

## Comments on October 27, 2016 Planning Commission agenda items, received through October 21

### Item 22, 2016Z-130PR-001/Marlin Ave-Linmar Ave Rezoning

**From:** Mary Graham [<mailto:cjassistant@gmail.com>]  
**Sent:** Thursday, October 20, 2016 3:30 PM  
**To:** Planning Staff  
**Subject:** Exhibits to MPC October 27, 2016 Meeting

October 20, 2016

**Via E-Mail**

[Planningstaff@nashville.gov](mailto:Planningstaff@nashville.gov)

Attn: Mr. Craig Owensby

Re: Application No. 2016Z-107PR-001

Dear Mr. Owensby,

My client 2800 Marlin, LLC opposes the above rezoning matter.

Attached hereto are the two exhibits to be furnished to the Commission Members as a part of the re-hearing set for October 27, 2016.

Your kind attention to this matter is greatly appreciated.

Sincerely yours,

Charles J. Friddell

**(2 attachments follow)**

Charles J. Friddell  
Attorney At Law

4535 Harding Road, Suite 208  
Nashville, Tennessee 37205  
(615) 383-0382  
Facsimile (615) 292-2500

October 5, 2016

**VIA EMAIL AND U.S. POST**

**Kathleen.Murphy@Nashville.gov**

Ms. Kathleen Murphy, Council Member  
Metropolitan Council Office  
One Public Square, Suite 204  
Nashville, TN 37219

**Re: Rezoning Bill # BL2016-412**

Dear Ms. Murphy,

What I now understand from your statements made during the Metro Council Meeting on October 4, 2016 is that you have allowed the four owners on the East side of Linmar Avenue to opt-out of your proposed zoning bill. As of yet, I still have not received any reply or communication whether or not you will allow my client to opt-out of such zoning ordinance.

I sent to you the other day the proposed building site plan which outlines the off-street parking of two cars for each unit. It also shows the required sidewalks, gutter and curbs that have to be installed by the developer according to such site development plan.

I would urge your consideration of the site development plan as proposed and your earnest consideration in allowing my client, 2800 Marlin, LLC to opt-out of the proposed zoning ordinance.

I have asked my client to expend another \$3,000-\$4,000 in engineering costs and the results of which show that only two units under the existing zoning would be allowed on the 2802 Marlin Avenue parcel and the parcel formerly 2806 Marlin Avenue.

I urge your consideration in allowing my client to proceed to obtain permits to construct a four unit residential complex on the site. This means that there will be four units with a sales-purchase price of \$399,000, which qualify for the affordable housing initiative.

The other benefits are the approximately \$60,000-\$75,000 of infrastructure and capital improvements dedicated in favor of the Metropolitan Government. Some of the constituents who have previously objected to the proposed development of 2800 Marlin Avenue may change their mind in light of the sidewalks, curbs, gutters and the on-street parking being avoided with respect to Linmar Avenue.

The approximate amounts of benefits accruing to the Metropolitan Government by allowing the development of 2800 Marlin Avenue are as followings:

- |  |                 |
|--|-----------------|
| 1. Additional right-of-way on Linmar Avenue, 398 square foot,          | \$13,900        |
| 2. The installation and cost of sidewalks including a wheelchair ramp, | \$20,330        |
| 3. The addition of 207 linear feet of curbs and gutters,               | <u>\$25,950</u> |
| TOTAL  | \$60,180        |

4. Four affordable housing units, priceless

I understand upon third reading, you have agreed to consider an amendment changing the ordinance from R10 to R8, with respect to the three remaining parcels. I would request that you review the site plan as developed and the benefits of this proposal with your constituents and see if they have changed their mind or have less or no concerns about such development.

If you need to defer the matter in order to do this, I would urge you to consider that action as well as the substitute amendment as requested by the surrounding property owner, owning the land at 2806 Marlin Avenue.

Your kind attention to this matter is greatly appreciated.

Sincerely yours,



Charles J. Friddell

cc: 2800 Marlin, LLC

**LEGEND**

- BOUNDARY LINE
- ADJOINER'S LINE
- ROADWAY CENTERLINE
- PUDE LINE
- MBSL LINE
- X — FENCE LINE
- SETBACK LINE
- 540 — EXISTING CONTOUR
- P — OVERHEAD UTILITY LINE
- SA — SANITARY SEWER LINE
- ⊕ SANITARY SEWER MANHOLE
- ⊕ BELL SOUTH MANHOLE
- ⊕ UTILITY POLE
- ⊕ GAS VALVE
- ⊕ GAS VALVE
- ⊕ BENCHMARK
- ⊕ WATER VALVE
- ⊕ GAS METER
- ⊕ WATER METER
- ⊕ GAS VALVE
- ⊕ LIGHT POLE
- ⊕ TREE
- ⊕ SHRUB
- ▨ BUILDING
- ▨ ASPHALT
- ▨ CONCRETE
- ▨ EASEMENT
- CONCRETE R. O. W MONUMENT
- MONUMENT FOUND (1/2" REBAR UNLESS OTHERWISE NOTED)
- MONUMENT SET (1/2" REBAR WITH A CAP MARKED DBS & ASSOCIATES)

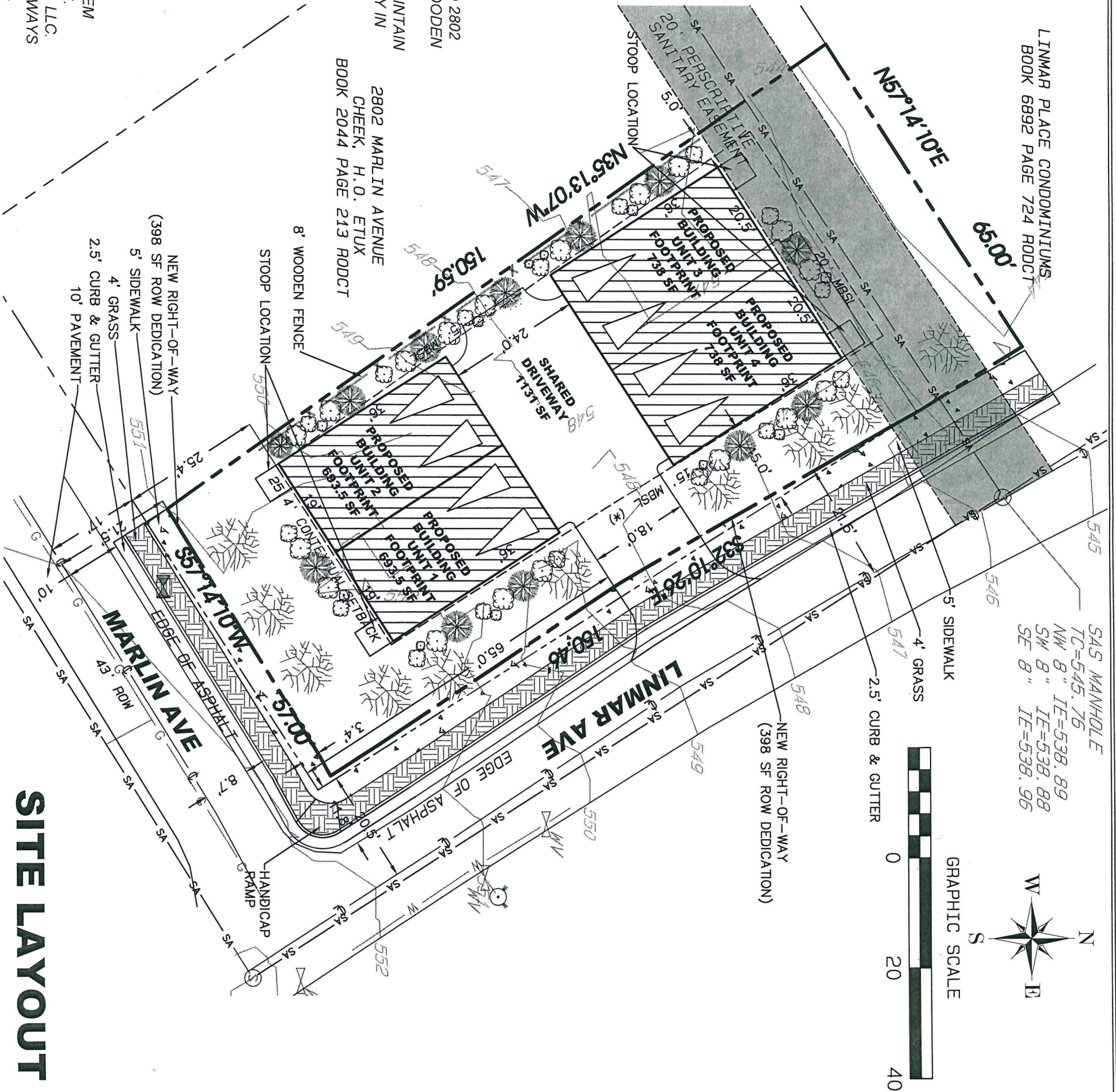
(\*) 15' MBSL PER ZONING REGULATION  
 17.12.030.C.2.

**NOTES:**

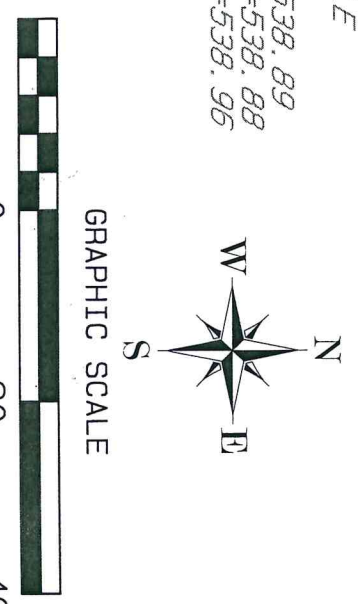
1. B2 BUFFER PLAN AT STREETS.
2. A3 BUFFER AT SIDE LOT LINE ADJOINING TO 2802 MARLIN AVENUE. 5 FT BUFFER WITH 8FT WOODEN FENCE.
3. BUFFER REDUCTION AS NECESSARY TO MAINTAIN SIGHT DISTANCE WHEN EXISTING DRIVEWAY IN BOTH DIRECTIONS.

**GENERAL NOTES:**

1. CONTACT THE TENNESSEE ONE CALL SYSTEM PRIOR TO ANY CONSTRUCTION OR DIGGING.
2. SITE LAYOUT PROVIDED BY P.SHEA DESIGN, LLC.
3. CONTRACTOR AND DEVELOPER SHOULD ALWAYS MAINTAIN POSITIVE DRAINAGE ON THE SITE.



**SITE LAYOUT**



**DBS & Associates Engineering**  
 Engineers • Surveyors • Planners  
 95 White Bridge Road  
 Suite 250  
 Nashville, TN 37205  
 Phone (615) 244-2040 Fax (931) 647-7135  
 www.dbsengr.com

2800 MARLIN AVENUE  
 NASHVILLE  
 DAVIDSON COUNTY, TENNESSEE  
 DATE: Aug 30, 2016

C 1.00

**From:** Beth Cranwell Aplin [mailto:bethcranapple@gmail.com]  
**Sent:** Monday, October 10, 2016 9:22 AM  
**To:** Planning Staff  
**Cc:** Murphy, Kathleen (Council Member); Ben Aplin  
**Subject:** I support Case 2016z-130pr-001 (the Marlin/Linmar rezone)

Dear Planning Commission members,

I am a homeowner at 2514 Sharondale Drive, which is on the corner of Marlin Ave and Sharondale. My husband and I are raising two small children here. We urge you to support case 2016Z-130PR-001 which, as our Councilmember Kathleen Murphy has explained to us, will change the zoning of this area to allow for the building of one or two single family homes on each lot.

Marlin and Linmar are very small streets where parking is limited and it is a challenge to drive down the road without pulling over to the side to make room for a car coming the other way. I do not see how our limited street network can support the density that the current zoning allows. Furthermore, I have been dismayed by the developers' attempts to create multi-unit housing on these small lots; they have yet to come up with a site plan that has multiple units AND still meets the requirements of the current zoning law. It is exhausting to be constantly on the defensive, writing letters and attending meetings to prove that they do not have the hardship that would allow them to shortcut the landscape buffers, side setbacks, and so on.

Rezoning this area to R8 on Marlin and R6 on Linmar is a good comprise; it gives developers and property owners flexibility without drastically changing the density and character of our little neighborhood. And it would give homeowners like me, who are raising children here, who walk these quiet streets and enjoy the mature trees and slow nature of this small community, a little peace of mind.

Again, I urge you to support case number 2016Z-130PR-001.

Sincerely,

Beth Aplin

**From:** ds sachan [mailto:dsachan37215@gmail.com]  
**Sent:** Thursday, October 13, 2016 11:51 AM  
**To:** Planning Staff  
**Cc:** Owensby, Craig (Planning)  
**Subject:** Linmar / Marlin downzoning - WE DO NOT SUPPORT

Good morning Planning Staff,

We understand there may be a re-hearing of the Marlin/Linmar case this evening (**BL2016-412**; formerly **2016Z-107PR-001**).

We are the owners of 2704 Linmar Ave. We **DO NOT** support ANY downzoning on Marlin or Linmar. Quite simply we feel it makes no sense given the current context of those two streets. Those properties should remain RM20.

Please note our objection to any zoning change if we are unable to attend the meeting tonight. Thank you for your time and hard work.

Sincerely,

Dileep & Cheryl Sachan

**From:** t cannon [mailto:tgscannon@hotmail.com]  
**Sent:** Tuesday, October 11, 2016 12:52 PM  
**To:** Planning Staff  
**Cc:** Murphy, Kathleen (Council Member)  
**Subject:** Please support 2016Z-130PR-001

To Planning Commission Staff and Members,

We are homeowners at 2812 Marlin Ave. and ask that you support **Case 2016Z-130PR-001** to rezone this area to R8 on Marlin and R6 on Linmar.

- This is a confined area and not served by a street network that provides good service for additional multi-family development.
- The added burden from multi-family units per current zoning would far exceed the existing street traffic capacity. These streets have no shoulders and at 16 ft. wide, are so narrow as to barely allow for two-way traffic, much less emergency vehicles navigating parked cars.
- We are not anti-development. We live in a newly built home on Marlin and know thoughtful development that contributes to the current family-friendly neighborhood is possible and profitable for developers. Rezoning this area to R8 on Marlin and R6 on Linmar is the solution for our area; this gives both developers and property owners flexibility to develop without changing the general character of our small neighborhood. We understand that developers of 2806 Marlin have indicated to CM Kathleen Murphy 2806 they will amend their current RM20 based multi-unit plans to conform to R8, for which we are grateful.
- Residents of Marlin and Linmar have appealed several developer requests for multi-units on Marlin Ave. to the Board of Zoning Appeals this year. Variances were denied for all proposals. These decisions highlight the properties' lack of suitability for multiple units and the area's inability to effectively support increased density.

Marlin Ave. is a small, residential street with single-family homes landscaped with green areas mirroring nearby Green Hills neighborhoods that include Sharondale, Woodlawn, Whitworth, and adjacent streets. Our small neighborhood has seen a resurgence of young families with infants and children. We would hate to lose them to density-driven development that endangers the existing character of our neighborhood.

Nashville has done a great job of attracting and building living spaces for young professionals. We do not want to lose them when they want to raise families and go to local schools. We ask that single-family homes continue to be built alongside high-rises and hotels for a better future, a better Nashville. We need zoning room to do this and ask you to approve **Case 2016Z-130PR-001**.

David and Toby Cannon

2812 Marlin Ave.

Nashville, TN 37215

Toby Cannon

[tgscannon@hotmail.com](mailto:tgscannon@hotmail.com)

**From:** Brett Berneburg [mailto:bberneburg@gmail.com]

**Sent:** Sunday, October 09, 2016 6:54 PM

**To:** Planning Staff

**Cc:** Murphy, Kathleen (Council Member)

**Subject:** Support Case 2016Z-130PR-001

Please accept the attached letter as support for case 2016Z-130PR-001.

Thank you for your consideration in this matter.

Brett Berneburg

**(attachment follows)**



October 9, 2016

Brett Berneburg  
2804 Marlin Avenue  
Nashville, TN 37215

Metropolitan Planning Commission  
Nashville Planning Department  
800 2nd Ave S  
P.O. Box 196300  
Nashville, TN 37219-6300

Dear Planning Commission,

I am writing to support case number 2016Z-130PR-001.

I have lived on my lot for over 20 years and unfortunately have seen the neighborhood character regress in curb appeal and community spirit with multi-unit residences being built on small lots throughout the neighborhood. This rezoning request will prevent any further deterioration of the neighborhood.

Our neighborhood has "dead end" access and the increased number of residences has caused it to reach overflow capacity. The lack of parking has caused an increase in residents parking on the side of streets. Unfortunately, the streets in this area are narrow (averaging 17' in width) causing dangerous and often unpassable situations for two way traffic. The streets have none to very limited shoulder space for parking. In some cases, emergency vehicles may not be able to access residences.

I am writing to fully support the rezoning proposed in the case 2016Z-130PR-001.

Thank you for your consideration in this matter. I will be attending the Metropolitan Planning Commission meeting on October 13 and I look forward to the discussion.

Sincerely,

*Brett Berneburg*

Brett Berneburg

Please support BILL NO. BL2016-412 (Murphy). I have lived on my lot for over 20 years and unfortunately have seen the neighborhood character regress in curb appeal and community spirit with multi-unit residences being built on small lots throughout the neighborhood.

The increased density has caused overflow of residents and guests parking on Marlin, which is only 17' wide, creating only room for one car to pass. The very limited shoulder space (1/3 of one side of the street) is consistently "full" with cars.

In addition, residents of Marlin and adjoining street Linmar have appealed multiple developer requests for Marlin multi-units to the Board of Zoning Appeals this year. Variances were denied for these proposals as builders are trying to develop the maximum units currently allowed. Developers have never consulted residents and are clearly trying to maximize profit while disregarding the current family oriented nature of the street.

Please help keep what little "charm" is left on Marlin and support this bill.

Thank you for your support in this matter.

**From:** Kendall Calvert [mailto:kwcalv@gmail.com]  
**Sent:** Thursday, October 20, 2016 1:38 PM  
**To:** Planning Staff  
**Cc:** Murphy, Kathleen (Council Member)  
**Subject:** Support for 2016Z-130PR-001 Marlin/Linmar Rezoning

Nashville Planning,

I am writing to voice my support for the rezoning on Marlin and Linmar Ave. I recently moved to my home on Linmar Ave from downtown Seattle. I have two little boys and we are happy to have found such a great new neighborhood and wonderful school district. I want this to be a place we can settle into and where I can feel safe letting my children explore their small community. My husband is in a great location to get to work at the hospital quickly and safely, and we are enjoying all the access and bike paths nearby.

Unfortunately, as it is now, we are at a shortage of parking and greenspace. I believe that adding any more buildings or complexes would exacerbate an already annoying problem. Traffic is an issue at high volume times, and I would not like to see it get worse. Linmar Avenue itself, is a very narrow street and on the hill, it is dangerous for cars and bikes and pedestrians to enter or exit at high traffic times. The last thing we need is to add more people and cars to this space.

Please continue to push through case 2016Z-130PR-001. I am grateful to be part of a community that can band together and help keep it great. Thank you for your time and concern.

Sincerely,

Kendall Calvert  
425.891.5601

**From:** Lee Ann Bryant [mailto:leeann.y.bryant@gmail.com]  
**Sent:** Monday, October 10, 2016 9:55 AM  
**To:** Planning Staff  
**Cc:** Jay Bryant; Murphy, Kathleen (Council Member)  
**Subject:** Support for Case 2016Z-130PR-001

Dear Planning Staff,

I am writing in full **Support of Case 2016Z-130PR-001** for the rezoning of Marlin Ave. I live at 2810 Marlin Ave and am very concerned about the future of our neighborhood should it stay in the current zoning of R20. I believe it has come to light that this zoning was a mistake made many years ago. The small, contained area cannot sustain the growth that more multi-family units would bring.

At only 16" wide and less than .10 mi in length, the road structure is barely wide enough for 2 way traffic, and there is already street parking to maneuver around. Added multi-family housing would only mean additional street parking, which would make it a safety hazard for emergency vehicles trying to get through.

As a parent of a young child, I would love to see more single family homes in our area. More true single family home options in the metro neighborhoods could mean that families stay in Davidson County and attend Metro schools. I know many of us would love to see improvements in our schools, and keeping families in the metro area is a step in that direction.

We are not against development as we live in a new construction home. We just want to see responsible development that is conducive to the area being re-developed. I would encourage you to visit this area and see for yourself that it cannot withstand more multi-family housing, traffic or street parking, and I respectfully ask for your support of this case for rezoning.

Thank you,

Lee Ann Bryant