

Comments on April 28, 2016 agenda items, assembled April 22, 2016

Item 1 – Subdivision Regulations Amendment

From: Ben Thomas [mailto:bennettcthomas@gmail.com]

Sent: Saturday, April 16, 2016 10:07 AM

To: Planning Commissioners

Subject: Whites Creek & Nashville Next

Honorable Commissioners,

My spouse and I are residents of north Whites Creek. We live about 1 mile from the Fontanel on a small farm with cows, sheep and chickens. We are concerned about upcoming requests for zoning variances by investors who intend to develop Whites Creek (historical area) in a way that is different from the Nashville Next plan, which residents and government have worked hard on for the past 2 years or so - and which has earned broad community support.

We understand that Whites Creek (especially in the more rural, historic area) is prime land for developers and home buyers. We know that growth is inevitable because this area is beautiful, and in close proximity to Nashville.

But we believe the Nashville Next plan can allow organized development of Whites Creek that will allow housing and business growth in a way that is responsible to the land (one of the purest watersheds in the Metro) and its rich history (American Indians, Jesse James Gang, some of oldest houses in Middle TN).

We are not advocating for no-growth. Rather, we are asking that developers (businesses and residential) simply respect the vision of the Metro and the community for the future of this area.

We humbly request that rather than accepting the requests of developers, you challenge them to devise plans that are in line with the Nashville Next vision for the community. And that you remind them that they can be successful/make money AND follow that vision. It may take a little more effort - but it's possible.

Also, please know that our community is extremely vocal and passionate about this. We've had an involved dialogue among neighbors and are beginning to form a Civic Association. So if developers think this pressure from the community will pass, it won't. We intend to get stronger and more vocal - and to create an organization to unify our voices and sustained lobbying to protect our community.

Thanks for all the work you do. Please counsel developers who request zoning of Whites Creek that's not in alignment with community vision and to try harder. Don't accept whatever they request. This land may be their's legally - but the landscape belongs to us all - and the residents of a densely populated Nashville will one day be so thankful we saved it - when it's a green space oasis for both residents and Nashvillians wanting an escape from the city.

Sincerely,

Bennett C. Thomas

4777 Lickton Pike

Whites Creek, TN 37189

404-788-2262

From: Hurt, Sharon (Council Member)

Sent: Sunday, April 10, 2016 8:24 AM

To: Helen Tarleton; McCaig, Anita D. (Planning); Sloan, Doug (Planning); Planning Commissioners; Haywood, Brenda (Council Member)

Cc: James Lawson; Angela Williams; Marsha Murphy; don majors; Gladies Herron; Jennifer Hagan-Dier >; Jim Sherraden; Laura Bigbee-Fott; Mike Younger; Nikkole Turner; Sarah Bellos; Tom Kerns; Wells David; Wendy Wilson; Zack Dier; Alicia Batson; eric tarleton

Subject: RE: A Field of Dreams for Whites Creek

Thank you Ms. Tarleton for your interest, email and suggestion.

I am not very familiar with the area and I am somewhat familiar with the idea of a park being placed in that area. As I learn more and things begin to unfold regarding this matter, please be assured that I will make your concerns known and hopefully, we will make the best decision for the greater good of Nashville.

Sincerely,

Sharon W. Hurt

Councilwoman at large

Metro Nashville Davidson County

From: Helen Tarleton [hdmtarleton@gmail.com]

Sent: Saturday, April 09, 2016 3:41 PM

To: McCaig, Anita D. (Planning); Sloan, Doug (Planning); Planning Commissioners; Haywood, Brenda (Council Member); Hurt, Sharon (Council Member)

Cc: James Lawson; Angela Williams; Marsha Murphy; don majors; Gladies Herron; Helen Helen Tarleton; Jennifer Hagan-Dier >; Jim Sherraden; Laura Bigbee-Fott; Mike Younger; Nikkole Turner; Sarah Bellos; Tom Kerns; Wells David; Wendy Wilson; Zack Dier; Alicia Batson; eric tarleton

Subject: A Field of Dreams for Whites Creek

Dear planning department staff, the planning commission, and Councilwomen Haywood and Hurt,

A neighbor recently referred to the Nashville Next maps depicting the central area of Whites Creek and mentioned that there is a projected city park within that section of the plan. I'm writing to inquire about the possibility of Area 8 becoming a city park.

When I realized a number of years ago that the section of Old Hickory Boulevard where I live was part of the Trail of Tears, I made a point of learning everything I could about it. I was recently told that there were encampments in what is now central Whites Creek as the Native Americans were driven through the area. As a part of this learning process, I have often daydreamed about the possibility of an honorable tribute to the lives lost in that tragic journey.

How painfully ironic it would be if the same fields were turned into a hotel and conference center instead. Is this the kind of memorial we would offer to the First Americans?

Would not a better use of the land be a true memorial to those from whom we required an ultimate sacrifice? Would there not be a way to connect a park in Whites Creek to the National Park that commemorates the Trail of Tears? If we truly want to hold Nashville up to the rest of the country as a city reflecting the highest aspirations of what communities can be, we have the opportunity in the decisions we make about Area 8 to make a profound statement that our city is more than a tourist destination.

Please consider a more conscientious and creative solution to the use of our communities limited resources.

Sincerely,

Helen Tarleton

7135 Old Hickory Blvd.

Whites Creek, TN 37189

On Wed, Feb 24, 2016 at 3:58 PM, Helen Tarleton <hdmtarleton@gmail.com> wrote:

Doug, Anita, the rest of the planning department staff and the planning commission,

Thank you for hosting a challenging meeting last night. I wish we had more town hall-style meetings in Whites Creek, because I think relationships build stronger communities, and there was good conversation happening both during the meeting and afterwards.

I'm left with continuing to hope that the zoning change will be deferred. I noticed in the letter that Laura Bigbee-Fott wrote you that she had the experience of Marc Oswald making a promise he isn't keeping. I had the same experience years ago at the first zoning request. A representative of Fontanel came up to me afterwards and expressly stated (by pointing his finger at my face) that he was going to

make it his personal goal to convince me that they would be good to their word. His actions felt more threatening than the words he said, and I never heard from him again.

This is my concern: the disagreements our community has are more nuanced than the process would allow if the zoning request is approved before there is a decision about the 11 properties and the Rural Subdivision guidelines are in place. We need the opportunity to hash them out further, before plans from ONE business owner (the vision of one community member) become the defining character of our community.

I think that was the comment I was most shocked about last night: that Fontanel has "put Whites Creek on the map." I'm alarmed that anyone would be so bold as to claim that (especially since they have paid big buck to put THEMSELVES on the map). All good communities emerge from the diversity of the people who live there. We all know the difference between Disney's Main Street and real main street: we might like to go visit, but we wouldn't want to live there.

The thought that the community might want an entirely different vision for the downtown area of Whites Creek appears preposterous to them - to the extent that the only alternative they can muster is the threat of a subdivision or a Dollar General. If you don't happen to agree with their view of what "historic" and "rural" is, you are deemed obstructionist. Personally, I like the big idea they are trying to execute, but they've missed the understated quality of a Blackberry Farm, and it's not as appealing. If we had more time, we might, in fact find a true compromise, as the gentleman from Cherry Grove suggested.

How can we have an honest conversation about what "rural character" means without the time to do so? How can we, as a community, hash out our differences of opinion and find a true compromise, one that is not driven by the business needs of ONE community member, without a process to do so?

Please defer Fontanel's request for a change in zoning until we have more guidelines in place.

Thanks again,

Helen Tarleton

7135 Old Hickory Blvd

Whites Creek, TN 37189

On Mon, Dec 7, 2015 at 1:16 PM, Helen Tarleton <hdmtarleton@gmail.com> wrote:

Doug, Anita, the rest of the planning department staff and the planning commission,

In Whites Creek, we are gearing up for the December 10th meeting, and I am grateful for the effort and attention you've given our community. I'm hopeful, with your careful consideration, that we will preserve an area of Davidson County that is both unique and historic.

I have a question that may seem semantic; but, what in this process isn't? So much of the decision-making that has lasting impact on the outcomes of city planning comes down to small choices of wording which result in hours of debate about implementation.

I'm wondering how the wording of these regulations has migrated from the term 'rural development regulations' to the term 'rural character subdivision regulations?' Some may think that those two terms are synonymous, but from the point of view of those of us involved in the Nashville Next process over the last year and a half, they are decidedly not. What the change implies is a not so subtle shift away from open country and towards suburban development, implying that 'rural' is just one stop away from the inevitable 'suburban.' I am certain that my neighbors would agree that our efforts were not in the service of creating a soft landing into the realm of urban sprawl.

What is the spirit of the regulations? Are they to ensure that the term 'rural' means something about open space, agriculture, conservation and historic preservation? Or, instead, are they designed to make the suburbs that eventually encompass our neighborhood as palatable as possible from the street? It is difficult to get excited about the latter. I have read Alicia Batson's recent email to you, and my concern is that her deeply astute questions about what is and is not included in the regulations as they stand are essentially questions about how issues central to the former interpretation will be honored.

As you have done an excellent job of teasing out these complicated layers of semantics in the past, I know the outcome this time will be a best effort at bridging the competing interests for this land. I request that careful consideration be given to what the regulations are, themselves, called and that it be something that does not imply a bias or invoke more confusion about their purpose. Thank you for continuing to take our community interests seriously and for recognizing our commitment to preserving the genuine rural character of our neighborhood.

Sincerely,

Helen Tarleton

7135 Old Hickory Blvd

Whites Creek, TN 37189

From: Alicia Batson [mailto:crackerlake1@gmail.com]

Sent: Thursday, March 31, 2016 11:38 AM

To: McCaig, Anita D. (Planning); Sloan, Doug (Planning); Planning Commissioners

Cc: Haywood, Brenda (Council Member); Logan, Carrie (Planning); Leeman, Bob (Planning); Withers, Kathryn (Planning); Mac and Wendy Wilson; James Lawson; don majors; Hurt, Sharon (Council Member); John Cooper; Shulman, Jim (Council Member)

Subject: Re: Whites Creek Rural Development Regulations Questions and Feedback

I'm sorry - I forgot to add a couple of extra comments from my notes on the RSR's.

1. Could the required buffer for streams in rural areas be stronger than that for urban, suburban areas? I don't know what is required by Metro Water, but I think 30 feet on either side is the recommended standard. If 30 ft is greater than what Metro requires, can the rural regs require 30 feet on either side?
2. I wish Metro Planning Dept and the Commission would create a Transfer of Development Rights option/tool such as many places in the country have including Williamson County. I don't see why it would not work here if there were political will behind it. There are lots of places in Nashville where we need more development and want to encourage development and there are rural areas now which we are trying to protect. Please create a TDR tool for Davidson County.
3. I think there needs to be more intention in the regs to connect open space and wildlife corridors. How will this intent be manifest?

Thank you,
Alicia Batson
4712 Lickton Pike
Whites Creek, Tn 37189

On Thu, Mar 31, 2016 at 8:27 AM, Alicia Batson <crackerlake1@gmail.com> wrote:

Doug, Anita, Carrie and Planning Commissioners,

Attached are comments and feedback regarding the most recent draft of the rural subdivision regulations.

Thank you,
Alicia Batson
4712 Lickton Pike
Whites Creek, Tn 37189

[615-788-3557](tel:615-788-3557)

On Mon, Dec 7, 2015 at 9:04 AM, McCaig, Anita D. (Planning) <Anita.McCaig@nashville.gov> wrote:

Hi Alicia –

I am including Carrie Logan, who took the lead in crafting the revisions, to answer your questions below.

Anita

Anita McCaig

Community Plans

Metro Nashville/Davidson County Planning Department

From: Alicia Batson [mailto:crackerlake1@gmail.com]

Sent: Monday, December 07, 2015 8:54 AM

To: McCaig, Anita D. (Planning); Sloan, Doug (Planning); Planning Commissioners; Haywood, Brenda (Council Member); Greene, Loniel (Council Member)

Cc: Mac and Wendy Wilson; James Lawson; Angela Williams; Marsha Murphy; don majors

Subject: Whites Creek Rural Development Regulations Questions and Feedback

Doug, Anita, the rest of the planning department staff and the planning commission,

Thank you for working so hard on the rural development regulations. Your efforts are much appreciated.

I've been reviewing the new rural development regulations and wanted to clarify some points. The sooner you could get back with me the better. We need to send out a letter to the community this afternoon announcing Thursday's planning commission meeting.

1. We have gone over this before, but I'm still not clear, so I'll try to change how I ask it to better communicate - If the Jarrett's who are currently zoned RS10, maybe some RS15, wanted to build a development after their land was designated T2 rural, would they have to adhere to chapter 4 rural dev. regs? Or, would they only have to do this - would Chapter 4 only apply - if their development required a rezoning? For example, if they wanted to increase the density beyond what they currently have?

2. Regarding chapter 4-1.1.3.a - How does the planning dept define "prime agricultural land"? Is this a federal government definition? If so, could you provide us a map of which lands in Whites Creek are currently designated as prime agricultural land? I ask this because much land in North Davidson County is not "prime" agricultural land - that kind of land is found in areas like the midwest or has already been eaten up by developers because it is not only prime land to grow on, it is also prime land to build on. Just because land is not "prime" agricultural land does not mean that you can not grow on it, run cattle

or goats on it, cut hay off of it, grow fruit trees on it, etc. - farmers have produced food on non-prime land for millennia all over the world and will continue to do so. In fact, many of the small, organic farms that represent the fastest growing agriculture sector do not grow on "prime" land. I would like to see the maps of prime agricultural land in Whites Creek to make sure you are not inadvertently trying to protect something that may not exist where we think it does. And if it does not exist, then the definition needs to be tweaked and the word "prime" removed. The most common activity on Whites Creek's lands to this time has been agricultural, whether or not it was designated prime or not. In fact, our most productive commercial organic flower farm, <https://www.facebook.com/whitescreekflowerfarm>, is definitely not on prime land. The purpose of defining "prime" land by the government had to do with large, agri-business farms, not small, organic farms like the ones around here and the ones that the Tn Dept of Agric. is trying to foster.

3. Regarding chapter 4-1.1.3.b - does preserving in perpetuity of scenic views mean that you can't build on ridge tops? And for clarification, nothing in this chapter 4 prevents a private landowner from building a private home on a ridge top and destroying scenic views I presume. For example, Kid Rock's clear-cutting of many acres of his ridge top to put up his complex?

4. Regarding chapter 4-1.1.3.d - the preservation in perpetuity of historic and archeologic sites - it seems to me that every T2 property should be required to conduct an objective, third-party historic and archeologic survey in advance to know what sites are on the property that need to be preserved. In Whites Creek, we have already run into this problem with a developer - Ole South Properties when they applied to build VISTA development on Green Lane. We absolutely knew and did list the historic and archeologic sites on the property - remains of an old mill, a long dry cut stone wall, a tree so large that 3 people could not get their arms around it, unmarked slave cemeteries - but Ole South would not agree to a survey. We know also that Whites Creek was an Indian settlement at one point and that the Trail of Tears passed through here, and the remains of many Indian mounds still exist, but have not been formally surveyed. We can't know what is here until formal surveys are done on the land and this can't be optional, because developers always see this as a potential barrier instead of an asset to the community.

5. Chapter 4-2.1.b.3 - designated historic and specimen trees listed in secondary conservation areas - how will you know that historic or specimen trees are even on the property without a required survey? What is a specimen tree? Again, I think any property designated as T2 should be required to conduct a third party historic, archeologic and natural resources survey for trees and other resources that are not traditionally mapped already, before development and before the planning process has gone too far. While this may seem burdensome to some, it is important to remember that the goal of all yours and

our efforts is to preserve in perpetuity these rural and historic lands. Our ability to preserve these assets will only be as good as the

information we have about what is out there.

6. Chapter 4-2.1.b.8 - I was very disappointed to read that "significant historic and cultural sites" is listed under secondary conservation areas, which I understand to mean areas that are not REQUIRED to be preserved, but just encouraged. That is a big disappointment for me. While I know you already know this, I guess it bears repeating that Whites Creek is the only RURAL historic district in Davidson County, listed by the National Register. The community has gone through 2 years of fighting development, creating a community plan, participating in the Nashville Next process and now working with you and the commission on the rural development regulations precisely in order to **preserve in perpetuity" significant historic and cultural sites" - i.e. our rural character.** I hope you will not leave it up to the goodwill of a random developer or landowner to preserve this after all of this effort.

7. Throughout chapter 4, there are many references to preserving various type of water-related features. The one I didn't see which I think is critical is natural springs. Whites Creek is made of hills and valleys. We have many springs that feed water down to Whites Creek, not just run off areas. These springs are important for wildlife water sources and for keeping Whites Creek clean and flowing. Without the springs, wildlife must come down to Whites Creek to get water which puts them in harm's way, crossing roads, and also put domestic animals in harm's way when coyotes must pass more residential areas to get to a water source.

Thank you for answering these questions.

I am also cc'ing the planning commissioners and Council Representatives Haywood and Greene on this since time is limited and I am unfortunately out of town this week. I am available by phone all week though.

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4712 Lickton Pike

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Whites Creek, Tn 37189

615-788-3557

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Sincerely,

Alicia Batson

4712 Lickton Pike

Whites Creek, Tn 37189

[615-788-3557](tel:615-788-3557)

crackerlake1@gmail.com

(document follows)

Comments on Rural Subdivision Regulations 3/31/16

Alicia Batson
4712 Lickton Pike
Whites Creek, TN 37189
615-788-3557
crackerlake1@gmail.com

Broad Concerns:

1. Lack of required percentage of conservation set aside as is required in conventional conservation developments. While Bells Bend may not want conservation developments, they don't have sewer as does Whites Creek, so we are more open to conventional conservation developments with a required set aside of 40-50% of open space and clustering of homes. Perhaps, you could say that if once the primary conservation features have been identified, if it does not come to 40-50% of the land, then more open space needs to be added to achieve that percentage.
2. It seems to me there is an intent to preserve a lot of valued features such as various trees, threatened species and habitat and archeologic sites, but there is no mechanism by which to know whether or not they are on the land unless a pre-plan survey is required. Since the intent is to preserve these features of the rural landscape, I suggest that there needs to be a thorough survey required of all of these potential features before the development land is designated. Otherwise, how would we ever know? Just call it a "T2 rural natural resource and historic survey" and require it for every development. Let's put some teeth into the real preservation feature intent.
3. There is no requirement to preserve the most characteristic of rural landscape features - farmland, native forests, wildlife habitat corridors and historical sites. This is very disappointing. **I would like to see a map of everything in Whites Creek blacked out except what is on the primary conservation land list. Then, we can see what is left and if it still feels rural.**
4. There should be a prohibition against gated communities which surround the entire development in a tall spiked fence - this blocks wildlife corridors. Farm fencing is ok - coyotes and deer can jump over farm fencing and critters can go underneath. But the taller spiked fencing with no way of crawling under should be unacceptable.
5. It should be stated and emphasized that private gardening and growing of food is allowed throughout T2 rural areas, no matter the base zoning or the type of the development (open conservation, screened or agriculture). The most fundamental human activity that has created rural character and kept it that way is farming. We can't keep rural character and at the same time prohibit agriculture use. Furthermore, I believe it is a violation of one's fundamental human rights to be prohibited from growing food on your own private land.

Broad Positives:

1. It is definitely a start.

Comments on Specific Sections:

Introduction:

1. I can't say that I agree that these RSR's "provide for SIGNIFICANT preservation" of resources - some preservation certainly. But, I may not fully understand how all the regs look on a piece of land in the end. **Will you please bring to the meeting an example of what the regs might look like in a given scenario if applied to Property #7 of the deferred properties and perhaps another piece of land - you are welcome to use mine if you like, 4712 Lickton?**
2. The RSR's now apply to both "T2 Rural Neighborhood" and "T2 Conservation" areas. In the community character manual on your website, these 2 categories are not listed and instead the categories listed are T2 RA, T2 RC, T2RM and T2 RNC. **Will you please provide me and bring to the meeting an updated list of the correct T2 rural categories and an accurate map** that shows where these categories are in Whites Creek? My first instinct is that any T2 category described as "conservation" is intended to be conserved, not built on - No?

Section 4-1. Intent

1. "Diversity and an irregular in lot layout are encouraged..." Why just encouraged? Why not required? I can see why an irregular lot layout may not work if one is clustering homes, but what if they are not clustering? Shouldn't an irregular lot layout be required in that case? A suburban look should be prohibited. While diversity is mentioned, there is no description of what you mean by diversity. Perhaps some examples of diversity could help. I assume you mean diversity in architecture?
2. "...it is the intent of the Planning Commission to....preserve in perpetuity.....prime agricultural land, woodlands and wildlife corridors and habitat." I don't understand how it can be the intent if there is neither requirement nor incentive to preserve either of these built into the regs. While flood plain is protected, there are loopholes. Woodlands are not protected. There is no mechanism by which wildlife corridors are protected, not habitat. The same could be said for many of the features listed such as historic farmhouses, stonewalls, historic sites, etc.....
3. "...promote interconnected open space, greenways, and undeveloped natural vegetated corridors through the community for wildlife habitat.... and enjoyment and use by the community..." How is this done? Where is the mechanism or the incentive in the regulations to do this. It is a wonderful sentiment and intent, but how is this achieved in these regs?
4. "Produce a development pattern in rural areas consistent with rural character through variety of design rather than uniformity of appearance in siting and placement of buildings and use of open space. " Again, a wonderful intent, but where are the regulatory teeth in these regs to achieve this?

Section 4-2. Development Standards

1. How many of the listed primary conservation areas are already protected from development in other areas of the Metro Code and which ones?
2. **Will you please provide a map at the meeting of all the listed primary conservation areas highlighted in one solid color in Whites Creek so that we can visually understand the amount of land and other features this list would conserve.**
3. "Known habitat for rare, threatened or endangered species" Is there a list of known habitats in Davidson County or are you saying that if one of these species is identified or known to be on the property then it must be protected. **Can you provide us a list of known habitats**

and species which have previously been identified in Davidson County so that we know what to look for? How will we know if one of these species is on the land unless a rare, threatened or endangered survey is required?

4. What defines a Cedar Glade community? Is there a specific number of trees? Do you already have a map of such communities in Davidson County or would this be identified at the time of development?
5. "Archeological sites, cemeteries and burial grounds" - while I know conventional cemeteries are protected, slave cemeteries, which may not have markers, are not. Many Indian burial grounds and potential archeological sites are underground and may not already be formally identified. Can the regs REQUIRE an independent archeological survey prior to development layout to identify such areas? If not, how will they be identified? We ran into this problem during the Vista Development in Whites Creek - there were known archeologic features (dry stack stone wall, old mill, significant specimen trees, cedar glades and a reported slave cemetery - we had video of all of these features except the slave cemetery which was told to us by locals), but the developer would not agree to a survey and Councilman Hunt would not insist on it despite publicly saying at the planning commission that he would.
6. "Designated historic and specimen trees, as required by Section 17.40.450 of the Metro Zoning Code." If you read this section of the Metro Code it says that these trees can not be designated except upon "...consent of the property owner". So , the "requirement" in the regs is not actually "required" in the Code, so this needs to be cleared up. Can these potential historic and specimen trees be identified by a required survey at the same time as the required tree survey mentioned on pg 10 for the canopy trees is undertaken?

4-2.2 Preservation of Conservation Land

1. It seems to lack organization and clear definition to mention secondary conservation areas before they are defined and then to define them using "examples". By using just examples, are you saying there are others listed somewhere else? It seems to me if they are not specifically mentioned in the regs, they won't have relevance.
2. "Secondary Conservation Areas are encouraged to be preserved...." How are they encouraged? What would encourage a developer to conserve these secondary areas? Without requirement or incentive, I don't see why a developer would care.
3. It continues to concern me that the land features that most define rural are listed as secondary conservation areas - "native forests, prime farmlands, wildlife habitats and significant historical and cultural sites".

Section 4-2.3.b

I don't understand the grading/slopes and what this exception means - if you could please explain this at the meeting. Does this mean that Kid Rock's driveway which is very steep would not have been allowed to be built the way it was? Would it have required a switchback to meet the requirement? Does this have any impact on whether or not you can build on the top of a hill? or just on the slope of the hill?

Section 4-2.4.1.a Open Alternative

1. Regarding the "surrounding parcels" definition, it needs to specify that the comparison is to be made to the T2 rural parcels on either side, or the closest nearby. We may have some areas in the designated Whites Creek rural area which are made T3 suburban and these should not ever be used as a standard for a surrounding parcel, even if it is right next door.

Also, there are areas where T3 suburban ends and T2 rural begins - again, it needs to specify that the comparison can only be to a T2 rural lot.

2. **Can we please be provided visual design layouts of the Open Alternative, the Screened Alternative and the Agricultural Character Option on the same piece of land - how each would change the look of the land, so we could understand the differences visually.**
3. "However, in no instance shall the minimum building setback be greater than 1,000 feet". This is very confusing. Is the minimum or the maximum? Why don't you just say, "the minimum building setback is 1000 ft" ?
4. The description of the building setback along existing streets is very confusing. **Will you give us a drawing that conveys what this might look like?** It seems to me that if you have 10 homes all facing the street (since you have no required irregular lot regulation), will it really convey rural character just to have them staggered? Or, will you just have staggered suburban homes?
5. Lot frontage abutting existing public streets - very confusing - **please provide a drawing of what this means.**
6. Is there any reason that street lighting was mentioned in the screened alternative section but not the open alternative or the agriculture option sections?
7. "Use of Lot Screening Areas". You seem to be limiting agriculture use to the Screened lot alternative or the Agriculture option alternative. Why not allow in the open alternative? Agriculture is a beautiful thing in a rural area. People want to see food growing, fruit trees, chickens running around, tilled rows, bailed hay, goats, cattle, etc. Why do you feel a need to hide it? Agriculture should not be restricted anywhere in rural areas. In fact it should be the one usage that takes precedence over all others - we are trying to restrict building, not agriculture. A government regulation should never interfere with the growing of food for people. Why hide a garden or a farm in a rural area and not a house? Its the houses we want to hide, not the agriculture. At the end of this paragraph, it says, "if permitted by base zoning". Are you saying that agriculture will not be allowed on land zoned R or RS? That is absolutely unacceptable. If a person in a rural area wants to grow on their land, they should be allowed to grow no matter the zoning. The government can't tell people they can't grow food on their land - that is ridiculous. How are you defining "agriculture" - a family garden? A large garden? A community garden? A commercial business?

Agriculture Character Option -

1. "This option may be used.....when the primary function of the subdivision is for agriculture use....." When would the primary function of a subdivision ever be for agriculture? I don't understand what would ever drive a developer to use this option? Can you give me some examples? You seem to be limiting agriculture use to a category that a developer would never use anyway.....
2. Your wording about minimum building setbacks is confusing....the minimum is 200ft but then you say the minimum can't be greater than 1000 feet. This is a maximum I believe and if so, why can't it be greater than 1000ft. Why are you regulating the maximum building setback? If you could just make the language understandable to the average person so the regulations are public-friendly. (By the way, I was sitting at a table of 4 educated people and none of us could understand the minimum setback language in the regs.)
3. Pg 9, 2b. - "Use of Conservation Areas. Within the designated Conservation Land, areas identified as prime farmland soils and land already in agric. use may be used for agricultural purposes, if permitted by base zoning." What does this mean? First, there would be no

opportunity to identify land as prime farmland soil in the Conservation Land because that is not a primary conservation land category, unfortunately. And what categories of base zoning permit agriculture use? Are you just referring to Ar2A or AG? And again, are you saying that agricultural activity is only allowed in the agriculture character option? I would like to again emphasize that government regs should never disallow agriculture activity on private land - whatever the zoning. People should never have their right to feed themselves taken away.

4. Pg. 11, 5. Preservation of Tree Canopy. The list you refer to is called the Urban Forestry... not the Urban Forester's.....this is important because there may not always be an Urban Forester which may nullify the list in that person's absence. I don't understand why in an urban scattered building footprint, the developer can't just build around the tree. I can understand if the homes are truly being clusters, but if they are not being clusters, the developer should have to just build around any tree on that list. The building footprint is supposed to be conforming to the landscape.
5. Street Design. It should be emphasized that all street lighting, everywhere in T2 rural, needs to be minimized, pointing down towards ground with coverings to block upward reflection - black sky friendly.
6. Drainage and Storm Sewer. - Holding ponds should be prohibited. If you are putting so many houses on the land that you need a holding pond, then you have allowed to many houses on the land and blocked natural drainage, percolation, to an unhealthy environmental degree.
7. I assume there is nothing in these regs that prohibits septic fields where one does not have sewer access? That would certainly interfere with rural character.

Thank you for your time in creating this draft of the rural subdivision regulations. I am happy to have further discussions with anyone regarding them.

Alicia Batson
4712 Lickton Pike
Whites Creek, TN 37189
615-788-3557
crackerlake1@gmail.com

Items 2a/b, Bordeaux-Whites Creek Comm Plan Amendment/The Mansion at Fontanel (Amendment)

From: delaney@comcast.net [mailto:delaney@comcast.net]

Sent: Wednesday, April 13, 2016 10:39 AM

To: Planning Commissioners

Subject: RE: Fontanel

I live at 3840 Knight Drive and totally against a park at the end of Knight Drive and Whites Creek Pike. The traffic is already bad in the morning and evening rush hour with the commute from Springfield and Joelton. My vote is for 5 houses in the area 8 under the T2. I plan to be at the meeting to voice my concerns.

Thank you

Nancy Rice

3840 Knight Road

Whites Creek, TN 37189

615/750-3540

From: Lainie Marsh [mailto:lainiemarsh@gmail.com]

Sent: Tuesday, April 12, 2016 4:27 PM

To: Planning Commissioners; Mendes, Bob (Council Member); Logan, Carrie (Planning); Swaggart, Jason (Planning); Withers, Kathryn (Planning); Sloan, Doug (Planning); McCaig, Anita D. (Planning); Haywood, Brenda (Council Member); Shulman, Jim (Council Member); Gilmore, Erica (Council Member); Cooper, John (Council Member); Hurt, Sharon (Council Member)

Subject: Re: April 28, 2016 Commission Meeting--Comments/Request

Re: April 28, 2016 Planning Commission Meeting---Comments and Requests

Dear Mr. Sloan, Commissioners, Department Staff, and Councilwoman Haywood:

As regards the above referenced expansion plans for the Whites Creek area, I am writing to express several concerns.

As I understand it, Marc Oswald is requesting rights to build and operate a high-volume hotel at the end of Knight Drive, adjacent to the current Fontanel properties. As a resident of Knight Drive, I am gravely concerned about the additional traffic, congestion, and pollution that an ongoing influx of large numbers of tourists will bring. The current infrastructure in this area cannot support such volume, and therefore would require immediate overhauling, overhauling which would logically result in additional disruptions of order and lifestyle for the full-time residents of the area with no benefit to those residents whatsoever.

I was formerly under the impression that Mr. Oswald's development plans involved a smaller facility in a secluded location, well off the main road of Whites Creek Pike. I was ok with that plan. However, the location of the facility as currently proposed is flush with the corner of Knight Drive and Whites Creek Pike, hardly a secluded location. Moreover, the architectural design plans for the hotel expansion no longer look like a mountain chalet nestled in the woods, but like a Disney World theme park with a cowboy motif, constructed on slabs of concrete poured over the pasture that presently exists on that corner. 'Faux' and 'mock' are adjectives that do not describe the kind of real growth the Whites Creek community needs and is capable of achieving if given a chance. I believe such a chance can be provided through the *Nashville Next* initiatives for Area 8.

I have recently learned about Area 7 (300+ acres across from Fontanel) and that the developers there are looking for T3 Suburban policy, along with an SP for commercial along WCP. Again, this plan is reckless and would prohibit more sustainable development in the future. The *Nashville Next* initiatives need to be given a chance to take hold in this area.

I understand that the development of Whites Creek is inevitable. The question is *how* it will be developed. What will the character of the development be? The fact is there are many options that might be pursued and residents of Whites Creek need more time to come together in solidarity and forge a sustainable development plan, one that would include greater incorporation of farm-to-table dining venues and farmers' markets, as well as the adoption of clean energy enterprises that would allow for the natural growth of a green community that all of Tennessee could be proud of. Such communities are springing up all over the country. Tennessee should join this progression, not constrict itself to the backward notion that cultivation of the tourist industry is the only pathway to survival. Tourists come and go; the true backbone of a community are true residents who do not. As for Fontanel, I see no reason why it cannot be a part of a sustainable solution for the Whites Creek area. Mr. Oswald can make more than money; he can make history and should be encouraged to do so.

Sincerely,

Lainie Marsh

3891 Knight Drive

Whites Creek, TN 37189

9615) 473-9808

From: gladiesherron@yahoo.com [mailto:gladiesherron@yahoo.com]

Sent: Tuesday, April 12, 2016 10:44 AM

To: McCaig, Anita D. (Planning); Planning Commissioners; Sloan, Doug (Planning); Withers, Kathryn (Planning); Swaggart, Jason (Planning); Logan, Carrie (Planning)

Cc: Haywood, Brenda (Council Member); Shulman, Jim (Council Member); Hurt, Sharon (Council Member); Mendes, Bob (Council Member); Cooper, John (Council Member); Gilmore, Erica (Council Member)

Subject: Re: April 28, 2016 Commission Meeting--Comments/Request

Anita,

Thank you.

--Gladies

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: McCaig, Anita D. (Planning)

Sent: Tuesday, April 12, 2016 10:09 AM

To: 'Gladies Herron'; Planning Commissioners; Sloan, Doug (Planning); Withers, Kathryn (Planning); Swaggart, Jason (Planning); Logan, Carrie (Planning)

Cc: Haywood, Brenda (Council Member); Shulman, Jim (Council Member); Hurt, Sharon (Council Member); Mendes, Bob (Council Member); Cooper, John (Council Member); Gilmore, Erica (Council Member)

Subject: RE: April 28, 2016 Commission Meeting--Comments/Request

Hi Gladies –

Thank you for taking the time to share your thoughts with us. We will add this email to the respective case files.

Best,

Anita

Anita McCaig

Community Plans

Metro Nashville/Davidson County Planning Department

From: Gladies Herron [<mailto:gladiesherron@yahoo.com>]

Sent: Monday, April 11, 2016 4:00 PM

To: Planning Commissioners; Sloan, Doug (Planning); McCaig, Anita D. (Planning); Withers, Kathryn (Planning); Swaggart, Jason (Planning); Logan, Carrie (Planning)

Cc: Haywood, Brenda (Council Member); Shulman, Jim (Council Member); Hurt, Sharon (Council Member); Mendes, Bob (Council Member); Cooper, John (Council Member); Gilmore, Erica (Council Member)

Subject: April 28, 2016 Commission Meeting--Comments/Request

Dear Planning Commission and Department Staff:

RE: April 28, 2016 Planning Commission Meeting--Comments & Request

On April 28, 2016, the agenda for your meeting will involve issues critical to the preservation of the green open space plan for the Historical District of Whites Creek and implementation of the 2015 Nashville Next Plan.

Please accept my comments and recommendations as a residential property owner within 1000 feet of both Areas 8 and Area 7 located in the Historical District. Both areas have a T2 rural land use policy important in preserving the rural character of Whites Creek. Please see page 145, Nashville Next Plan.

Nashville Next Community Character Manual, p. 145, Adopted June 22, 2015, Excerpt

Rural Maintenance Policy recognizes existing housing and development patterns that are at odds with the desired T2 Rural character. Although there may be areas with sewer service or that are zoned or developed for higher densities than is generally appropriate for rural areas, **the intent** is for sewer services or **higher-density zoning or development not to be expanded**. Instead, new development in T2 Rural Maintenance areas should be through the use of a Conservation Subdivision at a **maximum gross density of 0.5 dwelling units/acre** with individual lots no smaller than the existing zoning and a significant amount of permanently preserved open space.

The Nashville Next Plan and the Whites Creek Detail Community Design Study call for maintaining the rural character of Metro Davidson County Nashville's last remaining rural, open green space Historical District. Therefore, my recommendations and requests are that you

- (1) **approve** the sound 2016 Rural Regulations developed by the Department staff with remarkable consideration and deliberation having been given to Whites Creek property owners that do not take away any property rights of any land owner regardless of whether sewer has been laid by the city or not;
- (2) **disapprove** the 2016 applicant's request to expand a commercial SP onto Area 8; and
- (3) **defer** the 2016 applicant's request for Area 7 until after the Nashville Next Plan for Whites Creek has been adopted that includes both the Rural Regulations and its existing T2 land use policy. In addition to the Nashville Next CC Manual, the basis for my request is stated below.

First, to allow the 2016 requests by the applicants for Area 8 and Area 7 would **CIRCUMVENT** the whole Nashville Next process and be unfair to Whites Creek residents who have labored for the past 3 years to be a part of and engage in the process as was outlined by the Planning Department. As great efforts are made to preserve the character of Music Row, **the same is needed for the** character of Whites Creek.

Secondly, the request by the applicant of Area 8 to allow Fontanel to expand its 2013 commercial, Special Plan by building a 300-person convention center and 140 lodging units on the frontage of Area 8 and Whites Creek Pike in the Historical District would bring in more OUTSIDE traffic into this small neighborhood on a daily basis for the fragile 1-lane, outbound no passing roadway of Whites Creek Pike. This would be **more INTRUSION upon the lives, health, and safety of residents within 1000 feet of** Fontanel **with only one street connectivity** (Whites Creek pike) for accessing their homes in various subdivisions off Whites Creek Pike.

In 2013, the residents within 1000 feet of Fontanel, **acting as "good neighbors"** had no opposition to giving Fontanel a chance in 2013 to operate a concert Amphitheater with 140 lodging units proposed for the REAR of its property in the hollow. Fontanel's 2013 SP **called for monitoring and controlling** Noise Levels to less than 96 decibels from the stage location and for controlling the Traffic with up to 4500 concert goers on the community's 1-lane inbound, outbound roadways of Whites Creek Pike and Old

Hickory Blvd. **Fast forward to 2016** and what has been the experience for residents of the neighborhoods within 1000 feet of Fontanel? **Metro Nashville's actions FOR the PAST 3 YEARS** towards the residential neighbors within 1000 FEET of Fontanel have **been INCONSISTENT** with Nashville's concept of ENVIRONMENTAL JUSTICE & EQUITY IN SERVICES:

1. As of April, 2016, NO METRO DEPARTMENT has even been appointed to monitor the noise and traffic controls stated in the 2013 SP. This is unlike the action that Metro Parks has done to monitor the noise level for the downtown Ascend Amphitheater for residents living downtown and across the way in East Nashville. Because there is NO metro Department monitoring the Fontanel's concerts, **things are so out of control** that in October 2015, Fontanel had one concert not only to exceed the 96 decibels but added **fireworks that awakened many residents after 10 pm.**
2. Metro Nashville also has not adopted any EMERGENCY RESPONDERS PLAN for the Fire Department, EMTs and Police Department to be able to timely access the residents living off Whites Creek Pike and Old Hickory Blvd **in case of an emergency** when FONTANEL'S may have up to 4500 concert goers in bound on Whites Creek Pike's 1-lane, NO PASSING roadway. When concerts are held the Built Infrastructure present a safety risk .

Finally, under the 2016 Rules Regulations drafted by the Planning Department, Area 8 with only nine (9) acres developable would be allowed about 5 lots in a subdivision. **Five lots for Area 8 with less** traffic, noise and pollution on the frontage on Whites Creek Pike **would be much more consistent** with the Nashville Next Plan and the Community Character Manual for T2 property than what a 300-person convention center and a 140 lodging units of a Fontanel for this small neighborhood with very limited roadway infrastructure.

Please apply the 2015 Nashville Next Plan Community Character Manual requirements for Whites Creek and preserve the open green space character by disallowing more **Outside** traffic, noise, and pollution into the Historical District of Whites Creek. The **health, livability and safety** of residents living within 1000 feet of the Historical District **depend on your implementation** of the Nashville Next Plan.

Your consideration of my comments would be greatly appreciated.

Sincerely,
Gladies Herron
605-609 Cherry Grove Pt
Whites Creek

From: Sarah Bellos [mailto:s.bellos@gmail.com]

Sent: Wednesday, April 20, 2016 11:28 AM

To: McCaig, Anita D. (Planning); Sloan, Doug (Planning); Planning Commissioners

Cc: Haywood, Brenda (Council Member); Angela Williams; Zachary Dier; David Kerns

Subject: Fontanel Expansion - please deny SP request

Director Sloan, Councilmember Haywood, Commissioners and Planning Staff,

Good afternoon! My name is Sarah Bellos and I live in Whites Creek across the ridge from Fontanel.

I am writing today to ask that you disapprove the Fontanel's 6th request for SP Expansion. It's specifically about sustainability for me. Fontanel has a history of saying they are "Green". They are not. In fact, Fontanel has falsely told the community that this hotel would be similar to "Blackberry Farms, or whatever..." I'd like to point out that these claims are yet another example of how Fontanel insults the intelligence of its neighbors.

Sustainability History:

During the 2013 SP request for the Rural Retreat, Fontanel was allowed to build on environmental features that they never should have been allowed to, "Because the retreat would not be seen from Whites Creek Pike". Building onto a steep slope and cutting down that many trees would/has had an environmental impact. Perhaps we won't see it for years. But, it will happen. If you walk their hiking trails several days after rain it is clear the ecosystem has not figured out a place to put the water yet. Perhaps it will flood their proposed new hotel.

Financially, The Fontanel has never been a sustainable business. In their best year, they admittedly lost \$800k. They do not utilize local produce and/or meats, which are readily available in the fields of North Nashville. They have outsourced a couple of their businesses to outside companies, showing that they've built a business they don't know how to run. Sure they've left 75% of their land development free, but that was an SP mandate, not something they chose to do. As we know, much of that land is floodplain or steep slopes that would have not been developable anyway.

Sustainability Future:

If they are allowed to build a 140 room hotel and a 300 person convention center right next to a massive floodplain, then that is not only not a sustainable use of the land, it's downright dangerous for that property and all of its neighbors. The current floodplain doesn't even consider future area development or future climate change scenarios. In 20-30 years, that floodplain could extend into the entire property border.

In every plan we've seen (which have both been very different), there is no mention of a garden space or areas for livestock, so the Blackberry Farms concept is a complete fabrication, meant to trick people into thinking they could actually pull it off. Based on their history of over promising and under delivering, I don't believe for one second, that they can. Their plan for 140 rooms and 300 person convention center is NOTHING like the 50-60 rooms spread out over hundreds of acres IN THE COUNTRY. And that scale of development is not sustainable within the confines of the (3) 2-lane highways that customers would have to enter/exit the hotel. This proposed hotel is just way too big and Fontanel has not shown they can execute successfully on either making money or respecting the community. Once they pave the Jarrett's property there is no turning back. The homeowners across the field on Knight Drive have already said they will move if the hotel goes up, meaning this hotel will drive away the very residents we want to keep in OUR community.

Lastly, it's not a sustainable idea for OUR community! Building this hotel right off Whites Creek Pike would completely suffocate existing community members, in favor of tourists. That means Fontanel would be spending more money drawing outsiders in, versus drawing insiders out. In marketing that's called Acquisition (EXPENSIVE) vs. Retention (Less \$).

We view NashvilleNext as the sustainable plan we need. It's a little ironic that the community with the most per capita participation (almost 2x the participation of the second place area) in NashvilleNext STILL has not had the plan fully adopted, one year later. If this is approved it will be the nail in the coffin that stops local participation and belief in community-centered politics and planning for good. That wasn't the intent of Nashville Next and I hope it doesn't come to that. Please help stop the madness and disapprove this SP expansion and keep Whites Creek local!

Thank you for your time and service!

Best,
Sarah Bellos

3456 Knight Dr

Whites Creek, TN 37189

--

Sarah Bellos
Stony Creek Colors

(615) 306-3154

sarah@stonycreekcolors.com

In Forbes: [Women And Nature: A Powerful Combination For The Planet And Business Growth](#)

[Vote Daily](#) to help send us to the Tory Burch Foundation's Women Entrepreneurs Fellowship!



From: Phillips, James H [mailto:James.Phillips@mnps.org]

Sent: Wednesday, April 13, 2016 4:04 PM

To: Planning Commissioners

Subject: Preference

I am a Whites Creek resident and would like for the commission to know that I would not like the Fontanel plan to be implemented in our neighborhood. We are already having issues with the noise level from concerts and the traffic getting to and from my home. Please consider the thoughts and wishes of the Whites Creek residents who oppose the Fontanel plan. Thank you

From: pat@nativehistoryassociation.org pat@nativehistoryassociation.org

[mailto:pat@nativehistoryassociation.org]

Sent: Wednesday, April 13, 2016 3:30 PM

To: Planning Commissioners

Subject: Proposed Whites Creek Rezoning

Dear Metro Planning Commission,

My name is Patrick Cummins, and I am a current Commissioner on the Metro Nashville Historical Commission. I have been personally involved and working with a number of Whites Creek residents to raise educational awareness and highlight the enormous historical importance

of the Whites Creek Rural Historic District for almost two years now. The area is extremely rich in historical and pre-historic cultural history that dates back some 220 years in regard to the first non native settlement of the district, and approximately 12,000 years regarding the first Native American use of the area.

There are no less than 5 recorded pre-historic Native American archaeological sites in the immediate vicinity of the Fontanel, including one at the proposed location of their hotel expansion. (Metro Planning and Zoning has this on file) It would be a travesty to allow this site to be destroyed considering its potential to divulge a vast amount of potential archaeological data for the benefit of the public in general. It well may also be eligible for listing on the National Register of Historic Places (NRHP). Therefore I am requesting that you please reconsider any thoughts you all may have on approving the requested zoning changes for this uniquely historic and irreplaceable piece of property.

In addition to our efforts to honor and preserve the aforementioned history of the Whites Creek Rural Historic District, there is a consorted effort by a number of local residents working with members of the Native American community of the area to place a commemorative state historical marker and Interpretive signage at a location yet to be determined along Whites Creek Pike in honor of the 11,000 Cherokee people who passed through, and camped at Whites Creek on the National Park Service sanctioned Trail of Tears National Historic Trail in the Fall and Winter of 1838.

In my personal opinion as a resident of Davidson County, a Metro Historical Commissioner, and most importantly in the opinions of the residents of Whites Creek, they do not need or want these developments in the midst of our counties ONLY Rural Historic District. It's time that the tax paying citizens of this county and our government officials stop allowing the wealthy elite (Fontanel & the residential developers) to ruin and forever alter the landscape of our rural areas in the name of simply making a profit at the expense of our community. The Fontanel has plenty of land already well within their existing boundaries to build an addition as large as they would like, It just should not be at the expense of the existing green space and culturally significant land that makes this beautiful area so special.

Thank you for your time and consideration,

Sincerely,

Patrick Cummins

110 Beech Forge Drive

Antioch, TN 37013

(615)-926-2406

From: JOHN HAMILTON [mailto:jacksin@bellsouth.net]
Sent: Thursday, April 21, 2016 1:02 PM
To: Doug.stone@nashville.gov
Cc: Planning Commissioners
Subject: Whites Creek area/ Fontanel

Planning Commissioners, Hi, my name is John Hamilton. I live at 4593 Dry Fork Rd. Whites Creek 37189. I am writing you to ask that you keep Whites Creek rural. I believe that was the recommendation of the NashvilleNext group. I want to add that allowing the folks at Fontanel to expand their successful bed and breakfast model would be beneficial in keeping the rural feel of this area.

I bought my 42 acres in 1994 here on Dry Fork. I used to live in Donelson but always felt drawn to this beautiful area of Davidson County. As a child in the 1960s I would travel with my parents to visit my cousins in Antioch. 41 A was the only route as I-24 wasn't open until the 1970s. My favorite part of the trip was coasting down Germantown Hill into this beautiful valley. I later found out from research that I have ancestors who owned a lot of land and slaves here in Whites Creek (not proude of the slave part). I just believe that I am tied to this land. I also believe that allowing a lot of residential would absolutely ruin the charachter of this place I love. To sum up: I am in favor of allowing Fontanel to expand their Bed and Breakfast plans but I am dead against allowing more residential development. Please take into account all of the work and hours the group put in from NashvilleNext.

Thank-

you,

John G. Hamilton

From: Sara Otterstrom [mailto:saraotter@comcast.net]
Sent: Monday, February 22, 2016 4:19 PM
To: Pulley, Russ (Council Member); Planning Commissioners
Subject: 1142 Duncanwood 37204 Case#2016Z-021PR-001

Mr. Pulley and members of the Metro Planning Commission- This email is regarding the application for rezoning 1142 Duncanwood Drive from RS20 to create a single family/duplex on the property that is .48 acre in size (according to the MLS listing).

This is an amazing community of residents on Duncanwood and Brookmeade Drives in the heart of Green Hills. In 2003, our neighbors had the foresight to rezone from R20 to RS20. We didn't want duplexes and double houses to happen then, and we don't want them to be built now. Please put the breaks on overbuilding in Green Hills and deny this permit for rezoning.

Thank you for your time.

Sara Otterstrom

1131 Duncanwood Drive
Nashville, TN 37204

From: FT [mailto:diamond3star@yahoo.com]
Sent: Sunday, April 17, 2016 7:41 PM
To: Planning Commissioners
Cc: Gladies Herron; David Herron
Subject: Area 8 Whites Creek

RE: Planning Commissioners for the
April 28, 2016 Meeting on Fontanel's
request to build on land (Area
8) **DIRECTLY ACROSS** from Whites Creek Manor.

I do not agree to build a convention
center and 140 lodging units across
from Whites Creek Manor.

I live in the Whites Creek Manor Subdivision. Traffic
is already heavy during rush hour, concerts at
Fontanel property and traffic being rerouted from the
other heavy traveled roads.

More business in the historical areas turns the
location into commercial. I moved to a residential
area. If the plans were to turn the location to a

commercial zone, it would have been best to post it on property years ago for the future of the area. This would have kept the majority of the property owners from purchasing their homes in the Whites Creek area.

Please do not allow a convention center and 140 lodging unit across from my home or near my home.

Let's keep the area residential.

Felicia Thompkins

Whites Creek Manor Homeowner

From: Lainie Marsh [mailto:lainiemarsh@gmail.com]
Sent: Monday, April 11, 2016 5:13 PM
To: doug.sloan@metro.gov; Planning Commissioners
Cc: councilwomanhaywood@gmail.com
Subject: Fontanel Expansion: Area 8; Area 7 Properties

Dear Mr. Sloan, Commissioners, and Councilwoman Haywood:

As regards the above referenced expansion plans for the Whites Creek area, I am writing to express several concerns.

As I understand it, Marc Oswald is requesting rights to build and operate a high-volume hotel at the end of Knight Drive, adjacent to the current Fontanel properties. As a resident of Knight Drive, I am gravely concerned about the additional traffic, congestion, and pollution that an ongoing influx of large numbers

of tourists will bring. The current infrastructure in this area cannot support such volume, and therefore would require immediate overhauling, overhauling which would logically result in additional disruptions of order and lifestyle for the full-time residents of the area with no benefit to those residents whatsoever.

I was formerly under the impression that Mr. Oswald's development plans involved a smaller facility in a secluded location, well off the main road of Whites Creek Pike. I was ok with that plan. However, the location of the facility as currently proposed is flush with the corner of Knight Drive and Whites Creek Pike, hardly a secluded location. Moreover, the architectural design plans for the hotel expansion no longer look like a mountain chalet nestled in the woods, but like a Disney World theme park with a cowboymotif, constructed on slabs of concrete poured over the pasture that presently exists on that corner. 'Faux' and 'mock' are adjectives that do not describe the kind of real growth the Whites Creek community needs and is capable of achieving if given a chance. I believe such a chance can be provided through the *Nashville Next* initiatives for Area 8.

I have recently learned about Area 7 (300+ acres across from Fontanel) and that the developers there are looking for T3 Suburban policy, along with an SP for commercial along WCP. Again, this plan is reckless and would prohibit more sustainable development in the future. The *Nashville Next* initiatives need to be given a chance to take hold in this area.

I understand that the development of Whites Creek is inevitable. The question is *how* it will be developed. What will the character of the development be? The fact is there are many options that might be pursued and residents of Whites Creek need more time to come together in solidarity and forge a sustainable development plan, one that would include greater incorporation of farm-to-table dining venues and farmers' markets, as well as the adoption of clean energy enterprises that would allow for the natural growth of a green community that all of Tennessee could be proud of. Such communities are springing up all over the country. Tennessee should join this progression, not constrict itself to the backward notion that cultivation of the tourist industry is the only pathway to survival. Tourists come and go; the true backbone of a community are true residents who do not. As for Fontanel, I see no reason why it cannot be a part of a sustainable solution for the Whites Creek area. Mr. Oswald can make more than money; he can make history, and should be encouraged to do so.

Lainie Marsh

3891 Knight Drive

Whites Creek, Tennessee 37189

9615) 473-9808

From: Justin Lane [mailto:justin@justinlane.us]

Sent: Tuesday, April 19, 2016 4:00 PM

To: Planning Commissioners

Subject: Whites Creek Area 8

Planning Commission members,

My name is Justin Lane and I live at 3956 Knight Drive in Whites Creek, TN. My 25-acre parcel sits adjacent to the 25-acre parcel titled "Area 8", which is the area you will consider for adopting Fontanel's existing zoning at the April 28 meeting.

Since this parcel borders my property, this decision affects my family's quality-of-life more than most of the Whites Creek residents offering their opinion. I ask that you take that into consideration when considering any feedback you receive from other Whites Creek residents.

I am in favor of the commission members allowing Fontanel to operate on this property under their current zoning—should they decide to purchase this parcel. In my opinion, their ownership will preserve the rural aspect of our community by increasing the size of an existing large tract of land. Their current building footprint is minimal compared to the amount of property they occupy. In fact, they have proven that they care more about preserving the defined conservation areas compared to the residential developments in the Whites Creek community. Fontanel is a tremendous neighbor and one that is deeply invested in sustaining the rural character of our community.

Four years ago, my wife and I decided to trade our Germantown condo for a farm in Whites Creek. Although we both work downtown, we sought a scenic area in Davidson County to raise our family and enjoy a rural lifestyle (farming and hunting). Respectfully, if we wanted to live in a residential area with smaller parcels and a lot of neighbors, we would have moved to Sylvan Park.

Our property allows our family an experience that we cannot find anywhere else in Nashville and I strongly believe that Fontanel is a strong proponent of preserving our rural lifestyle.

Sincerely,

Justin Lane

3956 Knight Drive

Whites Creek, TN 37189

From: Jason McCarrick [mailto:jrmccarrick@comcast.net]

Sent: Wednesday, April 13, 2016 10:53 AM

To: Hurt, Sharon (Council Member); Haywood, Brenda (Council Member); Sloan, Doug (Planning);
Planning Commissioners

Subject: Regarding Fontanel Expansion - Whites Creek

Director Sloan, Planning Commissioners and Metro Councilmembers,

Please find attached a letter regarding the proposed Fontanel expansion of "AREA 7" in Whites Creek.

Thank you for taking the time to read my letter and hopefully we can continue a discussion in the coming weeks.

All the best,

Jason McCarrick

(letter follows)

Regarding - Fontanel Expansion - Soul of Whites Creek

Director Sloan, Councilmembers, Commissioners and Planning Staff,

Good afternoon! My name is Jason McCarrick and I live in Whites Creek.

I am writing today to ask that you defer this Fontanel SP Expansion until after NashvilleNext is finalized. I'd specifically like to address how important this ruling is to our community. I'm not being overly dramatic when I say this is a fight for the soul of Whites Creek. If this SP is extended, it will turn our quaint little rural corner of the world into a tourist trap. I mean trap literally. The amount of traffic a 140 room, 300 person convention center would impose on our 2-lane roads, would be gridlock. Not to mention all of the new development we know is coming into our area. Nobody can predict how much we'll grow in the next 10-15 years, mainly because we won't have final NashvilleNext policies for Whites Creek until May 26th. I know you have commissions and planning that discusses schools, roadways, parks and other infrastructure but I worry this is moving very fast for something that is not really needed.

The Fontanel has told people of the community that they have been operating in the red and this new hotel and convention center will help them and the community. If it is true, that they have money problems, it seems something they need to discuss internally and not throw more money at a new endeavor. Recently they opened the Bistro, which has now closed after only a couple of months. Before the Bistro it was a Studio space where they had music events. They spent a lot of money refitting that building with a kitchen, new stonework, etc. They have also redone the inside of the Fontanel 2 times in the past 4 years. They also have the Fontanel Inn which is VERY overpriced for the location that it is in, I'm very curious on how many nights those rooms have been booked since opening. Reviews on travel sites can be made up so I don't rely on them. If this new large hotel fails we are stuck at staring at a building that is not being used and eventually falling apart.

After 2 years of fighting and working towards a goal of "Less Dense" development, we've never had a chance to catch our breath and really discuss what WE want our community to become. Why let a business make that decision for us and jump the gun on the NashvilleNext process?

Many of the neighbors I've talked to fall into 2 categories:

1. Folks who want to create a community of local people buying locally sourced food in a smaller locally owned store in their own city park.
2. Folks who think it's either going to be this hotel or a large subdivision.

When reviewing the NashvilleNext plan, I see a clear plan towards preserving Whites Creek's environment and rural character. When I look at the possibilities of "Area 8's" NashvilleNext policy being T2 Rural Maintenance, I feel like the choice would really be between a large hotel, a large park with small businesses or 7-8 houses. I'd take either of the last 2, compared to a tourist spot I'll never use.

Please consider deferring this SP expansion and keep Whites Creek local!

Thank you for your time and service!

Jason McCarrick - 7084 Old Hickory Blvd, Whites Creek, TN

Item 16 – 903/905 Curdwood SP

Please also forward my response to the commissioners.

—

Nancy VanReece | Metro Nashville Councilmember ,District 8

615-576-0488 | www.nvr4district8.com | www.fb.com/nvr4district8

- Chair, Convention, Tourism and Public Entertainment Facilities Committee
- Vice Chair, Health, Hospitals & Social Services Committee
- Parks, Library & Recreation, Committee Member
- Metro Action Commission, Board Member
- Metro Nashville Diversity Advisory Committee

From: Swaggart, Jason (Planning)
Sent: Monday, April 11, 2016 8:14 AM
To: 'Annie Neal'; VanReece, Nancy (Council Member)
Cc: Owensby, Craig (Planning)
Subject: RE: 903 Curdwood Blvd. development

Hi Annie,

Thanks for taking the time to send your concerns regarding the proposed project on Curdwood. Your email will be forwarded to the Planning Commissioners. Please let me know if you have any questions regarding the project.

Jason Todd Swaggart

Planner

Metropolitan Nashville Davidson County Planning Department

800 2nd Ave. S., PO Box 196300

Nashville, TN 37219-6300

Ph. (615) 862-7217

From: Annie Neal [<mailto:annieneal7@gmail.com>]

Sent: Sunday, April 10, 2016 2:01 PM

To: Swaggart, Jason (Planning); VanReece, Nancy (Council Member)

Subject: 903 Curdwood Blvd. development

To Whom it May Concern:

I am the owner of [907 Curdwood Blvd.](#) I have reviewed the plans for the potential development next to my property and find it inappropriate. I have spoken to several neighbors and they are all in agreement with my opposition.

First, the 2 lots are not large enough to build 9 units. There will not be enough space for run off rain water. The plan is only meant to capitalize on profits, however, 9 units are not appropriate or fitting with a quiet family and child oriented dead end street. The lots do not even total 1.5 acres ... For 9 houses????

Secondly, the traffic increase on a dead end street is inappropriate. 9 lots could add at least 18 cars coming in and out of this small area at the end of the street next to a railroad track. It is outrageous.

Finally, it is not consistent with the aesthetic of the neighborhood. Maplewood consists of ranches and bungalows from the 30s-50s. These 9 units do not respect the integrity of the neighborhood. We are not opposed to new development at all but 9 UNITS is completely inappropriate given the surrounding housing and for such a small piece of land.

Please consider our argument. I have verified that all our neighbors are in agreement.

Sincerely,

Annie Neal

From: Molly Maguire-Franklin [<mailto:mollymaguire.franklin@gmail.com>]

Sent: Sunday, April 10, 2016 6:34 PM

To: Swaggart, Jason (Planning)

Subject: 903/905 rezoning

04-09-2016

To whom this may concern,

We are the owners of 906 Curdwood Blvd. and have been informed about this rezoning effort for 903/905 Curdwood Blvd. We like many other neighbors are opposed to it. We feel 9 homes on less than 1.5 acres is not good or suitable for our neighborhood.

It seems profit driven and it will potentially set a trend for other big developers to start tearing down the fabric of our neighborhood to make big money jamming houses on small pieces of property. Our zoning laws are there to protect our neighborhoods from this sort of effort and we hope they stay. We do not feel like rezoning will be a positive change to our neighborhood and do not respect the integrity of the neighborhood and the plans.

Nancy VanReece Councilwoman District 8 is strongly for this development. My question is where does she live and how would she feel if it was on her block, across or next to her home? We have children that play in our front yard and we feel safe from traffic on this dead end. That is why we bought out home. 9 single family units could bring 18 cars or more down our block and in front of our home. It is not appropriate for a dead end that already has an entrance to the CSX trains.

I do have many other concerns about the time it will take to complete this 9 home project, the garbage from 9 units and the noise /disturbance the development will bring in front of our home.

Again, My husband and I do not support re zoning 903/905 Curdwood Blvd.

Sincerely,

Molly Maguire-Franklin and William Franklin

906 Curdwood Blvd

Nashville, TN 37216

Item 17, 1142 Duncanwood Drive

From: Sara Otterstrom [mailto:saraotter@comcast.net]
Sent: Monday, February 22, 2016 4:19 PM
To: Pulley, Russ (Council Member); Planning Commissioners
Subject: 1142 Duncanwood 37204 Case#2016Z-021PR-001

Mr. Pulley and members of the Metro Planning Commission- This email is regarding the application for rezoning 1142 Duncanwood Drive from RS20 to create a single family/duplex on the property that is .48 acre in size (according to the MLS listing).

This is an amazing community of residents on Duncanwood and Brookmeade Drives in the heart of Green Hills. In 2003, our neighbors had the foresight to rezone from R20 to RS20. We didn't want duplexes and double houses to happen then, and we don't want them to be built now. Please put the breaks on overbuilding in Green Hills and deny this permit for rezoning.

Thank you for your time.

Sara Otterstrom
1131 Duncanwood Drive
Nashville, TN 37204

(Petition from Duncanwood Drive area residents follows)

Petition to:

**Mayor Megan Barry
Council member Russ Pulley
Metro Nashville Planning Commission
Metro Nashville Zoning Board**

WE, the undersigned, **voice our opposition** to the request for a **re-zoning change at 1142 Duncanwood Drive from RS20** (low-medium density residential, requiring a minimum 20,000 square foot lot and intended for single-family dwellings **to R20** (low-medium density residential, requiring a minimum 20,000 square foot lot and intended for single and **two-family** dwellings).

1. Owner Alex Fordham is requesting this re-zoning change to allow a re-zoning for a duplex on 0.500 acre (1/2 acre) in a neighborhood that worked very hard to get the downzone change to RS20 that allows **one single-family dwelling per 1/2 acre of land**.
2. This is an example of a request for **spot zoning** where comparable properties nearby are zoned differently. This is really bad for any neighborhood! A property owner could even request a spot zoning/re-zoning to commercial for his property in our RS20 residential neighborhood!
3. The existing property at 1142 Duncanwood Drive is currently being used as private housing for six or more Belmont University students that are unrelated to each other.
4. Re-zoning to R20 will allow a duplex on a half-acre of land
5. Re-zoning to R20 would allow the original house to be demolished and then **two** houses to be built on this half acre of land and "connected" by a breezeway or wall to be considered a duplex.
6. We do have some existing duplexes in our neighborhood that were "**grandfathered in**" when zoning was **downzoned to RS20 to limit to one single-family dwelling on 1/2 acre of land**. However, new duplexes are NOT allowed under the RS20 zoning.
7. A duplex "spot zoned" in the heart of our RS20 neighborhood is **inappropriate** and does **NOT** meet the restrictions of RS20 for **one single-family dwelling per 1/2 acre of land**.

WE respectfully ask you **to vote against the re-zoning request** being requested by Alex Fordham, owner of 1142 Duncanwood Drive, to be considered at the Metro Planning Commission, Metro Nashville Zoning Board, and the Metro Council.

Sincerely the undersigned:

NAME

ADDRESS

<u>Daisy Partin</u>	<u>1114 Brookmeade Drive</u>
<u>Harman S Partin</u>	<u>1114 Brookmeade Drive</u>
<u>Not Casey</u>	<u>1116 Brookmeade Drive</u>
<u>mary</u>	<u>1116 Brookmeade Drive</u>

Petition to:

Mayor Megan Barry

Council member Russ Pulley

Metro Nashville Planning Commission

Metro Nashville Zoning Board

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Sincerely the undersigned:

NAME

ADDRESS

Louise T. Parker

1119 Duncanwood Drive

ELAINE MANGRUM

1110 Brookmeade Drive

ELAINE MANGRUM

Elaine Mangrum

1110 Brookmeade Drive

Christy

1152 Duncanwood Dr.

Petition to:
Mayor Megan Barry
Council member Russ Pulley
Metro Nashville Planning Commission
Metro Nashville Zoning Board

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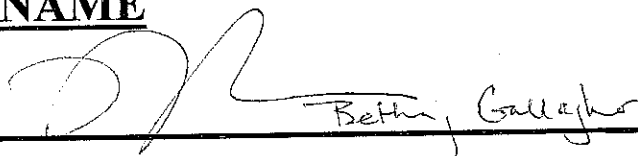
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Sincerely the undersigned:

NAME

ADDRESS

 Betty Gallagher	1100 Brookmeade Dr Nashville, TN 37204

Wm E	1124 Brookmeade Dr.
Jmesa K. delgard	1131 Brookmeade Dr
Robert D. Del	1131 Brookmeade Dr
Way A Clarke	1134 Brookmeade Dr
Don Longo	1133 Brookmeade Dr.
Cliff M	1136 Brookmeade Dr.
William R. Hammet	1143 Brookmeade Dr.
Jae G. Hamilton	1143 Brookmeade Dr.
Joanne Lagerson	1125 Brookmeade Dr.
Linda West	1108 Brookmeade Dr.
Booiee Dove	1106 Brookmeade Dr.
Mervell Waynick	1103 Brookmeade Dr.
Jay Wood	1104 Brookmeade Dr.
Betty William	1122 Brookmeade Dr.
Clifford A. Rowland	1132 Brookmeade Dr.
Levin Lippin	1142 BROOKMEADE DR.
Bernadette E Perry	1134 Duncanwood Dr.
C. Co	1131 Duncanwood Dr.

Alice Gustafson 1118 Brookmeade Dr

Mr. M.D. Andrew Marmo 1141 Duncanwood Dr.

Mr. Moreno Sophie Moreno 1141 Duncanwood Dr.

Miss Lott Allison Lott 1140 Duncanwood Dr.

Mr. Lott Kris Lott 1140 Duncanwood Dr.

Mr. Truvelore William C. Truvelore 1138 Duncanwood Dr.

Ms. Pilcher Pamela Pilcher 1132 Duncanwood Dr.

Bill Sandum 1133 Duncanwood Dr.

Debbie Sanders 1133 Duncanwood Dr.

Mr. K. K. 1128 Duncanwood Dr.

Mr. K. K. 1139 Brookmeade Dr.

Christine Hill 1139 Brookmeade Dr.

Kent D. Eshel 1138 Brookmeade Dr.

Betty Eshel 1138 Brookmeade Dr.

Robert E. Kendrick 1144 Brookmeade Drive

Austie Reese 1107 Brookmeade Drive

Henry Stephens 1101 Brookmeade Dr.

Miss White 1101 Brookmeade Dr.

Chas. Elmer 1102 Brookmeade Drive

~~D. E. ...~~ 1102 Brookmeade Drive

Lucas Bell 1135 Brookmeade Drive

Samuel E. Groat 1124 Duncanwood Drive

Margaret L. Prout 1124 Duncanwood Dr.

~~T. W. ...~~ 1130 Duncanwood Dr.

W. M. ... 1125 Duncanwood Dr.

W. M. ... 1122 Duncanwood Dr.

Patricia D. Largo 1133 Brookmeade Dr.

W. M. ... 1141 Brookmeade Dr.

Ch. Paul 1120 Duncanwood Dr.

E. ... 1120 Duncanwood Dr.

Andy Tomney 1111 Brookmeade

John D. ... 1139 Duncanwood Dr.

Marshall ... 1139 Duncanwood Dr.

May Ann Moore 1135 Duncanwood Drive

Elizabeth A. White 1126 Duncanwood Dr.

John L. White 1126 Duncanwood Dr.

Richard Graves 1127 Duncanwood Dr

Deane Kimbrough 1141 Brookmeade Dr.

Jo Lynn Mangrum 1110 Brookmeade Drive

Bill Fealy 1152 Duncanwood Dr. 37204

Sara Osterstrom 1131 Duncanwood Dr 37204

~~F L~~ 1123 Duncanwood Dr 37204

Ed Miles 1123 Duncanwood Dr 37204

Gigi Dhindsa 1129 Duncanwood Dr. 37204

CV Waynick 1103 Brookmeade Dr 37204

Chas Dooney 1126 Brookmeade Dr 37204

Jannifer Dooney 1176 Brookmeade Dr. 37204

Elizabeth M Lamb 1129 Brookmeade Dr 37205

Kate Eller 1127 Brookmeade Drive 37204

JC 1127 Brookmeade Drive 37204

Kathleen 1130 Brookmeade Drive 37204

J 1130 Brookmeade Drive 37204