

Comments on April 14 Planning Commission agenda items, received April 8-13

Item 15, 1620/34 Lebanon Pike

From: Syracuse, Jeff (Council Member)
Sent: Sunday, April 10, 2016 1:56 PM
To: Planning Commissioners
Subject: Support for Zone Change 2016Z-027PR-001

Dear Metro Planning Commission,

I regret I am not able to attend the meeting on April 4, but wanted to express my support for the zone change to CS-A in this matter. Thank you for your service and support.

Best Regards,

Jeff Syracuse

Metro Council Member, 15th District
Metro Historic Courthouse
One Public Square, Suite 204
Nashville, TN 37201
(615) 886-9906

www.jeffsyracuse.com



Item 23, Forest Park (Periodic Review)

(letter follows)

April 12, 2016

David L. Kleinfelter
(615) 866-2320
(615) 866-2321 fax
dkleinfelter@renocavanaugh.com

VIA EMAIL

Members of the Metro Planning Commission
c/o Doug Sloan, Executive Director,
Metropolitan Nashville/Davidson County Planning Department
800 Second Avenue South
Nashville, TN 37219

RE: **Deferral Request** for Forest View Park PUD Review
Item #23 – April 14, 2016, Agenda
PUD #23-85-P

Members of the Planning Commission:

My firm represents The Ridge at Antioch, Limited Partnership (the “Owner”), which owns the property within the Forest Park PUD that is the subject of Councilmember Karen Johnson’s request for periodic PUD review per Section 17.40.120 H of the Metro Code. The PUD review request is set for consideration by the Commission this Thursday, April 14. It is my understanding that Councilmember Johnson has requested that the hearing on her PUD review be deferred for one meeting, to April 28.

The purpose of this letter is to inform the Commission that the Owner does not object to a one meeting deferral, but we would object to any additional delay. This matter is different from the usual situation in which an applicant or Councilmember requests deferral. The Owner has purchased land that is zoned to allow their proposed development and they have spent substantial money towards obtaining financing and receiving Metro approval to proceed with construction. The uncertainty of the PUD review process, however, puts the Owner in a precarious position. The Owner must either continue to spend money on the development approval process despite a risk that the zoning for their property will be changed, or the Owner can put the project on hold, which increases its holding costs and development costs.

Despite these concerns, in deference to the Councilmember, the Owner does not object to the requested one meeting deferral.

Thank you, and do not hesitate to contact me if you have any questions about this matter.

Sincerely,



David L. Kleinfelter
Reno & Cavanaugh, PLLC

From: Karen Johnson [mailto:johnsonkareny@gmail.com]

Sent: Friday, April 08, 2016 11:13 PM

To: Logan, Carrie (Planning)

Cc: Allen, Burkley (Council Member); Planning Commissioners; Johnson, Karen (Council Member); Sloan, Doug (Planning); Barry, Megan (Mayor); Cooper, Jon (Legal); Hayes, Roseanne (Council Office); Mendes, Bob (Council Member); Hagar, Larry (Council Member); Shulman, Jim (Council Member); Vercher, Tanaka (Council Member); Coleman, Sam (Council Member); Woodson, Joseph (Mayor's Office); Jameson, Mike (Council Office)

Subject: Re: Reconsideration of Item #13 from March 24, 2016 Agenda for Planned Unit Development 23-85P-001

Carrie,

Again, thank you for the invitation to meet, however as I stated in the last email that since the decision has already been made to deny my request for a rehearing, it is not necessary to meet.

As for the other matter, Councilmembers are granted a one meeting deferral when it is received timely. Thank you.

Karen

[Karen Y. Johnson](#) | Councilwoman, [District 29](#) | 615.977.6721

[Metropolitan Government of Nashville & Davidson County](#)

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On Fri, Apr 8, 2016 at 7:06 PM, Logan, Carrie (Planning) <Carrie.Logan@nashville.gov> wrote:

Council Lady Johnson,

I'm sorry that you were not able to meet with us this morning. If you would like to meet, please let me know a few times that work for you and I can set up a meeting.

The Zoning Code lists the criteria for the Planning Commission's review of PUD revisions of older PUDs, which is Section 17.40.110.G. This is a separate application that needs to be reviewed against the standards included in that section of the Zoning Code.

When the request to review the PUD for inactivity was made, the review packet had already been sent as notification that a PUD revision had been submitted.

In accordance with the Planning Commission's Rules and Procedures, the Chairman and Executive Director will evaluate your request for a rehearing of the PUD revision.

As you requested, your application to review the PUD for inactivity will be recommended for a one meeting deferral at the April 14, 2016<x-apple-data-detectors://5>, Planning Commission meeting. The next Planning Commission meeting is April 28th. Please let me know if you have not received the staff report for that request, which was published earlier today.

Carrie Logan, AICP

Assistant Director, Special Projects

Metropolitan Nashville Planning Department<<http://www.nashville.gov/Planning-Department>>

P: [\(615\) 862-7189](tel:(615)862-7189)<[tel:\(615\)%20862-7189](tel:(615)%20862-7189)> | F: [\(615\) 880-2450](tel:(615)880-2450)<[tel:\(615\)%20880-2450](tel:(615)%20880-2450)>

On Apr 7, 2016, at 8:05 AM, Karen Johnson

<johnsonkareny@gmail.com><<mailto:johnsonkareny@gmail.com>>> wrote:

Carrie,

Also in speaking with Councilmember Burkley Allen at the Metro Council meeting, she shared with me her concern that the PUD review was not disclosed and shared with the commissioners. The item was put on Consent with the knowledge that a council member had initiated a PUD Review of this property. Why was this not disclosed to the commissioners?

Secondly, when you sent the email approving the PUD review and stating that it would be on the April

14 agenda, why in your email did you not state that also please note that an application has been filed on this property. I was not made aware of this and so therefore I did not in any way think I would have anything on the March 24 agenda most especially pertaining to the property I had initiated a PUD review for. I did not look at that Agenda because I did not know that if a PUD review is initiated that any action could take place on that property.

I request that this be reheard because of the reasons I outlined below and because this information was not disclosed to the council member nor the commission. Thank you.

Karen

Karen Y. Johnson<<https://www.linkedin.com/in/karenyjohnson>> | Councilwoman, District 29<<http://www.district29community.blogspot.com/>> | [615.977.6721](tel:615.977.6721)
Metropolitan Government of Nashville & Davidson County<<http://www.nashville.gov/Metro-Council/Metro-Council-Members/District-29-Council-Member.aspx>>
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Facebook<<https://www.facebook.com/pages/Karen-Y-Johnson-Metro-Council-District-29/136610609741870>>

On Wed, Apr 6, 2016 at 9:19 PM, Karen Johnson

<johnsonkareny@gmail.com<<mailto:johnsonkareny@gmail.com>>> wrote:

My request was sent to Mike Jameson on February 16, 2016. He spoke to you on the 17th. It was shared with me that the rehearing would take place. You did not disclose that this was on the agenda and that the application had been received when you were aware that my initiation of the PUD was the same parcel. I respectfully ask that it be reheard due to not being notified when you had assured me that if any information developed on this property that you would personally notify me as well as Angela Garner who had been communicating to you on behalf of the neighbors. Also the fact that the parcel's activity was determined in your decision with the fact that there was a pending PUD review that had been initiated is also another reason. Thanks.

Karen

Karen Y. Johnson<<https://www.linkedin.com/in/karenyjohnson>> | Councilwoman, District 29<<http://www.district29community.blogspot.com/>> | [615.977.6721](tel:615.977.6721)<<tel:615.977.6721>>

Metropolitan Government of Nashville & Davidson County<<http://www.nashville.gov/Metro-Council/Metro-Council-Members/District-29-Council-Member.aspx>>

Metro Council President Pro Tempore

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Facebook<<https://www.facebook.com/pages/Karen-Y-Johnson-Metro-Council-District-29/136610609741870>>

On Tue, Apr 5, 2016 at 3:46 PM, Logan, Carrie (Planning)

<Carrie.Logan@nashville.gov<mailto:Carrie.Logan@nashville.gov>> wrote:

Council Lady Johnson,

I'm sorry for the delayed response. I've been out of the office due to a death in my family.

An application to revise a portion of this PUD was submitted on February 11, 2016. As mentioned in your emails, the DRC-PRC packet was emailed to Councilmembers and Council Office Staff on Wednesday, February 17, 2016, to notify you and other Councilmembers of the applications filed for the March 24, 2016 Planning Commission meeting. For reference, that email is attached.

After receiving the DRC-PRC packet, you requested a periodic PUD review on February 18, 2016, which met the filing deadline for the April 14, 2016, Planning Commission agenda. On February 23, 2016, notification of the request for a Periodic PUD Review was sent to the property owner and emailed to you. Planning staff does not have the authority to delay the PUD revision application that had already been submitted.

The staff report for the March 24, 2016, Planning Commission meeting was emailed to all Councilmembers on March 18, 2016. The staff report included the revision to the preliminary PUD plan for Forest View. That email is also attached. Staff reports and agendas were available on the Planning Department website Friday afternoon, March 18, 2016. The case was also on the Planning Department's Development Tracker website

(<http://maps.nashville.gov/DevelopmentTracker/#><<http://maps.nashville.gov/DevelopmentTracker/>>)

throughout the review process.

In response to your inquiry, there is a process to request items be reconsidered. As stated in the Rules and Procedures of the Metropolitan Planning Commission, in order to consider rehearing the request, as the applicant, you must state what conditions have changed or what new information is available now, which wasn't available for presentation to the Commission at the original public hearing. The request must be submitted at least 14 calendar days prior to the meeting at which the request will be considered. Any information provided will be used to determine whether there is cause for rehearing. Once that information is received, the Chairman and the Planning Department Executive Director will

review the request to determine if the information qualifies for a rehearing. Qualification for a rehearing is based on whether the conditions have changed or there is new information that wasn't available at the time of the first hearing.

- If the Chairman and Executive Director determine that the information qualifies for a rehearing, it will then be up to the Planning Commission as a whole to determine whether the information provided does in fact, serve as a cause for rehearing this case and, if so, schedule a rehearing for a future Commission meeting.

- If the Chairman and Executive Director determine that the information does not qualify for a rehearing, then the decision to deny the rehearing will be noted on the Commission's next available agenda. The Commission may, by a majority vote of the members present, overrule the decision of the Chairman and Executive Director and consider the request at a subsequent meeting.

Your request to review the PUD for inactivity remains on the April 14, 2016, Planning Commission agenda.

Carrie Logan, AICP

Assistant Director, Special Projects

Metropolitan Nashville Planning Department <<http://www.nashville.gov/Planning-Department>>

P: [\(615\) 862-7189](tel:(615)862-7189) <<tel:%28615%29%20862-7189>> | F: [\(615\) 880-2450](tel:(615)880-2450) <<tel:%28615%29%20880-2450>>

From: Karen Johnson [mailto:johnsonkareny@gmail.com] <mailto:johnsonkareny@gmail.com>]

Sent: Thursday, March 31, 2016 8:49 AM

To: Planning Commissioners

Cc: Sloan, Doug (Planning); Logan, Carrie (Planning); Barry, Megan (Mayor); Cooper, Jon (Legal); Hayes, Roseanne (Council Office); Mendes, Bob (Council Member); Hagar, Larry (Council Member); Shulman, Jim (Council Member); Vercher, Tanaka (Council Member); Coleman, Sam (Council Member)

Subject: Re: Reconsideration of Item #13 from March 24, 2016 Agenda for Planned Unit Development 23-85P-001

Another point of note. On this item, the request for reconsideration is due to (m."in the judgement of the commission, the planned unit development or portion thereof to be modified does not meet the criteria for inactivity of Section 17.40.120.H.4.a)

This decision was made with the fact that the pud review was scheduled to be heard on April 14. I would like this item to be placed on the next planning commission agenda to be reconsidered.

Thank you,

Karen

On Thu, Mar 31, 2016 at 8:18 AM, Karen Johnson
<johnsonkareny@gmail.com<mailto:johnsonkareny@gmail.com>> wrote:
Planning Commissioners,

I would like to formally request that the above item be placed back on the next Metro Planning Commission agenda for reconsideration.

I have been in continuous communications with Carrie Logan in planning at the request of the neighbors in this area to keep us updated on any developments for this property. I initiated a PUD review on February 16 which was approved on February 18 and I was under the understanding that no action could be taken on this property until April 14 when it was to come before the commission.

This item was placed on the March 24th agenda and approved for a revision without my input and the community's involvement and opportunity to provide comment.

Thank you for your consideration in honoring this request.

Karen Y. Johnson<<https://www.linkedin.com/in/karenyjohnson>> | Councilwoman, District
29<<http://www.district29community.blogspot.com/>> | 615.977.6721<tel:615.977.6721>
Metropolitan Government of Nashville & Davidson County<<http://www.nashville.gov/Metro-Council/Metro-Council-Members/District-29-Council-Member.aspx>>
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Twitter<<https://twitter.com/Karenyjohnson>>
Facebook<<https://www.facebook.com/pages/Karen-Y-Johnson-Metro-Council-District-29/136610609741870>>

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

From: "Hollingsworth, Michelle (Planning)"
<Michelle.Hollingsworth@nashville.gov<mailto:Michelle.Hollingsworth@nashville.gov>>
To: "Burnette, Brandon (Planning)"
<Brandon.Burnette@nashville.gov<mailto:Brandon.Burnette@nashville.gov>>
Cc:
Date: Thu, 31 Mar 2016 16:38:32 +0000
Subject: FW: 3.24 MPC Review Packet

From: Hayes, Roseanne (Council Office)
Sent: Thursday, March 31, 2016 11:37 AM
To: Hollingsworth, Michelle (Planning)
Subject: FW: 3.24 MPC Review Packet

FYI

From: Hollingsworth, Michelle (Planning)
Sent: Wednesday, February 17, 2016 1:46 PM
To: Allen, Burkley (Council Member); Bedne, Fabian (Council Member); Blalock, Davette (Council Member); Briley, David (Vice Mayor); Coleman, Sam (Council Member); Cooper, John (Council Member); Davis, Anthony (Council Member); Davis, Scott (Council Member); Dowell, Jacobia (Council Member); Elrod, Jeremy (Council Member); Freeman, Mike (Council Member); Gilmore, Erica (Council Member); Glover, Steve (Council Member); Hagar, Larry (Council Member); Hastings, DeCosta (Council Member); Hayes, Roseanne (Council Office); Haywood, Brenda (Council Member); Henderson, Angie (Council Member); Huezo, Holly (Council Member); Hurt, Sharon (Council Member); Jameson, Mike (Council Office); Johnson, Karen (Council Member); Johnson, Mina (Council Member); Kindall, Ed (Council Member); Mendes, Bob (Council Member); Murphy, Kathleen (Council Member); O'Connell, Freddie (Council Member); Pardue, Doug (Council Member); Potts, Jason (Council Member); Pridemore, Bill (Council Member); Pulley, Russ (Council Member); Rhoten, Kevin (Council Member); Roberts, Mary Carolyn (Council Member); Rosenberg, Dave (Council Member); Shulman, Jim (Council Member); Sledge, Colby (Council Member); Swope, Robert (Council Member); Syracuse, Jeff (Council Member); VanReece, Nancy (Council Member); Vercher, Tanaka (Council Member); Weiner, Sheri (Council Member); Withers, Brett (Council Member)
Subject: 3.24 MPC Review Packet

Please see the attached review agenda for the March 24th Planning Commission meeting.

Michelle Hollingsworth
Metro Planning Department
800 2nd Avenue South
P.O. Box 196300
Nashville, TN 37219-6300

[\(615\) 862-7197](tel:%28615%29%20862-7197)<tel:%28615%29%20862-7197>

michelle.hollingsworth@nashville.gov<mailto:sherry.pl.west@nashville.gov>

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

From: "Deaner, Peggy (Planning)" <Peggy.Deaner@nashville.gov<mailto:Peggy.Deaner@nashville.gov>>>

To: "Allen, Burkley (Council Member)"

<Burkley.Allen@nashville.gov<mailto:Burkley.Allen@nashville.gov>>>, "Bedne, Fabian (Council Member)"

<Fabian.Bedne@nashville.gov<mailto:Fabian.Bedne@nashville.gov>>>, "Blalock, Davette (Council

Member)" <Davette.Blalock@nashville.gov<mailto:Davette.Blalock@nashville.gov>>>, "Briley, David (Vice

Mayor)" <David.Briley@nashville.gov<mailto:David.Briley@nashville.gov>>>, "Coleman, Sam (Council

Member)" <Sam.Coleman@nashville.gov<mailto:Sam.Coleman@nashville.gov>>>, "Cooper, John (Council

Member)" <CooperAtLarge@nashville.gov<mailto:CooperAtLarge@nashville.gov>>>, "Davis, Anthony

(Council Member)" <Anthony.Davis@nashville.gov<mailto:Anthony.Davis@nashville.gov>>>, "Davis, Scott

(Council Member)" <Scott.Davis@nashville.gov<mailto:Scott.Davis@nashville.gov>>>, "Dowell, Jacobia

(Council Member)" <Jacobia.Dowell@nashville.gov<mailto:Jacobia.Dowell@nashville.gov>>>, "Elrod,

Jeremy (Council Member)" <Jeremy.Elrod@nashville.gov<mailto:Jeremy.Elrod@nashville.gov>>>, "Freeman, Mike (Council Member)"

<Mike.Freeman@nashville.gov<mailto:Mike.Freeman@nashville.gov>>>, "Gilmore, Erica (Council

Member)" <Erica.Gilmore@nashville.gov<mailto:Erica.Gilmore@nashville.gov>>>, "Glover, Steve (Council

Member)" <Steve.Glover@nashville.gov<mailto:Steve.Glover@nashville.gov>>>, "Hagar, Larry (Council

Member)" <Larry.Hagar@nashville.gov<mailto:Larry.Hagar@nashville.gov>>>, "Hastings, DeCosta

(Council Member)" <Decosta.Hastings@nashville.gov<mailto:Decosta.Hastings@nashville.gov>>>, "Haywood, Brenda (Council Member)"

<Brenda.Haywood@nashville.gov<mailto:Brenda.Haywood@nashville.gov>>>, "Henderson, Angie

(Council Member)" <Angie.Henderson@nashville.gov<mailto:Angie.Henderson@nashville.gov>>>, "Huezo, Holly (Council Member)" <Holly.Huezo@nashville.gov<mailto:Holly.Huezo@nashville.gov>>>, "Hurt, Sharon (Council Member)" <Sharon.Hurt@nashville.gov<mailto:Sharon.Hurt@nashville.gov>>>, "Johnson, Karen (Council Member)"

<Karen.Johnson@nashville.gov<mailto:Karen.Johnson@nashville.gov>>>, "Johnson, Mina (Council

Member)" <Mina.Johnson@nashville.gov<mailto:Mina.Johnson@nashville.gov>>>, "Kindall, Ed (Council

Member)" <Ed.Kindall@nashville.gov<mailto:Ed.Kindall@nashville.gov>>>, "Mendes, Bob (Council

Member)" <Bob.Mendes@nashville.gov<mailto:Bob.Mendes@nashville.gov>>>, "Murphy, Kathleen

(Council Member)" <Kathleen.Murphy@nashville.gov<mailto:Kathleen.Murphy@nashville.gov>>>, "O'Connell, Freddie (Council Member)"

<Freddie.OConnell@nashville.gov<mailto:Freddie.OConnell@nashville.gov>>>, "Pardue, Doug (Council

Member)" <Doug.Pardue@nashville.gov<mailto:Doug.Pardue@nashville.gov>>>, "Potts, Jason (Council

Member)" <Jason.Potts@nashville.gov<mailto:Jason.Potts@nashville.gov>>>, "Pridemore, Bill (Council

Member)" <Bill.Pridemore@nashville.gov<mailto:Bill.Pridemore@nashville.gov>>>, "Pulley, Russ (Council

Member)" <Russ.Pulley@nashville.gov<mailto:Russ.Pulley@nashville.gov>>>, "Rhoten, Kevin (Council

Member)" <Kevin.Rhoten@nashville.gov<mailto:Kevin.Rhoten@nashville.gov>>>, "Roberts, Mary Carolyn

(Council Member)" <marycarolyn.roberts@nashville.gov<mailto:marycarolyn.roberts@nashville.gov>>, "Rosenberg, Dave (Council Member)" <Dave.Rosenberg@nashville.gov<mailto:Dave.Rosenberg@nashville.gov>>, "Shulman, Jim (Council Member)" <Jim.Shulman@nashville.gov<mailto:Jim.Shulman@nashville.gov>>, "Sledge, Colby (Council Member)" <Colby.Sledge@nashville.gov<mailto:Colby.Sledge@nashville.gov>>, "Swope, Robert (Council Member)" <Robert.Swope@nashville.gov<mailto:Robert.Swope@nashville.gov>>, "Syracuse, Jeff (Council Member)" <Jeff.Syracuse@nashville.gov<mailto:Jeff.Syracuse@nashville.gov>>, "VanReece, Nancy (Council Member)" <Nancy.VanReece@nashville.gov<mailto:Nancy.VanReece@nashville.gov>>, "Vercher, Tanaka (Council Member)" <Tanaka.Vercher@nashville.gov<mailto:Tanaka.Vercher@nashville.gov>>, "Weiner, Sheri (Council Member)" <Sheri.Weiner@nashville.gov<mailto:Sheri.Weiner@nashville.gov>>, "Withers, Brett (Council Member)" <Brett.Withers@nashville.gov<mailto:Brett.Withers@nashville.gov>>

Cc:

Date: Fri, 18 Mar 2016 16:58:27 +0000

Subject: 3-24-16 MPC Staff Report

Please see the attached Staff Report for the 3-24-16 Planning Commission Meeting.

Peggy Deaner

Administrative Services

Metro Planning Department

800 2nd Avenue South

P.O. Box 196300

Nashville, TN 37219-6300

[\(615\) 862-7148](tel:6158627148)<tel:%28615%29%20862-7148>

peggy.deaner@nashville.gov<mailto:peggy.deaner@nashville.gov>

-----Original Message-----

From: Hayes, Roseanne (Council Office)

Sent: Friday, April 08, 2016 4:19 PM

To: Planning Commissioners

Cc: Sloan, Doug (Planning); Logan, Carrie (Planning); Johnson, Karen (Council Member)

Subject: Corrected Letter to the Planning Commission

Corrected Letter

This letter was requested to be sent on Thursday, April 7, 2016 at 6:30 p.m. on behalf of Councilwoman Karen Y. Johnson.

Roseanne Hayes

Vice Mayor/Metro Council Office

One Public Square, Suite 204

Nashville, TN 37201
Office: 615.880.3350
Fax: 615.862.6784
Cell: 615.305.4330

(letter follows)



METROPOLITAN COUNCIL

Member of Council

KAREN Y. JOHNSON
COUNCILWOMAN, DISTRICT 29

2918 Moss Spring Drive
Antioch, TN 37013
615.977.6721

April 7, 2016

Mr. James McLean, Chairman
Metropolitan Planning Commission
800 2nd Avenue, South
Nashville, TN 37219-6300

Dear Chairman McLean and Members of the Commission:

I would like to make a formal request to defer Item #23, Parcel 231, Map 150 that is currently on the agenda for Thursday, April 14, 2016 for one meeting. This proposal is for the periodic PUD review requested for a portion of the Forest View Planned Unit Development Overlay District on property located at Forest View Drive (unnumbered), east of Murfreesboro Road.

The one meeting deferral will allow me the opportunity to work with the representatives in the community. Therefore, I respectfully ask that the Planning Commission defer this proposal.

I will be unable to attend the Planning Commission Meeting in person, but I thank you in advance for your attention to this request.

Sincerely,

Karen Y. Johnson
Councilwoman, District 29

KYJ/rh

cc: Members of the Commission
Mr. Doug Sloan
Ms. Carrie Logan