my neighbors are older and I fear they will be left out of the loop on this change.

Furthermore, we already deal with some drainage issues. This is not a good lot for 4 more homes. There would be no privacy and far too many driveways for proper traffic flow and drainage.

Four homes seems very excessive. Two homes would fit nicely on that property, in my opinion.

To be frank, this rezone request seems greedy and unfair. The developer, best I can tell, has no ties to the area or any interest in actually fitting into the neighborhood

Thank you for your time.

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Item 8. 2019HP-001-001 Marathon Village

From: Ken Browning <kenbrowning1950@gmail.com>

Sent: Tuesday, April 7, 2020 10:40 AM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>; Cooper, John (Mayor) <John.Cooper@nashville.gov>; O'Connell, Freddie (Council Member) <Freddie.OConnell@nashville.gov>

Subject: 2019HP-001-001 Marathon Village

As a property owner in the direct neighborhood, I am writing to object to this overlay based on my opinion that it will negatively impact the future development of the area. I also offer strong objection to the entire process of notification, submitting that little to no consideration was given to the opinions of property owners or residents of the neighborhood, many of whom are financially disadvantaged. Councilman O'Connell has been absent at the majority of public hearings but stated at one of the meetings that "he and Barry Walker (owner of Marathon Village) met after his (Councilman O'Connell) election and decided this overlay would be a good idea". Without any apparent public input (other than Mr. Walker's) the historic commission proceeded with the expenditure of public funds to develop an extensive document describing the restrictions of the overlay.

Hearings, to include the one scheduled for April 9, 2020, have been poorly advertised and in fact, without access to the internet accompanied by relatively strong computer skills, would go unnoticed by most.

In summary, this rezoning attempt is the sole desire of two individuals, Councilman O'Connell and Barry Walker. As a property owner in Davidson county I see no reason this topic cannot be delayed until the city can overcome the significant and overwhelming impacts of the recent tornados and covid-19.

Your consideration to delay is appreciated.

Robert K Browning

607 14th Ave. North

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Item 10a. 2020Z-008PR-001 Gifford Place (Various Properties)

From: Jim Midgett <jcmidgett@hotmail.com>

Sent: Wednesday, April 8, 2020 8:31 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Opposition to Items on April 9, 2020 Metropolitan Planning Commission agenda, page 15, Item #31, 2020Z-007PR-001; Item #32a, 2020Z-008PR-001, (associated with case 61-77P-004; Item #32b, 61-77P-004, (associated with case 2020Z-008PR-001); Item #33a, 2020Z

Planning Commissioners:

RE: **Opposition to Items on April 9, 2020 Metropolitan Planning Commission agenda, page 15, Item #31**, 2020Z-007PR-001; **Item #32a**, 2020Z-008PR-001, (associated with case 61-77P-004; **Item #32b**, 61-77P-004, (associated with case 2020Z-008PR-001); **Item #33a**, 2020Z-009PR-001, (associated with case 88P-029-001); and **page 16, Item #33b** 88P-029-001, (associated with case 2020Z-009PR-001), all concerning the **Joelton** community

The following comments are respectfully submitted in view of the fact that, as I understand it, the above-referenced matters have been placed on the April 9, 2020 Metropolitan Planning Commission agenda for a meeting to be held via teleconference, at which members of the public are prohibited from physically attending and commenting, as a result of the mandatory COVID-19 remain at home orders which have been put in place by federal, state, and local authorities in an effort to attempt to control this deadly world-wide pandemic, and when all but absolutely essential, critical matters have been suspended.

The community plan for Joelton explains its role in Davidson County as a whole. It is the guiding policy for making sound development decisions affecting the Joelton community. The plan states that a rural development pattern in rugged terrain has defined Joelton's character for many decades, and it declares that retaining Joelton's small commercial center and its rural character are critical parts of its plan. It further states that Joelton's role in the county and region revolves around its rural character, farm land, environmental treasures, forests, streams, rolling hills, and wildlife habitat.

Joelton's community plan takes note of the fact that Joelton is a predominantly rural community offering residents quiet homes with ample access to open space, and that residential land is overwhelmingly single family detached. The plan also recognizes that Joelton has many sensitive natural features that can be disturbed or destroyed by development.

That is the essence of the approved community plan and the policy guidance for Joelton. Compare that to the reality of the recent flurry of coordinated, simultaneous rezoning proposals to change one and two family R-40, one acre lots and specific plans to blanket, mixed use neighborhood-alternative, MUN-A, zoning. As I understand it, the proposed MUN-A zoning requests, taken together, would permit literally hundreds or thousands of multi-family units, up to three stories tall, mixed with commercial, over more than 100 acres, extending from basically the interstate interchange to approximately a mile away, including all three rezoning requests, and not counting the Falls and Knipfer projects in Joelton.

On just one of these rezoning proposals, the Planning Commission's staff's report contains an estimate of a maximum traffic increase of more than 56,000 daily trips during the week, and it states that a traffic study may be requested at the time of development. The school board report states that, "given the mix of uses permitted, the number of residential units ultimately built on site may vary and an assumption as to impact at this point is premature".

Respectfully, as a life-long Joelton resident, that does not sound rural to me, under any reasonable definition of that word. These multiple simultaneous rezoning proposals would set a bad precedent indeed, and would seriously call into

Item 10a. 2020Z-008PR-001 Gifford Place (Various Properties)

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question the actual commitment to the overarching policy and concept that was adopted after much community input and involvement over many years. They would, in my opinion, irrevocably damage the integrity of the rural character and environment of the Joelton community, by which is has been defined throughout its history.

Joelton is a community that has had to fight many battles over the years to maintain its historic rural character against efforts to impose excessive density by trying to get everything quickly scheduled, voted upon, and approved as a done deal, and we have become all too familiar with the pattern. It usually is initiated without holding prior community meetings, and depends upon keeping notices to the bare required minimum. Proponents try to keep Joelton residents, who have their rural lifestyle at stake, instead of extra profit, from finding out in time to try to defend themselves from the next proposed onslaught of development, construction, traffic congestion, crime, and countless more piles of roadside trash.

The zone change requests in question appear to be just the latest of the repeated attempts to either change rural policy to suburban, as was attempted last year, or to pursue various other ploys, always in an effort to push for greater densities that will benefit a few at the expense of many, and of the overall long-term integrity of this rural community. This sweeping blanket rezoning approach to planning Joelton's future is the very antithesis of good planning, and strikes me as being somewhat akin to trying to perform delicate surgery with a machete. Whenever we see this approach being taken, we always know, from long, hard experience, that an obviously good plan would not have to be presented and pursued in this manner. In this case, without a plan even being presented, the cart appears to have definitely been placed squarely in front of the horse, in my opinion.

People who choose to live in Joelton's rural environment know that a mere road frontage façade, that only attempts to appear to be rural in character, is not what a good faith reading of the community plan for Joelton envisions. It is instead just a cynical effort to change forever the community's historic character, and it is not what people who choose to live in Joelton want, by and large. Even if MUN-A is technically permitted in a T-2 policy community, that does not mean it is actually compatible with, nor as appropriate as existing, less intensive zoning.

The proposed blanket rezoning to MUN-A, on this scale in a rural community that has steadfastly fought to remain rural in fact, should not be attempted without the full support of the overwhelming majority of the community's residents, which it clearly does not have. It should also clearly represent a compatible enhancement of the entire existing community, and be accompanied by a clear plan that everyone can see and form an opinion upon. It should not be initiated, nor pursued without an appropriate study of this unique asset in our county, and without any plan whatsoever even being proposed that would justify or require a zone change. nor without all appropriate, required, supporting infrastructure being fully funded and firmly in place. None of the above criteria are met in this case, in my opinion. For these reasons, and many more, I oppose the above-referenced zone change requests, as do many hundreds of my fellow Joelton residents.

Please vote against these ill-advised zone change proposals. Thank you for your consideration of these comments

Respectfully submitted

Jim Midgett

jcmidgett@hotmail.com

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Item 12. 2020Z-027PR-001 720 Lena Street

From: Rachel Solava <rsolava189@gmail.com>

Sent: Wednesday, May 6, 2020 12:22 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: Taylor, Brandon (Council Member) <Brandon.Taylor@nashville.gov>

Subject: Case 2020Z-027PR-001

I oppose the request to rezone 720 Lena Street from RS5 to R6A.

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 720 Lena Street to help maintain the historic nature and integrity of our neighborhood.

Thank you,

Rachel Solava

2721 Herman Street

309-531-3870

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Item 18. 2001UD-002-011

SEE ATTACHMENTS ON FOLLOWING PAGE

BLACKBIRD CAPITAL, LLC
1701 WEST END AVENUE, SUITE 400
NASHVILLE, TENNESSEE 37203

VIA U.S. MAIL & EMAIL

December 4, 2019

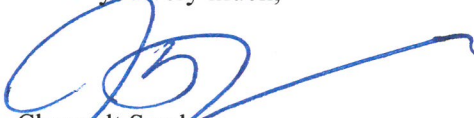
Planning Commissioners
Metropolitan Planning Department
712 South Sixth Street
Nashville, Tennessee 37206
Planning.commissioners@nashville.gov

**RE: Case #2001UD-002-011
1600 Broadway UDO Modification**

Dear Planning Commissioner:

Thank you for your service on this important commission. As a neighboring property owner, I wanted to let you know that I am in full support of the UDO modification request referenced above that you are considering. In my view, this project will add a vibrancy and much needed residential density to the neighborhood. We need more residential and retail assets in our mixed-use community within the Music Row/Midtown area. I appreciate your support of the Planning Staff's approval recommendation for this request.

Thank you very much,



Chenault Sanders
Chief Executive Officer
Blackbird Capital, LLC
Blackbird Media, LLC
(*"The Nashville Sign"*)

cc: Freddie O'Connell, Metro Councilman

May 7, 2020

Planning Commissioners
Metropolitan Planning Department
712 South Sixth Street
Nashville, Tennessee 37206

**RE: Case #2001UD-002-011
1601 Broadway UDO Modification**

Dear Planning Commissioner,

As a commercial real estate broker specializing in the Music Row and Midtown submarkets, I would like to express my full support for the UDO modification request that you are considering. This project will add new life and walkability to the corner of 16th Ave S and Broadway as well as contribute to the neighborhood and music community within Music Row. I sincerely appreciate your support of the Planning Staff's approval recommendation for this request.

Thank you very much,

John E. Toomey IV
Urban Grout Commercial Real Estate
542 turtle Creek Drive
Brentwood, TN 37027

cc: Freddie O'Connell, Metro Councilman

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Item 30. 2020S-064-001 Ivy Drive

[Click here to hear the voice mail comments on YouTube: https://www.youtube.com/watch?v=v1hmRJa2uB0](https://www.youtube.com/watch?v=v1hmRJa2uB0)

From: Kathy Moyer <kmoyer52@yahoo.com>

Sent: Tuesday, May 12, 2020 11:33 AM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Planning Commissioners Meeting, Thursday May 14, 2020

Plan # 2020S-064-001

Greetings Commissioners! I would like to make a some comments for you to consider during today's meeting regarding the Ivy Drive proposed development.

The plan is totally mismatched to the property identified. I will address two of the multitude of issues. Water! Downstream flooding issues are guaranteed. This property is the storm water basin for our community. Adding dense housing and roads with lots of concrete and pavement will increase the runoff many times. The current 2 homes on this property have gravel and grass driveways and pads for water absorption. There are downstream homeowners who *already* battle runoff water! Also, the concrete water conveyance, which is essential to the area for runoff water, now appears to flow straight into the proposed homes. One interesting fact about that conveyance...during the 2010 flood, it was completely overwhelmed and disappeared from view. Imagine all the water and erosion damage this development will promote. Makes me wonder if mud slides are in the future for this area when densely packed. How will all of this affect the federally protected stream?

Also, it has been assessed that the slope of the land does not comply with codes, in the current application for this cluster development. Mr Miken has declined to revise his proposal appropriately.

There are multiple code and overlay reasons to deny this high density cluster of homes in this small community. I've only briefly touched on a couple of them. This project does not fit here, and the developer has flat out said he isn't interested in adjusting it to a reasonable plan for this area.

Please deny this application. Would you want your elderly mother to live down stream of this project? Or even within the tightly packed cluster? It will not be safe here for any of us.

Thank you for your consideration,

Kathy A Moyer

4111 Moss Rose Drive

From: Margaret Littman <littmanwrites@gmail.com>

Sent: Tuesday, May 12, 2020 11:33 AM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: Benedict, Emily (Council Member) <Emily.Benedict@nashville.gov>

Subject: Updated Concerns about Concept Plan 2020S-064000

Dear Metro Planning Commissioners:

I am writing to reiterate my concerns about Concept Plan 2020S-0640001, which seeks to build 30 homes at 3901-3905 Ivy Drive, properties that currently support two homes.

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I appreciate your decision to defer a decision on this plan last month. Since then, my understanding is that the developer has not made significant modifications to this plan, and has not changed the number of homes in the plan or addressed the grading concerns.

As was mentioned last month, this is a property with severe grading change, a stream that cuts through it, and many mature trees. One of the current owners affixes his trash can to his car bumper and tows the trash can to the top of the hill on trash day. The driveways right now are porous gravel. It is difficult to see how developing this property, with non-porous materials, won't make flooding worse.

The proposal for 30 homes on this site doesn't take the topography into consideration.

In addition to the steep grading and flooding issues, this location does not have the infrastructure to support this kind of cluster development. We don't have sidewalks or bike lanes and we know the Metro budget doesn't exist to install them. Our closest Greenway entrance—Cooper Creek—doesn't have parking. We are one of the neighborhoods that lost our closest bus stop/route during the WeGo cuts last year. This location is 1.5 miles from the nearest commercial development and 2 miles from the nearest grocery store. All of this means that more people will be walking and driving on these streets, and the streets are not prepared for it. I fail to see how emergency vehicles will get into this site as currently planned.

I hope that the Planning Commission will disapprove this plan.

Thank you for your work in supporting a livable Nashville.

Margaret Littman

Writer and Editor

<http://littmanwrites.com>

From: Jennifer Tribble <jennifertribble@gmail.com>

Sent: Tuesday, May 12, 2020 11:31 AM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Ivy Drive Development

Hello,

My name is Jennifer Tribble and I live at 2411 Milton Drive. I am emailing to ask the commission to follow the commission staff's guidance and **disapprove** the planned development on Ivy Drive. We as neighbors in the community have abundant concerns about the planned development at this location, including concerns related to stormwater and flooding, severe grading and slopes, and neighborhood traffic with the proposed density in this plan.

Thank you for your consideration.

From: Kent Eugene Goolsby <kenteugene@gmail.com>

Sent: Tuesday, May 12, 2020 10:51 AM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: 3901 Ivy Drive

Greetings,

My wife and I have lived on Ivy Drive for seven years. One of the big reasons we adore this street is the lack of traffic.

While we understand 3901 Ivy Drive will eventually be developed, 32 homes on this street is outrageous. There is no Main Street anywhere near the development.

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It is also our understanding that the lot(s) do not have the appropriate grading for a cluster lot. This should nullify the developers original proposal.

This community staunchly disapproves of the development plan in it's current state and it appears to not comply with city ordinances. Please vote this down.

Thanks,

Kent and Anna Goolsby

From: Bryan Owings <bryanowings@bellsouth.net>

Sent: Tuesday, May 12, 2020 11:33 AM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Ivy Dr....Item #30...2020S-064-001

Hello, I'm Bryan Owings and I'm at 3920 Ivy Dr....thanks for taking the time to hear our case...everything about this development is a bad idea....!!!!...from the traffic issue,storm water drainage,flood plane in the neighborhood below on Moss Rose,improper soil,access for fire department due to steep grading and narrow streets in the plan etc..etc..etc...it seems to me the developer is avoiding doing the right thing as far as submitting a proper plan...ultimately there will be some serious liability...there will be lawsuits from Homeowners who pay a fortune for a house that slides down a hill...and also from the folks who are down that hill who get flooded out....Bad Idea..!!!!...please do the right thing and disapprove this plan...thanks for your time...Bryan Owings

From: Judson Newbern <judson.newbern@gmail.com>

Sent: Tuesday, May 12, 2020 11:41 AM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: Kempf, Lucy (Planning) <Lucy.Kempf@nashville.gov>

Subject: 2020S-064-001 3901-3903 Ivy Drive

Dear Commissioners -

I listened with great interest to the discussions at your April meeting related to the steep, tree-covered slopes proposed to be "recontoured" to squeeze yet more construction into this already built-out, quiet neighborhood in the interior of Inglewood. I am urging you to please have the conviction to stick with the "red flags" so aptly raised by many of you on this proposal and restrict the disturbance of the steepest grades in this tiny ecosystem that is pumping oxygen and mitigating storm water to the service of our local environment.

No amount of effort to string spindly new trees along curb lines will ever contribute like allowing these contiguous remnants of natural areas, which are being decimated all over Davidson County, to evolve into maturing little biospheres. My career placed over a billion dollars of construction on the Vanderbilt University campus where I oversaw the planning and operations of everything for 30 years. I understand how the proper balance of man-made and natural systems has to work.

I value that development needs to happen. I try to contribute in ways such as serving on the Civic Design Center's board and working on the Natural Resources subcommittee of the Mayor's Sustainability Committee. I cannot, however, contain my frustration at Nashville's rolling over on these poorly conceived concepts - especially given the unprecedented canopy loss thus far in 2020.

Many of you voiced misgivings about the storm water runoff and flooding issues connected to a stream with fish. Recognition was shown that the massive initial tree loss would just be the beginning as other trees slowly die from their decimated root zones. We know that the mix of plants and animals will never recover.

Item 30. 2020S-064-001 Ivy Drive

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With all of this in mind, please limit Mike Kenner's ability to disturb the steeper portions of this now delicately balanced ecosystem and respect these neighbors who have clearly voiced their opposition to having this forced upon them. I attach a photo I took last Feb of looking directly into the site. Once beyond the rim of the prow of the slope in the foreground - that drainage basin drops sharply all the way to what is now a clear stream that already floods neighbors downstream of this location.

Most sincere thanks for your consideration, and placement of, some limits on this proposal.

Judson Newbern, ASLA

(615) 673-5393



From: Jessy Yancey <jessyyancey@gmail.com>

Sent: Tuesday, May 12, 2020 11:52 AM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Ivy Drive

I hope you all are doing well and staying healthy.

Regarding the proposed plan for Ivy Drive (Case# 2020S-0640001), I would like to encourage the planning commission to adhere to the staff recommendations to disapprove of this plan due to the following reasons:

1. After our very long meeting a couple of weeks ago, the applicant was advised to resubmit a plan with fewer lots and accommodations for the deep sloping of the property (a major concern for us neighbors, especially with the current rain/flooding). Instead, the applicant has submitted a new plan with critical lots added rather than a plan without critical lots.
2. Suitability of land as stated in the Sub Reg 2017 has additional requirements for the Concept Plan hearing that do not appear to have been met. Check out [this link](#) with the code and highlights. Several items required with "prior to concept plan approval" have not yet been submitted.
3. The [natural conservation policy](#) is applied to those areas unsuitable for urban scale development due to environmental constraints, and I believe this applies to the property in question.
4. Around the stream area and the conveyances area (concrete channel across the property) is Lindell-Urban soil. The USDA says it is a hazard to build dwellings or roads on it. [This graphic](#) shows which proposed houses would be affected by the soil. The red area shows this soil, the table shows the possible use and 1.0 depicts the greatest hazard risks. [The soil surveys](#) dictate that Lindell soil is bad for dwellings with or without basements. They are prone to flooding and are too close to the water table.

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These are just a few of the reasons I can cite as to why we hope the commission disapproves this plan. Again, our neighborhood is open to development and understand that some houses will be built on the Ivy Drive property, but we're hoping it's more like 10-15, not 30+, and not at the risk of flooding and devastation to our quiet little pocket of Inglewood.

Thank you for your consideration.

Jessy Yancey

2709 Sandy Drive

37216

From: Heather Lose <heather@heatherlose.com>

Sent: Tuesday, May 12, 2020 12:02 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Case number 2020S-064-001—Ivy Drive

Greetings,

I am writing to urge the Planning Commission to follow through with the recommendation to disapprove the amended concept plan for Ivy Drive.

Further, though I understand that the conceptual plans have been "approved" by Stormwater and Public Works, I'd like to suggest that they be reconsidered by these agencies.

Here's why. As we are now learning, the preliminary grading study that was supposed to be submitted with the first concept plan was missing, along with the illustrations for grade changing devices that are clearly needed if this current plan was to move forward. (As described in section 3-3, "Suitability of the Land" from the Subdivision Regulation Amendments document.)

As we continue to study the site, we are learning more about how it operates as a watershed in our neighborhood. Stormwater runoff from Moss Rose, Fremont and Milton Drive is directed through this property on its way to the Cumberland by way of ditches and culverts. The site is a drainage basin for the whole neighborhood. Currently, there are only two homes on the property, and two porous driveways that are not even paved. Neighbors "downstream" already have flooding issues when we get a hard rain.

It's not hard to imagine the stormwater flooding issues that would be generated not only for residents of this development, but for us and other current residents closer to the Cumberland if the trees and grass on this tricky nine acres were to be replaced by 30+ houses and all the pavement to connect them.

It is concerning that the initial concept plan made it through to the Planning Commission meeting on April 23 without the provisions and illustrations asked for in the Subdivision Regulation Amendments.

It makes me wonder if the stormwater situation also needs another look.

I thank the Commission for your diligence in studying the critical nature of this site, and I hope that you will ask for a closer look by Stormwater and Public Works—along with voting to disapprove this plan. 30+ houses on this watershed property are far too many.

Respectfully,

Heather Lose

Item 30. 2020S-064-001 Ivy Drive

Comments on May 14, 2020 MPC Agenda Items

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3819 Moss Rose Drive

From: Jeremy Lehmann <jeremylehmann@gmail.com>
Sent: Tuesday, May 12, 2020 12:20 PM
To: Planning Commissioners <Planning.Commissioners@nashville.gov>
Subject: Case Number 2020S-064-001

First of all, thank you so much for actually considering the voices of the Ivy neighbors. I was on the call for the last planning commission meeting and was really impressed. You seem to be genuinely listening to the neighbors in this area and seem to care about finding a solution that addresses the concerns of those of who live here.

Rather than submitting a plan that addresses the problems in the original plan (as was requested by this Commission) the applicant submitted a new plan with 3 additional critical lots, bringing the grand total to 11 out of 30. I am on Shadow Lane, and several of our lots slope down toward what is essentially a stormwater basin. Water that flows onto property during heavier rains through the concrete conveyance now appears to flow straight into the new homes, and properties downstream (which already experience flooding) will likely see an increased incidence of flooding.

I urge the commissioners to reject this development plan. Aside from the significant problems with the plan as submitted, it is completely insensitive to the needs and wishes of the people who call this neighborhood home and are actually invested in this community. It ignores the existing limitations of our neighborhood's infrastructure and is ultimately an act of vandalism against our neighborhood for financial gain.

Best regards,

Jeremy Lehmann

From: Dave Keiser <dave.keiser74@gmail.com>
Sent: Tuesday, May 12, 2020 12:59 PM
To: Planning Commissioners <Planning.Commissioners@nashville.gov>; Cathey, Eben (Planning) <Eben.Cathey@nashville.gov>
Cc: Amanda Frick <frick.amanda@gmail.com>; Benedict, Emily (Council Member) <Emily.Benedict@nashville.gov>; logan.elliott@nashville.gov
Subject: DO NOT APPROVE - 2020S-064-001 - 3901 -3905 IVY DRIVE

Dear Commission Members,

Please follow the guidance from planning staff and the neighborhood to disapprove this plan. It's a greedy plan for a the wrong property and the wrong area of Nashville. There are steep slopes on this property and the drainage will be horrendous for the property owners downstream not to mention the owners of the proposed new homes. I'm afraid that if you approve this, this developer will run out of money so quick with the current recession that we'll end up with a bulldozed lot with mud running downstream onto the existing properties along Moss Rose and Cooper Lane for years to come. This is a stupid development and please disapprove it.

The developer didn't take your requests from the 4/23 meeting seriously and blatantly ignored them. Under your own Subdivision Regulations, Chapter 3, Section 3-3, (1), your code states that land is not suitable for development if there are steep slopes or other features which may be harmful to the safety, health, and general welfare of the inhabitants of the land, and surrounding areas shall not be subdivided or developed unless adequate methods to solve the problems created by the unsuitable land conditions are formulated by the developer and approved by the Planning Commission. (You'll have a lawsuit so quick from the property owners downstream once all that water floods their houses).

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Chapter 3, Section 3-3 (4) - The developer ignored the required Preliminary Grading Study. The same can be said about him ignoring Chapter 3, Section 3-3 (7).

Other reasons for disapproving this plan are:

- Check your Hillside Development codes. This is in obvious violation of these codes.
- This development can be stopped if you look the Municipal Code 17.08.020 (A) where it states "Furthermore, some areas of very steep topography, potentially unstable soils or a propensity to flood are intolerant of development of significant intensity..." shouldn't be developed.
- It can also be stopped if you look at Municipal Code 17.08.020 (B) where it states "progressively higher density districts within each residential policy category of the general plan should be located along higher classifications of street and in closer proximity to mass transit corridors, retail services or employment opportunities." and none of that applies to this location. Ivy Drive is so removed from the beaten path, it should remain that way.

So, I think it would be wise to follow your own rules and listen to the outcry from 100+ neighbors who will be affected by this stupid development. I call it stupid because it's all about greed and zero about community and the community doesn't want it. So, do the right thing and stop this development from happening now!

Thank you - Dave Keiser

3911 Ivy Drive

Nashville, TN 37216

From: Nate <natwal728@gmail.com>

Sent: Tuesday, May 12, 2020 1:18 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Ivy Drive Disaster (3901 Ivy Dr. Nashville 37216)

Good day,

I would like to commend the commission for their decision to deny Miken their initial plan to destroy the land at 3901-3905 Ivy Drive. I am writing you to strongly urge you to do the same to their subsequent plan which creates even more problems than the first.

Three additional critical lots [25, 26 and 27] have been added to the plan after grading. Also, the original critical lot designations for lots 17 and 22 have been removed on the latest concept plan submission. The critical lots included on the latest Concept Plan comes to a total 11 out of 30, an increase of 3+ critical lots from the Concept Plan submitted on 4/23. This count includes lots 17 and 22 whose asterisks were apparently left out of the latest plan although not reclassification of these lots was submitted.

This point is not only a legal matter. It demonstrates how this plan threatens to compromise the ecological integrity of the property itself as well as the broader ecosystem. I am gravely concerned that, among other critical, federally protected populations, the local American Wild Turkey population will suffer more than others may. This property is a major thoroughfare/living space for numerous species including the American Wild Turkey.

Thank you for reading my concerns and please vote to deny Miken Development LLC their plan to irreparably alter our neighborhood and ecological space for the worse.

Thank you.

Nathan Walls

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2310 Milton Dr.

Nashville, TN 37216

From: Breda, Carolyn <carolyn.breda@Vanderbilt.Edu>

Sent: Tuesday, May 12, 2020 1:40 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Case 2020S 064 001: Letter of Support for Disapproval

Dear Commissioners and Staff,

We would appreciate it if you would include this letter as part of your decision making regarding Case 2020S 064 001. Thank you for your time and service to our community.

Cheers, and keep well.

Carolyn Breda

Case: 2020S – 064 -001 (Ivy Drive)

To: Planning Commissioners and Staff

Date: May 12, 2020

We thank the Commissioners and Planning staff for the many hours and careful attention they gave to this case in the telephonic meeting held April 23. **We SUPPORT the staff's recommendation of DISAPPROVAL** of the concept plan as submitted. And, if we may, we would like to summarize what we think are key points in this case.

- That language does exist, as identified by the Planning Director and/or Metro legal counsel, that gives Commissioners discretion in decisions about this case and, in particular, Municipal Code Section 17.28.030.A.2, which requires “lots to be generally clustered outside of areas of 20% or greater slopes.”
- That the intent of the cluster option is, as stated in 17.12.090 of the Municipal Code: “to provide for flexibility of design, the creation of common open space, and the preservation of natural features or unique or significant vegetation; yet, the current plan proposes to build over and destroy the very features that the option is supposed to preserve.
- That the general purpose of Subdivision Regulations as stated at the outset in Chapter 1-3, and which should apply to all provisions of options that come under the general purpose: “is to provide for the harmonious development of the municipality and its environs... .”
- That the welfare of those of us with homes surrounding this property (especially those downstream) is also protected by law: General Provisions of the Subdivision Regulations, (Ch 1-6), that “these regulations are intended to promote the health, safety, and welfare of the persons within this jurisdiction, and toward that purpose, these regulations may be liberally construed,” and by Chapter 3 (p 2), 3-3-1 Suitability of the Land -- “Land which the Planning Commission finds to be unsuitable for subdivision or development due to ... steep slopes, problem soils, or other features ... which may be harmful to the safety, health, and general welfare of inhabitants of the land and surrounding areas shall not be subdivided or developed unless adequate methods to solve the problems created by the unsuitable land conditions are formulated by the developer and approved by the Planning Commission.
- That the current plan (e.g., grading) lacks the required detail necessary for Commissioners to determine if standards are or can be met such as those outlined (though not exclusively) in Subdivision Regulations 3-3-4

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(p3): "Prior to approval of a Concept Plan for a subdivision that includes critical lots, the applicant shall (must) provide the Executive Director with a preliminary grading study and a description of the measures to be taken:

- a. To protect the natural features of the critical lots.
- b. To minimize changes in grade, cleared area, and volume of cut or fill, and to control adverse impacts on the critical lots during and following the period of site disturbance.
- c. To align streets to minimize disturbance of slopes.
- d. To identify easements along property lines to meet future drainage needs.

Respectfully submitted,

Carolyn Breda, Shadow Lane

Copied from the Agenda for the hearing on May 14, 2020:

At the April 23, 2020 Planning Commission meeting, the Commission found that the application as originally presented did not comply with the standard of the Code that requires lots to be clustered outside of areas of 20% slope. The Commission directed the applicant to revise the plan to locate lots outside of areas of 20% slopes, and to provide additional grading information to demonstrate how the lots and infrastructure would relate to areas of slope. Following the meeting, the applicant submitted an updated plan which included a grading plan, but the location and number of lots remains unchanged. **The concept plan, as proposed, does not comply with the standards of Section 17.28.030.A.2 which requires lots to be generally clustered outside areas of 20% or greater slopes. Therefore, staff recommends disapproval.**

From: Amy Pierce <amy.pierce@gmail.com>
Sent: Tuesday, May 12, 2020 2:10 PM
To: Planning Commissioners <Planning.Commissioners@nashville.gov>
Subject: Regarding case number 2020S-0640001

Dear Planning Commissioners and staff,

Thank you for recommending to disapprove of this plan. We, along with our neighbors, support your recommendation to disapprove.

Thank you for your consideration,
Amy Pierce and Mark Mladineo
2307 Shadow Lane
Nashville, TN 37216

From: Stephanie Sahn <stephaniensahm@gmail.com>
Sent: Tuesday, May 12, 2020 2:20 PM
To: Planning Commissioners <Planning.Commissioners@nashville.gov>
Subject: Ivy Drive

Hello,

I am emailing in regards to the proposed development on Ivy Drive (concept plan 2020S-0640001).

My name is Stephanie Sahn. My husband, Roger, and I live at 3928 Ivy Drive, which is right down the street from the proposed development site.

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We would like to request that you follow the recommendation of the Planning Department to **disapprove** this development.

My husband and I chose to move to this house 2 years ago because we loved this peaceful, quiet section of the neighborhood. Adding an additional 30 homes at the end of our quiet street, and all of the traffic that comes with it, will completely nullify all the reasons why we wanted to move here. Building 30 homes where 3 once stood seems irresponsible and above all, driven by greed.

Thank you,

Stephanie Sahn

From: John Ratay <john.d.ratay@gmail.com>
Sent: Tuesday, May 12, 2020 2:36 PM
To: Planning Commissioners <Planning.Commissioners@nashville.gov>
Subject: Case # 2020S-064-001

To whom it may concern;

With reference to case number 2020S-064-001, I, John Ratay of 2110 Fremont Avenue, 37216, wish the Commissioners to follow the recommendations of the Planning Department to disapprove of this development.

Some questionable issues that have risen with this development application such as the missing items that are required for "prior to plan approval in accordance with SubReg2017 with regards to Suitability of the Land.

Also, several conservation issues that come to light when reviewing Municipal Code on Natural Conservation Properties.

There is no way this proposed development plan is aligned with any Harmonious Development "code" that Metro has or may lack.

A more enhanced effort in the immediate community reaction and the environmental impact on the local ecosystem affected by this development proposal (any many more in Davidson County) are a must in order to build strong communities here in Nashville that look out for each other in these hard times and into our uncertain future.

Thanks for your time and service,

John D. Ratay

From: Matthew Bond <matthewjbond@hotmail.com>
Sent: Tuesday, May 12, 2020 2:36 PM
To: Planning Commissioners <Planning.Commissioners@nashville.gov>
Subject: Say NO to 2020S-064-001 (Ivy Drive development)

There are many reasons to disapprove 2020S-064-001. The Planning Department has provided the strongest reason:

Three weeks ago, the Planning Commission directed the applicant to remove those critical lots with areas of 20% slope, and the applicant apparently has refused to do so.

As everyone—excepting the applicant—can see, a project of thirty houses on parcels with a slope of 20% and a stream running through them is unacceptable in many situations throughout the city, but even more so on this quiet residential street, deep in the heart of Inglewood, just a stone's throw from the Shelby Bottoms Greenway.

To place so many houses on such a sloping property would be virtually a criminal act to the prospective home-owners and would be a scar on the entire neighborhood.

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Besides the insurmountable issues of the severe slope of much of this land, there are several other reasons to deny this proposal:

—The stream is an important small waterway through this part of Inglewood, emptying, eventually, into the Cumberland. It rises greatly during heavy rains and became essentially a channel during the flood of 2010. Thirty houses and two roads would irreparably harm the waterflow of Ivy Drive and its neighboring streets.

—The two smaller wooded lots comprise a great deal of the tree canopy for this neighborhood. That vastly enhance the livability of Ivy Drive, Milton Drive, and that stretch of Moss Rose Drive. Chain-sawing almost all of them would be a morbid irony in the shallow attempt of creating a more livable neighborhood.

—The density is totally out of character for Ivy Drive and for a neighborhood so close to Shelby Bottoms and to the Cumberland River, and so far from the commercial corridor of Gallatin Pike. It is unquestionable that Nashville should have more density, but the density is supposed to be planned near major corridors and bus routes. The nearest bus-stop to these parcels of Ivy Drive is a twenty minute walk to the corner of Ardee & McGavock. To shop at the supermarkets and stores on Gallatin—well, you'll be walking for an hour in each direction. Ivy Drive is not Fatherland Street. Density on Ivy Drive doesn't make for more walkers, bikers, or bus-travelers. It makes for more cars, more cars on small, residential, sidewalk-less streets.

—The other projects built by MiKen (Richland Station & Treaty Oaks—both in West Nashville) were placed on flat ground just a four-minute walk from the major commercial corridor of Charlotte Pike and fifteen minutes from the new shops & restaurants of The Nations. Treaty Oaks, indeed, is still zoned Commercial. The cheek-by-jowl houses there may not be without problems, but they are at least reasonable for those neighborhoods. Letting past be prologue, we can see from MiKen's previous work how unsuitable it is for Ivy Drive.

—And the residents of Richland Station might agree. Over the course of the last six years, since that project was completed, almost every house has been sold & re-sold and some at a loss. Ivy Drive is a quiet street where residents live for generations. (The two houses currently on these properties have not changed residents for fifty years.) If you let MiKen turn these four parcels into another Richland Station, then you will have new neighbors every month. These are not houses for long-term residing. These are over-priced starter-homes. They do not belong on Ivy Drive.

There is a place for increased density. There is a place for starter homes. But four peaceful, very steep, wooded parcels with an important waterway running through them in the quietest part of the residential area of Inglewood is not that place. There will indeed be development here, but let's ensure that the development respects the land and the neighborhood—unlike this proposal.

Please say NO to 2020S-064-001. Thank you.

Matthew & Melissa Bond

3519 Golf Street

37216

From: Sylvia Giannitrapani <syiviagrealtor@gmail.com>

Sent: Tuesday, May 12, 2020 2:48 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>; Elliott, Logan (Planning) <Logan.Elliott@nashville.gov>

Subject: Case# 2020S-064-001 3901 - 3905 IVY DRIVE, please do not approve (For May 14th meeting, public comments)

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Dear Planning commission,

Please do not approve the Case# 2020S-064-001 3901 - 3905 IVY DRIVE plan to build 30 houses in the bend on Ivy Drive.

I appreciate the thoughtful questions you asked about this project at the 4/23 meeting. I also appreciate your listening for hours to our community voice our concerns. I felt that you were picking up the nuances of the property that would deem it an unsuitable match to this plan.

I have been soaking in all of the reasons why this plan is not a good use for this property and not good for the health and well being of the neighborhood, I think it all boils down to the unique nature of this very specific piece of land. It has steep grading, a large swath of Lindell soil, and is in a location that catches water from the street above and distributes water to properties below that already have flooding issues.

On paper, so much of the plan could look like it is doable.

Yes, if this were a level lot that was not the catch basin for the water flowing from the street, Ivy, above and then sending that water to properties below.

Yes, if this did not have a large swath of Lindell soil under proposed houses, drives and water retention areas. Lindell soil, created from being in a flood plain, according to the USDA, is not suitable soil for building sites

Yes, if the additional loss of permeable surfaces from the houses themselves and drives did not add to the already apparent water issues in this area

Yes, if the loss of the mature canopy of trees wasn't going to add more to the water issues, especially in the areas of steep grading. I would expect that large retention walls would be necessary without those trees

Water issues aside, the impact on the safety of the neighbors

Yes, if the fire marshall saw the steep grade of the drive accessing the 30 homes with only one ingress and egress and really thought it was no big deal

Yes, this density would be great if it were closer to a main road and amenities

Yes, if the addition of 60 cars didn't create safety hazards where there are no sidewalks

Yes, if the impact on the sewer system by doubling the houses on the street wouldn't cause extraa financial issues for the community.

Never mind that the developer did not provide a plan without the critical lots in time. This specific soil, land and location is not suitable for a build of this size

Thanks for your time and attention

Cheers!

Sylvia Giannitrapani

3920 Ivy Drive and 1327 Riverwood Drive....both impacted!

From: Zelda Sheldon <zeldasheldon@gmail.com>

Sent: Tuesday, May 12, 2020 2:49 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Re: Expression of Opposition to plan # 2020S-064-001.

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Hello Planning Department,

I'm am writing to express my continuing opposition for the proposed plan with all the same points in the above email plus the following:

Stormwater--concerns about flooding in subdivision and in existing neighboring homes

This land is the storm water basin for the neighborhood - it is an old stream bed if you look at the topo maps.

Increased flooding downstream with all that pavement. There is already downstream flooding with 2 homes and no paved surfaces, Current driveways and pads are gravel and grass.

water that flows onto property during heavier rains through the concrete conveyance now appears to flow straight into the new homes

Severe grading and slopes

NOTE: Stream is federally protected from where the spring starts

Traffic

Street safety with 60 more cars (Insert percentage increase?)

Route to Gallatin? How will they even get there on these small streets? (Emergency vehicle access)

Main bike and recreation route to the north entrance to Shelby Park Greenway (anyone know how far it is? 0.8 miles to Cooper Creek entrance; 2.8 miles to Welcome Lane entrance)how What about the Moss Rose entrance? That is the closest. I will try to clock it tomorrow.

This is a T3 suburban area with rural features

Land would hold 15 or 16 rs10 homes (at most) if it were a regular subdivision

Area does not have the infrastructure--sidewalks, stop signs, bike lanes, traffic calming--to support this increase

Lack of additional recreation areas

Therefore I request as before that you consider the collective voices of the existing residents who strongly oppose this plan.

Zelda Sheldon

Resident and tax payer in the Ivy Drive neighborhood 37216

Inglewood, Nashville, Tennessee USA

From: Robbie Lynn Hunsinger <rl@robbiehunsinger.com>

Sent: Friday, April 24, 2020 4:55 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: thank you

Dear Commissioners,

Thank you so much for the interest, time and focus that you brought to our Ivy Drive Concept Plan hearing last night. We felt strongly that we needed an in person public hearing and that is still the case, but it was clear that you did everything in your power under the circumstances to welcome our participation.

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This is such a critical issue for this beautiful property in the heart of our neighborhood. This development sorely threatens our treasured quality of life up here on the Cumberland bluff and we feel that this Concept Plan does not meet the legal requirements to proceed.

It was clear that the Commissioners had taken the time to read our substantial outpouring of emails, you listened to our calls, and you cheerfully welcomed each new person to testify, even into the late hours. We really appreciated your substantial efforts during this marathon meeting.

Our neighbors felt heard and understood by the Commission and that means such a great deal to us, particularly on such an emotionally charged and complex hearing.

Thank you so much for reading our words, hearing our voices and for considering the evidence in this case. We strongly feel that there is legal ground to support your rejection of this plan.

Thank you all for your diligence and perseverance last night.

Best wishes,

Robbie Lynn Hunsinger
4021 Ivy Dr
615 708 8034

From: Robbie Lynn Hunsinger <rl@robbiehunsinger.com>
Sent: Thursday, May 7, 2020 4:35 PM
To: Planning Commissioners <Planning.Commissioners@nashville.gov>
Cc: Marshall Albritton <malbritton@plclaw.com>
Subject: Ivy Drive CBA follow up

Dear Commissioners,

Thank you again for your thoughtful comments and questions regarding the Ivy drive cluster lot Concept Plan. We really appreciate your care and concerns regarding this plan for dense development in our quiet idyllic neighborhood.

I wanted to share more information about our experience regarding the CBA which was touted by Mr. Sloan and submitted as an exhibit.

First of all, Mr. Sloan stated that Mr. Kenner went around "knocking on doors" to talk with neighbors about his development plan.

I have asked my neighbors about this and have received not one confirmation that this happened.

We did have two public community meetings and a virtual one with Mr. Kenner. I live on Ivy drive but I learned about these meetings on Facebook.

Several groups of neighbors were already putting out fliers to let their neighbors know what was happening before I started organizing us into one larger group.

Thanks to all of our efforts in getting the word out, and Ms Benedict's postings on Facebook, we had well over 100 people in opposition to this plan at the very first meeting in February. We were ready from the beginning to work with Mr Kenner but he has continued to refuse discussions of less density which is a major concern, so it has been difficult to proceed. He said at the first meeting that he was "happy to talk with us about how he can put 32 homes on this

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property." He has gone down 2 lots but not as a concession to us as was described. These lots were lost in negotiations and in revisions with the Planning Department.

Mr Sloan states that there were multiple small group meetings to develop this CBA but our Councilwoman Ms Benedict told me that this idea fell apart immediately. I know of no smaller community group that has met with Mr. Kenner or with Emily Benedict in any ongoing manner.

The CBA mentioned and included in your exhibits from Mr. Sloan praises the open land offered by Mr Kenner. All of the open space he offers in the CBA is required by law or is land where he cannot build. This open space includes the Federally protected stream, 4 storm water retention areas, the required 20 foot buffer behind the proposed development, and an area towards the front of the property with a slope over 25%. Mr. Kenner did offer to use better materials and offered a better tree policy than is required by law, and he offered \$50000 which I understand would build 60 feet of sidewalk.

Concerning the tree policy, the maps submitted by MiKen include trees that are marked to be saved but appear to be in the middle of new buildings. Neither the drawing of the updated plan included in the exhibits nor the included tree map accurately reflect the tree canopy that this property currently enjoys. I am working on a graphic overlay of the current trees on the property and the various drawings and maps that have been submitted by Mr Sloan. Mr. Kenner has stated that he will cut down all of the ashes on the property as if this is good policy regarding the Emerald Ash Borer, while stated guidelines from the TN Department of Agriculture are to "avoid harvesting uninfected trees." They should be kept healthy and possibly treated with insecticide to save them. *see link at bottom of email

In addition to the concerns above, this CBA offers us a legal agreement with South Ivy Investments, LLC which does not even exist. This was not a happy discovery. This proposed contract is not with Mr. Kenner or MiKen. It becomes invalid if this new LLC becomes insolvent and we are concerned about that possibility with the multitude of complications this development may incur, including problems arising from the depressed economy, practical issues like accidentally hitting the underground stream that feeds the spring, flooding issues during and after construction, among others.

As far as this CBA representing our concerns, the agreement allows 1 resident of Ivy Drive to participate on a panel of 6 members, and that resident is not even chosen by our neighbors. That person would be chosen by our Council member or by the pastor of Riverwood Church of Christ - whose deacon was shocked to hear of the church's name on the document - our group has no connection to this church. The other members include 2 representatives of the as yet unformed South Ivy Investments, LLC , 2 members of the South Inglewood Neighborhood Association, a group that offered to lend their organizational structure to help us proceed in this negotiation but that does not represent us, our current Council member plus the one Ivy Drive resident that we cannot even choose.

We had imagined the CBA would be between Mike Kenner or MiKen and the residents of Ivy Drive.

Thanks so much for your time. Feel free to follow up if I can answer any of your questions.

I will be following up with the tree canopy materials shortly.

with best wishes,

Robbie Lynn

Robbie Lynn Hunsinger

4021 Ivy Drive

615 708 8034

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http://protecttforests.org/emerald_ash_borer.html

From the Tennessee Department of Agriculture

Management Options

Purple trap used to detect infestations.

Keep ash trees healthy by watering, mulching, pruning, and protected. Pesticides are available to help combat the emerald ash borer but are not 100% effective yet. Research is ongoing to develop pesticides and other management options to control the emerald ash borer. Avoid “knee jerk” reactions such as harvesting uninfested ash trees.

From: Robbie Lynn Hunsinger <rl@robbiehunsinger.com>
Sent: Friday, May 8, 2020 5:36 PM
To: Planning Commissioners <Planning.Commissioners@nashville.gov>
Subject: tree canopy overlays-Ivy Drive Cluster Concept Plan [Case 2020S-064-001]

Dear Commissioners,

I have put together an interactive graphic to help show the proposed development plan against the current tree canopy on the Ivy Drive

Property. You may combine the four sliders in any way you like to compare and contrast the current trees on this property with overlays

from MiKen's Tree Map, Mr. Sloan's submitted Updated Site Plan (4/23), and the newly submitted Grading Plan.

My Ivy Trees graphic is online [here](#).

<https://www.openprocessing.org/sketch/891456>

The first slider fades up MiKens Tree Map with purple and yellow trees marked at risk.

Unfortunately most of the trees currently on the property are left out of this drawing. The two parcels near Moss Rose are woods right now as you will see when you pull up the Google Maps slider.

The third slider pulls up the Updated Site Plan submitted by Mr Sloan at the 4/23 hearing. As you can see, the trees drawn do not reflect the current property's canopy. This drawing and the tree map also seem to be based on a different concept plan than the one discussed on 4/23.

The fourth slider pulls up the newly submitted initial grading plan. The darker lines are the new grading plans which unfortunately go through yet more current trees on the property.

I hope that this interactive graphic will be informative as you consider this concept plan.

Feel free to let me know if you would prefer a video of these elements.

I plan to put a non-interactive version on youtube.

Thanks very much for your time and have a good weekend,

Robbie Lynn Hunsinger

4021 Ivy Drive

615 708 8034

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From: Robbie Lynn Hunsinger <rl@robbiehunsinger.com>

Sent: Tuesday, May 12, 2020 12:12 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>; Elliott, Logan (Planning) <Logan.Elliott@nashville.gov>

Subject: Soil issues: Ivy Drive case 2020S-064-001

Dear Mr. Elliot and Planning Commissioners,

It has come to my attention that Lindell soil runs through a large area of the Ivy Drive property. The USDA tables show it rated as "very limited" in its use for roads, dwellings and even shallow excavation. It tends to run very close to the saturation level and I am concerned that excavation in these areas may expose the underground waterway feeding the Federally protect stream.

This red Ln area of Lindell soil on the soil map affects 7 homes, 3 of the storm water retention areas -which will need excavating, and half of the cul-de-sac, which will need extensive grading. This is of great concern.

I have made overlays of the last concept plan with all critical lots intact, the USDA soil map, the FEMA flood map and tables from the US Federal Soil Survey website from this site- <https://websoilsurvey.sc.egov.usda.gov/>

Note that a 1:0 in the table indicates the least suitable use for this soil. It gets 1:0 in each table for dwellings, excavation and new roads.

Here is the graphic:

<https://www.openprocessing.org/sketch/893958>

Please enter this material into the records for Ivy Drive case 2020S-064-001.

I hope this soil information might lend additional support to your recommendation for disapproval.

Thank you,

Robbie Lynn Hunsinger

4021 Ivy Drive

615 708 8034

From: Robbie Lynn Hunsinger <rl@robbiehunsinger.com>

Sent: Tuesday, May 12, 2020 2:50 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Case 2020S-064-001 Public Comment

Dear Commissioners,

First of all, thank you again for your patience and thoughtful attention to our many comments regarding Case 2020S-064-001. We are hopeful that you will follow staff recommendations and disapprove this Concept Plan for 3901-3905 Ivy Drive.

I have several points to share with you today.

1. The new Concept Plan and Critical Lot discrepancies

I have created a graphic that shows the original Concept Plan with grading and critical lots marked, the newly submitted Concept Plan with new grading and critical lots, along with the color keyed slope percentage map which Mr Elliot presented on 4/23. Notice that even the green key designates slopes to a critical 20% level, the yellow can include 25% slopes. The red areas designate a slope over 25%.

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<https://www.openprocessing.org/sketch/891376>

Notice that the original critical lot designations for lots 17 and 22 have been removed on the latest plan.

I do not believe lots can be removed from the critical designation if the slope is reduced **after** the grading process.

On the newest plan, 3 additional critical lots [25, 26 and 27] have been added after the proposed grading.

This brings a grand total of 11 critical lots to this latest Concept Plan, including lots 17 and 22 which had suddenly lost their critical slope asterisks from the previous determinations.

Rather than submitting a plan without critical lots as was requested by this Commission, the applicant has submitted a plan with 3 additional critical lots, bringing the grand total to 11 out of 30.

2. Suitability of Land and Critical Lot directives

Sub Reg 2017 3-3. 4 state that **Prior to Concept Plan Approval**, and in addition to the initial required grading permit, the applicant must also describe "measures to be taken:

a.To protect the natural features of the critical lots.

b.To minimize changes in grade, cleared area, and volume of cut or fill, and to control adverse impacts on the critical lots during and following the period of site disturbance. " and

"d.To identify easements along property lines to meet future drainage needs. "

I have been searching for these documents without success. Because of the pandemic restrictions, I cannot come copy the files from the folder at Planning, but I am not aware of any of these required documents being presented to the Planning Commission or to Planning Department Staff as is required. It appears that the applicant has failed to submit these required documents.

3. Natural Conservation Policy currently applied to 3901-3905 Ivy Drive

My last argument supporting your disapproval of this Concept Plan is based on the Conservation Policy designation attached to these properties. I have included a screen shot from the property page showing this designation. Municipal code 17.08.020 describes this property perfectly when it states **in section A**, "Natural conservation policy is applied to those areas of the county which are unsuitable for urban scale development due to severe environmental constraints. " This sections continues "furthermore, some areas of very steep topography, potentially unstable soils or a propensity to flood are intolerant of development of significant intensity".

I feel that **this is the real issue** behind all of the other arguments **against dense development** on this property. It has steep slopes, floodplain soil and rocky ditches, it has been a watershed for eons and continues to be the drainage basin for this entire area of Inglewood, the soil is problematic, there is an underground stream which is at great risk with any excavation, there is a beautiful spring and stream and dense old woods on the property. During heavy precipitation, a creek forms and runs down this entire block of Ivy Drive to this property, joining the spring-fed stream to flow to the Cumberland River a few blocks away. The backyards downstream from here regularly flood right now from storm water and that is with only two homes on this property and with absolutely no pavement. Planners long ago **recognized this for what it is, a natural conservation area** "intolerant of development of significant intensity".

We urge you to follow Staff Recommendations and deny this Concept Plan for dense cluster lots and help us protect this gorgeous but largely unbuildable land from the disaster that dense development would bring.

My sincere thanks for your long hours of service and for your thoughtful attention to this matter.

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Best wishes to you all,
Robbie Lynn Hunsinger

4021 Ivy Drive
615 708 8034

From: Maggie Gigandet <maggie.gigandet@gmail.com>

Sent: Tuesday, May 12, 2020 2:52 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Opposition to Ivy Drive Development - case number 2020S-0640001

Dear Planning Commissioners:

We are writing to express our opposition to the proposed development at 3901-3905 Ivy Drive in East Nashville (case number 2020S-0640001.) This development is inappropriate for our neighborhood. We highlight three reasons for the Commission to disapprove this plan: 1) the developer has only worsened the problem of critical lots by adding three more in his new plan in contradiction to your request, 2) this development is not compatible with the soil conditions and development pattern of our neighborhood, and 3) this land is designated as a Conservation Policy and is unsuitable for this type of development per the Municipal Code.

First, the Commission expressed concern at the April 23 meeting with the critical lots designated in the plan. There were eight critical lots due to the steep grading of the land. The Commission asked the developer to submit a plan excluding these lots. In direct defiance of this request, the developer submitted a new plan that not only kept the critical lots but added three more. In this new plan, the developer failed to indicate that lots 17 and 22 are critical as they were in his last plan and added lots 25, 26, and 27 to the other critical lots. This brings the total count of critical lots to 11 which includes lots 17 and 22. The Commission should deny this plan as your concerns have only been compounded instead of relieved in this new plan.

Second, this development is not compatible with the soil conditions and general development of our neighborhood. Municipal code 17.08.020(B) states

Residential districts should be applied according to the compatibility of the associated density with the topographic and soil conditions that prevail in the area, or when so recommended by the general plan, the prevailing development pattern of the area...As a general rule, progressively higher density districts within each residential policy category of the general plan should be located along higher classifications of street and in closer proximity to mass transit corridors, retail services or employment opportunities.

Here, Lindell-Urban soil is present around the stream and concrete channel on this property. This type of soil is prone to flooding as evidenced by the flooding and run-off issues the neighborhood already experiences from this land. It is not prudent to build on this type of soil, and the proposed density of this plan is not compatible "with the topographic and soil conditions that prevail in the area."

Further, in contradiction with this Code, this development plan is not compatible with "the prevailing development pattern of the area" and would not be located near "mass transit corridors, retail services or employment opportunities." This land is deep in an old neighborhood of single-family homes with no through traffic, no sidewalks, no major roads, no businesses, no transportation, and not even any painted lines separating lanes. Our neighborhood cannot sustain the increased traffic this plan will bring, and the Commission should deny the plan.

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Third, this land is designated as a conservation policy and is not suitable for this development. Municipal Code 17.08.020(A) on agricultural districts is instructive. It states

Natural conservation policy is applied to those areas of the county which are unsuitable for urban scale development due to severe environmental constraints... Furthermore, some areas of very steep topography, potentially unstable soils or a propensity to flood are intolerant of development of significant intensity and are appropriate for agricultural zoning.

While the land at issue here is not zoned as an agricultural district, this speaks to the purpose of the conservation policy – to prevent “urban scale” or higher density development because of “severe environmental constraints.” It is noteworthy that this land meets all three conditions listed above which make it “intolerant of development of significant intensity.” This area is very hilly and now has 11 critical lots due to steep grading, the soil is Lindell-Urban soil which is not ideal for building, and this whole area floods as it is without considering the additional run-off and flooding problems from the proposed paving and tree removal.

The Code speaks directly to residential districts and natural conservation policies. Municipal Code 17.08.020(B)(1)(b) on RS10 districts for which this land is currently zoned states, “These districts may also be appropriate within selected areas of natural conservation policy, with urban services.” As discussed above, there are no “urban services” in this area. The Code simply does not support this development on this land.

We ask the Planning Commission to disapprove this plan for these reasons and for the reasons raised by our neighbors. This is an irresponsible development plan that the Commission should prevent from going forward.

Thank you for your time and consideration.

Sincerely,

Maggie Gigandet

Daniel Sulbaran

2403 Claypool Street

Nashville, TN

From: Laura Yankee <lyankeerealtor@gmail.com>

Sent: Tuesday, May 12, 2020 2:59 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Case 2020S-064-001 Ivy Drive Development

Hello Commissioners,

I would like to speak in strong opposition to the development on Ivy Drive. To begin, the grading work that needs to be completed on this land to even make it feasible for building means that extreme changes will be made including clearing, cutting, and filling which will no doubt adversely impact all of the lots, but especially the critical lots. The preliminary grading study that was recently submitted does not protect any of the natural features of the critical lots. Also, I have not seen any designs or drawings of a retention wall that surely would be needed with this scale of grading work. Do you have a copy of that?

Additionally, the soil that is on that land is not suitable for building per the USDA soil guidelines. That land was not suitable for additional homes when the original homes were built in the 1950's because of the steep slopes all over the

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land, the natural stream, the storm water runoff on the lots and and the flooding that ensues. None of those issues have changed, and if anything they make it harder to build now than it would have been then.

This lot is designated for natural conservation policy and as such is intolerant of development of this density precisely because of the steep slopes, the unstable soil, and the propensity to flood that was mentioned above.

Thank you for taking the time to consider these points and others that make this property completely unsuitable for this development plan.

Laura Yankee

From: Dewayne Henson <ivydriver714@gmail.com>

Sent: Tuesday, May 12, 2020 3:22 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Case 2020S-064-001

Dear Commissioners,

I am writing to oppose the proposed development on Ivy Drive in Nashville, TN (Case 2020S-064-001).

As a resident of the adjacent property for 25 years, I feel qualified to speak on the issue of rain water.

There is currently a paved ditch across the property and through the proposed locations of lots 3, 4, 25, and 26. During periods of normal spring and fall rains, it is not unusual for this to fill up. During heavy rains, it is not unusual for it to overflow. This is the manner in which the original plan for the subdivision meant for the water from several blocks to reach permanent waterways.

Please bear in mind that that runoff reached approximately 3 feet deep and over 6 feet wide through my back yard during the rains that caused the major flood a few years ago. Had that flow been impeded, there his high probability that the homes at 3907, 3909 and 3911 would have been inundated, and these historic homes could have been lost forever. Ask yourself, will the drain pipes shown in the concept plan drawings be able to handle that volume of runoff? Or will they even be able to handle normal runoff after a few years of sediment deposit?

I also fear for the houses built on lots labeled 3, 4, 25, and 26 during periods of heavy rain. Approval of this plan will be setting the new homeowners directly in the course of water that will quite likely ruin or at least damage the structures.

Again, thank you for your time and attention,

Dewayne Henson

3907 Ivy Drive

Nashville, TN 37216

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Items to be considered on Public Hearing

Item 32a. 2020CP-012-002 SOUTHEAST COMMUNITY PLAN AMENDMENT and 32b. 2020Z-046PR-001

From: GREGORY Dunn <gdunn6867@comcast.net>

Sent: Monday, May 11, 2020 3:49 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: May 14 Planning Commission Meeting

I support Agenda Items 32a and 32b

Greg Dunn

6867 Burkitt Road

Cane Ridge, Tn 37013

From: Ruth Logan <rockinruthie@icloud.com>

Sent: Tuesday, May 12, 2020 1:47 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: May 14 Planning Commission Meeting

My name is Ruth Logan and I live in the October Woods subdivision in Cane Ridge, TN. I support agenda items 32a and 32b.

Thank you,

Ruth Logan

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Item 33. 2005UD-006-043 31st and Belwood

From: Raphaela Keohane <raekeo@aol.com>

Sent: Wednesday, April 1, 2020 3:54 PM

To: Planning Staff <planningstaff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: Mayor (Mayor's Office) <mayor@nashville.gov>; Shulman, Jim (Vice Mayor) <Jim.Shulman@nashville.gov>;

Taylor, Brandon (Council Member) <Brandon.Taylor@nashville.gov>

Subject: RE CASE 2005UD-006-043

Importance: High

I am responding to a letter I received re this project. I am against reducing setbacks it causes unintentional problems as I have seen on my block next door to my building. I am not sure why this would just be slipped on through on a consent agenda and not be on public hearing.

Legislation that requires public hearings at Council is being deferred. Why are you not following suit? Trying to shut the neighbors who have to live with the consequences of your permissions without even hearing their case seems quite a problem with this particular commission!

Even in normal circumstances, it is a challenge to organize people to attend meetings at 4 pm on weekdays and be willing to wait hours and hours sometimes before having their chance to speak.

Having appeared before your commission before I don't understand how you all can keep a safe distance from each other even without public attendance!

Thanks for your time and attention!

Mrs. Raphaela (Rae) Keohane

117 30th Ave N Apt 402

Nashville TN 37203

615 964 7804

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Item 34. 2020Z-013PR-001 2607 Whites Creek Pike

From: Winnie Forrester <wgforrester1@gmail.com>

Sent: Wednesday, May 13, 2020 12:49:04 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: Napier, Patrick (Planning) <Patrick.Napier@nashville.gov>; Toombs, Kyonzté (Council Member) <Kyonzte.Toombs@nashville.gov>; ED FEDOROVICH (ED@BuySellTN.com) <ED@BuySellTN.com>; Michael Williams <mwilliams@civ-design.com>

Subject: Fwd: 2607 Whites Creek Pike - Planning Commission Hearing

Good afternoon Commissioners,

Our councilwoman, Kyonzte Toombs held a virtual community meeting last night. The developer, Ed Fedorovich agreed during the meeting to incorporate the new zoning code that excludes Short Term Rentals.

His project will be heard at tomorrow's Planning Commission meeting (5/14/20). I am asking the Planning Commission to approve his request with the condition he adopts the RM15-A-NS zoning code.

Thank you,

Winnie Forrester

2611 Shreeve Lane

Nashville, TN 37207

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Item 36. 2020SP-018-001 829 and 835 Dickerson Pike

SUPPORT

From: Gina Drifmeyer <gina.drifmeyer@gmail.com>

Sent: Thursday, May 7, 2020 7:25 PM

To: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Rickoff, Abbie (Planning)

<Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>; Aaron Armstrong <aaron@armstrongrealestate.com>

Subject: Support for 829 and 835 Dickerson Pike Specific Plan

I am in support of the development at 829 and 835 Dickerson Pike by Armstrong Real Estate

I am the secretary of the McFerrin Park Neighborhood Association, and have met in a small planning group and a neighborhood meeting with Mr. Armstrong and his associate. Both meetings were very enlightening. Mr. Armstrong is very open about the development, and welcomes questions and suggestions.

One of the positives of the project is the 5th floor rooftop bar and restaurant. That location has one of the best views of downtown Nashville, and would be a very popular spot with local residents. The way the 5th floor will be built will make it very attractive, and not overwhelming.

I especially appreciate that Mr. Armstrong will not allow short term rental, even though it would be allowed based on the zoning of the area.

Thank you for considering my opinion in this matter.

Regina Drifmeyer
620 Stockell Street
Nashville, TN 37207

From: Will A <willacuff@gmail.com>

Sent: Friday, May 8, 2020 9:16 AM

To: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Rickoff, Abbie (Planning)

<Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: Aaron Armstrong <aaron@armstrongrealestate.com>

Subject: Support for 829 & 835 Dickerson Pike Specific Plan

Hey Sean, Abbie, and the Nashville Planning Commission,

I live in McFerrin Park at 812 N 5th St and have been an active part of this community for over 13 years. I wanted to let you know that I had a great talk with Aaron Armstrong and I'm supporting their plans for development on Dickerson Pike. He gave me details on the 5th floor plans and it sounds awesome. I think bringing more visitors and dollars to Dickerson will only help other local businesses like Coneheads (recently opened by Marcus Buggs) and Shugga Hi.

Thanks for your consideration and I look forward to seeing this development go through.

With Gratitude,
Will Acuff

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From: Nick Irwin <nick@basenashville.com>

Sent: Friday, May 8, 2020 9:17 AM

To: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Rickoff, Abbie (Planning) <Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: aaron@armstrongrealestate.com

Subject: Support for 829 & 835 Dickerson Pike Specific Plan

Sean and Commissioners -

I am writing to voice my support for the 829 & 835 Dickerson Pike Specific Plan. My personal residence is in the 800 block of Stockell, just two blocks from this site. I have been in my home for over ten years and have watched the community develop drastically during that time. I am excited about this proposal. While the Dickerson Pike South Corridor study suggests a maximum of 4 stories on the east side of the street, the presence of a 5th story serves a purpose on this building. Since over 60% of the alley side of the building is more than 48' from the rear setback, the development meets the intent of the height portion of the plan, which was to provide adequate space between commercial programming on Dickerson and residential homes on Joseph. Furthermore, the 5th story is a partial story that is 43% smaller than the other stories and over 20% of this square footage is allocated as a public amenity in the form of a roof top restaurant. The hotel units on the 5th floor also serve to further shield the residences on Joseph from the hotel's rooftop amenity deck and outdoor seating. This fact was noted as important by multiple people in the neighborhood meetings.

The developers have attended our neighborhood meetings in McFerrin Park and there was positive response from the community AND neighbors on Joseph street (the first street in from Dickerson)

I am excited about the potential presence of multiple food and beverage and retails concepts, and the first rooftop restaurant in the area allowing the neighborhood to enjoy the skyline view.

Thanks for your consideration -

Nick Irwin

From: Robby Stone <robbystonerealestate@gmail.com>

Sent: Friday, May 8, 2020 9:35 AM

To: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Rickoff, Abbie (Planning) <Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: Aaron Armstrong <aaron@armstrongrealestate.com>

Subject: Support for 829 & 835 Dickerson Pike Specific Plan

As an East Nashville resident, I wanted to voice my support for the hotel project in development at 829 and 835 Dickerson Pike. That corridor could benefit from a unique and large scale development like this one by offering more stability to the area as well as dining and entertainment options for nearby residents and visitors. Other Nashville neighborhoods have seen positive benefits from opportunities like this one, and I'd love to see the same for McFerrin Park/ Cleveland Park. There's great potential for Dickerson Pike to become a bustling and thriving hub of activity, and this hotel project and it's associated rooftop plan could help set the bar for the level of quality possible.

I hope the requested variance will be granted for this project as I know I and many other local, East Nashville residents would love to take in the downtown views from a beautiful rooftop in our neighborhood (why should The Gulch and downtown be the only ones to get in on the fun of that experience?). Thank you for your time, and I look forward to

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hearing the decision on things.

Robby

From: Brandon Thornberry <urbangatecapital@gmail.com>

Sent: Friday, May 8, 2020 10:02 AM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>; Rickoff, Abbie (Planning) <Abbie.Rickoff@nashville.gov>; Parker, Sean (Council Member) <Sean.Parker@nashville.gov>

Cc: aaron@armstrongrealestate.com

Subject: Support for 829 & 835 Dickerson Pike Specific Plan

I am writing to show my support for the Specific Plan at 829 & 835 Dickerson. I am a resident nearby at 718 Mcferrin Avenue 37206. I also own properties on Dickerson pike at 1109 Dickerson, 1312 Dickerson, and 1314 Dickerson along with 12 rental properties in the Cleveland Park and Mcferrin Park neighborhoods. As a resident and a business owner I am excited about this development and what it can add to the Dickerson corridor. I am also in full support of the partial 5th story. I think that this partial 5th story meets the intent of the Dickerson corridor plan to provide a buffer between residents on Joseph. Without it I think the Joseph residents will lack the privacy that was the intent of the study. This project is an exciting addition to our neighborhood. I ask that you will support the plan as requested. Thank you for your time and consideration.

Brandon Thornberry

615-289-0298

718 Mcferrin Avenue Nashville 37206

From: Brian Krebs <brianskrebs@gmail.com>

Sent: Monday, May 11, 2020 6:06 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: Rickoff, Abbie (Planning) <Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>; Aaron Armstrong <aaron@armstrongrealestate.com>

Subject: Support for 829 & 835 Dickerson Pike Specific Plan

Planning Commission,

Thank you for the opportunity to support the project located at 829 and 835 Dickerson Pike. As a neighboring property owner (837-839) to this project I am quite excited to see the project approved and moved forward. I have met several times with Mr. Armstrong and his team have reviewed the project plan and feel this project would be of great benefit to the corridor. As I am sure you are aware currently the buildings on the site are less than attractive and have been vacant for many years. This project when approved will bring a fresh start to the streetscape along Dickerson Pike and should serve as a tipping off point for future development and change in an area of Nashville that is in dire need.

In review of the plan I am in favor of the 5th story being approved as this will assist in adding over all square footage that can and will be used by the general public and will create an opportunity for additional retail and food and beverage outlets along Dickerson Pike as well will shield the neighboring parcels from the view of a simple roof. I am aware of the study that suggest the overall height maximum of 4 stories however I do feel that a 4 story restriction would overall negatively impact the visual appearance from the neighborhood adjacent to the project as well as the streetscape. Further in review with Mr. Armstrong's team the 5th story is a partial story. By having proposed this dynamic appearance to the street scape this plan will lay the ground work for future development along the corridor. As I am sure you are all aware the area surrounding this project have been overrun with short term rentals. The addition of a hotel to this portion of Dickerson Pike will bring a much needed relief to the neighbors.

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I sincerely hope you will join me in acceptance of this plan. In the event that you feel the need to discuss this matter in person I am glad to do so.

Kindest Regards,

Brian Krebs

President, CEO

KBAJ Inc.

615-566-5129

From: Mike Russell <mrussell@horrellcompany.com>

Sent: Tuesday, May 12, 2020 10:40 AM

To: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Rickoff, Abbie (Planning)

<Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>; Aaron Armstrong <aaron@armstrongrealestate.com>

Subject: FW: 829 & 835 Dickerson Letter of Support

Dear Councilman Parker and Planning Commissioners,

I own the property at 851 Dickerson Pike, on the same block as the 829 Dickerson Pike proposed development. Aaron has met with me personally and told me about their proposed plans for a mixed use building including a full service boutique hotel and multiple food and beverage spots and a proposed retail location. I'm also in support of their proposed 5th story which will provide the neighborhoods first rooftop restaurant. I think this is a great plan for the Dickerson corridor and will improve this undeveloped site.

Please vote to approve the requested SP zoning proposal.

Sincerely,

Mike Russell

From: Hunter Kelly <hunter.kelly@me.com>

Sent: Sunday, May 10, 2020 3:03 PM

To: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Rickoff, Abbie (Planning)

<Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>; aaron@armstrongrealestate.com

Subject: Support for 829 & 835 Dickerson Pike Specific Plan

I recently had a conversation with my friend Aaron Armstrong about the proposed development at 829 and 835 Dickerson Pike, and I'm excited for that this could mean for the Dickerson corridor. I have known Aaron for 20 years and his commitment to the revitalization of Dickerson Pike has been encouraging for me. I bought my house at 1307B Stainback Ave in Highland Heights in the summer of 2016, and Aaron's real estate office at Douglas and Dickerson is a cornerstone of the renewed, yet responsible building happening in the area.

Having lived through the boom of Germantown from 2007 to 2016, I am aware how overbuilding can destroy the feel of a neighborhood. Looking at the design plans for 829 and 835 Dickerson, I think the low rise design is very attractive and in keeping with newer construction already underway on Dickerson. I'm also excited about the rooftop restaurant space, because the view of downtown from Dickerson is wonderful. The addition of hotel rooms to the neighborhood will be a plus, too.

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Thanks!

James Hunter Kelly
1307B Stainback Ave
Nashville TN 37207

From: David Rachel Peiffer (A Google User) <davidandrachelpfeiffer@gmail.com>
Sent: Sunday, May 10, 2020 8:43 PM
To: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Rickoff, Abbie (Planning) <Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>
Cc: Aaron Armstrong <aaron@armstrongrealestate.com>
Subject: Support for 829 & 835 Dickerson Pike Specific Plan

Dear Planning Commission and Councilman Parker,

We are writing in support of the rezone for 829 and 835 Dickerson Pike.

We have lived in the Highland Heights neighborhood almost 9 years now. What drew us to the McFerrin Park/Cleveland Park/Highland Heights neighborhood was the charm of the neighborhood and the people here along with knowing that the area was being revitalized. Our neighborhood has been longing for commercial development for at least TEN YEARS. We couldn't be more excited about Aaron Armstrong and his group being forerunners to foster development in bringing this boutique hotel to Dickerson Road!

Aaron reached out to tell us about the concept early on and has been very transparent in letting neighbors know the team's plans. He connected with neighbors and shared his plans at neighborhood meetings. He let us know upfront about the desire for the fifth story. Hearing about the design, we do not feel the fifth story will cause noise or other issues with the residents located on Joseph Avenue. The hotel is designed to prevent those neighbors from having issues and will be so much better than any Airbnb rental as it will have onsite management.

We've seen Aaron's character working directly with him and his charity organization. He is a man of solid integrity and we trust his judgement knowing he will bring this concept into the neighborhood and it will add value to all of its residents. Not only will it be bringing multiple food and beverage and retails concepts to our neighborhood (FINALLY!!!) it also will give us the first rooftop restaurant in the area allowing our neighborhood to enjoy the skyline view.

Please pass this rezone and let's see this beautiful concept brought to life! All the neighbors who we've spoken to are ready and excited to see this birthed.

Thank you for your time and consideration.

Sincerely,

David and Rachel Peiffer
1601 Jones Ave, 37207
615.585.7473

From: Russell Kirchner <mudking@icloud.com>
Sent: Sunday, May 10, 2020 9:47 PM
To: Aaron Armstrong <aaron@armstrongrealestate.com>; Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>; Rickoff, Abbie

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(Planning) <Abbie.Rickoff@nashville.gov>; RusseLL <mudking@icloud.com>

Subject: Re: I support 829 & 835 Dickerson

I Russell, Cleveland Park resident of 13 years, participant of the Cleveland Park Neighborhood Association for 7 years, and Beautification Commissioner of district 5 for 5 years, support the 829 & 835 Dickerson Road hotel building plans. Their plan to extend to a 5th floor is also in my support. They have been in good communication with neighbors and neighborhood associations. Our feedback to them, I believe, has played a positive role in the shape and form of this project. I encourage the continuing dialogue of metro, citizens, and investors to all work together to support the boutique hotel on 829 & 835 Dickerson.

Beautification Commissioner

of District 5

512-734-2842

RusseLL Kirchner

1219 Stainback Ave

Nashville TN 37207

mudking@icloud.com

May 10, 2020

From: Jason Stalcup <jberrystalcup@gmail.com>

Sent: Monday, May 11, 2020 11:53 AM

To: Sean Parker <seanparker@fastmail.fm>; Rickoff, Abbie (Planning) <Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Support for 829 & 835 Dickerson Pike Specific Plan

All,

I'm writing in support for the SP at 829 and 835 Dickerson Pike. I attended the neighborhood meeting in Cleveland Park when the applicants presented their ideas. I was impressed with their presentation and how they thought about neighborhood interests in the planning of this project. We appreciated that they took the time to speak with us. I believe a majority in the room were excited about the plans.

I was most impressed with the addition of the fifth story that would allow rooftop dining. My hope is that you will approve this SP.

Thank you,

Jason Stalcup

906 N. 5th Street

615-686-5337

From: Harmony <hmlopez@ymail.com>

Sent: Monday, May 11, 2020 12:16 PM

To: Rickoff, Abbie (Planning) <Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>; Parker, Sean (Council Member) <Sean.Parker@nashville.gov>

Comments on May 14, 2020 MPC Agenda Items

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Cc: aaron@armstrongrealestate.com

Subject: 829 and 835 Dickerson

I'm a Mcferrin Park resident and I'm in favor of the Boutique Hotel project, especially the 5th story. I'm excited about additional food and beverage concepts in the area and the addition to new business on Dickerson! Please reach out if you want to discuss further!

Thank you,

Harmony Lopez

615-618-4556

From: Sara Beth Urban <sarabethurban@gmail.com>

Sent: Monday, May 11, 2020 2:17 PM

To: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Rickoff, Abbie (Planning) <Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: Aaron Armstrong <aaron@armstrongrealestate.com>

Subject: Support for 829 & 835 Dickerson Pike Specific Plan

Planning Commission,

I am writing in support of the Dickerson Pike Specific Plan. Aaron Armstrong reached out to me early in the process to present his plan and get on the agenda of the Cleveland Park Neighborhood Association meeting. I am the Chair of the neighborhood association, and I appreciated him making such an effort to explain his concept to the neighbors. Although I was unable to attend the meeting in which he made his presentation (I had just given birth to my son) I heard from fellow board members that his plan was well-received by the attendees.

I want to clarify though that I am not speaking on behalf of the neighborhood when I give my support, but merely as a private citizen. We have a large, diverse population in our neighborhood, and I cannot assume that everyone feels the same way, only relate the information that I have about the reception towards the project and my own personal preference.

I work in the tourism industry and definitely see the benefit of a boutique hotel and businesses on the Dickerson Pike corridor. It's an area of Nashville that is in need of development, and this project fits the scope of the charrette that was designed recently. I also support the 5th story allowing for a rooftop bar. Dickerson Pike is known for its views of the downtown skyline, and the rooftop area will be a selling feature for the hotel. The fear of noise pollution will be mitigated by the presence of the 5th story units that will shield the neighborhood from the outdoor area.

I hope you will consider approving this project.

Sincerely,

Sara Beth Urban

1117 Stockell Street

Nashville, TN 37207

From: margo cross <marant.cross@yahoo.com>

Sent: Monday, May 11, 2020 2:30 PM

Comments on May 14, 2020 MPC Agenda Items

Received through May 14, 2020

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: 829 dickerson rd project

Dear Councilman Parker and Planning Commissioners,

I own the property at 811 Dickerson Pike, immediately adjacent to the 829 Dickerson Pike proposed development. I am writing to support the proposed project. I have met with Aaron and the development team on multiple occasions to discuss the project. I think the plan they have proposed including the addition of a 5th story is appropriate and will be a positive addition to the neighborhood and a great design for this parcel. Please vote to approve the requested SP zoning proposal.

Sincerely,

Anthony Cross

From: Robert Murphy <robert@armstrongrealestate.com>

Sent: Monday, May 11, 2020 2:43 PM

To: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; abbie.rickoff@nashville.gov; Planning Commissioners <Planning.Commissioners@nashville.gov>

Subject: Support for 829 & 835 Dickerson Pike SP

As a resident of McFerrin Park (846 N 2nd St), I wanted to email my support for the SP for 829 & 835 Dickerson Pike. I want to specifically express my support for the partial 5th story. In my opinion, there have been very few proposed policy/zoning changes that have an actual benefit to the surrounding community. Having a public space on the 5th floor would be great for the surrounding community, not just the guests or developers. Thank you for the important work you all do and stay safe.

Warm Regards,

Robert Murphy

Robert Murphy, Principal Broker

From: Chris Seay <chris@amscapitalcorp.com>

Sent: Monday, May 11, 2020 8:21 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Rickoff, Abbie (Planning) <Abbie.Rickoff@nashville.gov>; aaron@armstrongrealestate.com

Subject: Support for the 829 & 835 Dickerson Pike Boutique Hotel Project SP

Hello Commissioners,

My name is Chris Seay and I live in East Nashville and also own a commercial property adjacent to the proposed hotel project at 829/835 Dickerson Pike.

I strongly support the SP request for a 5th floor. Aaron and his team have met with me several times and have made themselves very available and transparent with their request. I support the 5th floor allowance for all the reasons other folks have mentioned. But I also support it because this project will serve as the long awaited project that kicks off development of lower Dickerson Pike. I fully believe that once a high class boutique hotel with publicly available food

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and beverage options comes on line other projects will finally materialize and fulfill the huge potential that this stretch of Dickerson Pike has.

This project fulfills all the stated goals of the existing East Nashville Community Plan and the MDHA Skyline Redevelopment District and I strongly support the SP.

Thank You,

Chris Seay

From: ingrid campbell <iasoup03@gmail.com>

Sent: Monday, May 11, 2020 9:27 PM

To: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Rickoff, Abbie (Planning) <Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: aaron@armstrongrealestate.com

Subject: Support for 829 & 835 Dickerson Pike Specific Plan

All,

My name is Ingrid Campbell. I am the current President of McFerrin Park Neighborhood Association and have been a member of the organization since 2014.

The McFerrin Park Neighborhood is quickly evolving, some reference it as gentrification, displacement, growth, and/or revitalization. I view it as an opportunity for all, especially if we have a clear unified message, are engaged with the developer, and create partnerships with those who desire to build here.

Aaron Armstrong's 829 & 835 Dickerson Pike Project is a benchmark development on how to consider a community, listen to their feedback, and incorporate the neighborhood's suggestions. A key component to Aaron's Project is increasing the maximum stories from 4 to 5 - (5th floor is a partial story not visible from front). The increase height was a privacy concern for the residents of 800 block Joseph Ave (behind 829 & 835 Dickerson Project). Aaron's response, 'the hotel units on the 5th floor also serve to further shield the residences on Joseph from the hotel's rooftop amenity deck and outdoor seating.' The group was satisfied with the explanation after seeing the 5th floor architecture rendering. I, too support the 5th story partial floor.

Key elements for support of the 829 & 835 Dickerson Pike Project:

- Neighborhood engagement
- Multiple food and beverage and retails concepts
- First rooftop restaurant in the area allowing the neighborhood to enjoy the skyline view
- A full service, boutique hotel and doesn't allow for short term rentals (as stipulated by neighborhood as undesirable)
- Architectural development incorporating older structures in design

The Dickerson Pike Project is an example I hope other developer use to work with neighborhoods. Building positive relationships.

Thank you,

Ingrid Campbell

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President

McFerrin Park Neighborhood Association

From: Michael Yang <mikeyang91@gmail.com>

Sent: Tuesday, May 12, 2020 1:37 PM

To: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Rickoff, Abbie (Planning) <Abbie.Rickoff@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>

Cc: aaron@armstrongrealestate.com

Subject: 829 & 835 Dickerson Pike SP

Hi Planning Commissioners and Councilmember Parker,

I am on 2nd street, in McFerrin Park, and I am writing in support of the 829 and 835 Dickerson Pike Development. The Armstrong team attended several McFerrin Park neighborhood meetings and presented and fielded questions from the neighbors each time with their plans for the development.

One of the key points and what this SP is being presented is in regards to the 5th story that they are proposing that does not align with the recently passed community amendment on the lower Dickerson corridor that only allows for up to 4 stories along Dickerson. Based on the renderings that they have presented at the community meetings, the 5th story allows for them to have additional amenities including a restaurant. I believe they also thought through their design to not have that 5th story impede on the neighbors on Joseph and that the 5th story would not allow views into the neighboring homes since it would face out onto Dickerson.

I think that this project will be helpful in starting the revitalization on Dickerson, and in this specific instance for this specific project, an SP with a lot of neighborhood input and consideration was received and taken into account by the developers. I also feel that this will set a precedent for the future that any changes need a lot of community input and support to go through and anything less than that would be unacceptable.

Thanks so much for your time.

Michael Yang

OPPOSITION

From: Ronnie Mitchell <rmitchell9943@comcast.net>

Sent: Thursday, May 14, 2020 7:37 AM

To: Rickoff, Abbie (Planning) <Abbie.Rickoff@nashville.gov>; Planning.Commission@nashville.gov

Subject: Agenda Item #36 (2020SP-018-001) Council District 5

Subject: Agenda Item #36 (2020SP-018-001) Council District 5

Good morning

Dear Metro Planning Staff and Metro Planning Commission : I am Ronnie T Mitchell ; Senor Pastor of New Livingstone Church , 330 Hancock St. 37207 where we have served for 38 years. We are located in the McFerrin Park community and have strong ties to the families in said area.

With regard to case 2020SP-018 -001, I'm writing to call attention to the fact that though there is some support for this project , there is considerable concern within the cluster of homeowners who are impacted along the 800 block of Joseph Ave.

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It is our intent to air concern for these residents and taxpayers who will be impacted the most by this development project. These neighbors ; due to the impact of COVID-19 are less engaged while practicing Social Distancing , and lack the necessary technical skills and technology to ensure that their voices are heard.

Therefore ; we would ask that you support the recommendation of staff to disapprove this project as presented in its current form. It is reasonable to assume and conclude that their recommendation has merit , and would provide the impacted residents and developers an opportunity in the future to address their concerns.

Please vote in support of the staff's recommendation.

Very Truly Yours,

Ronnie T Mitchell (615) 975-5603