

## Comments on December 14, 2017 Planning Commission agenda items, received December 8-11

### Item 10, rezoning S of E Trinity Lane

**From:** Davis, Ashonti [<mailto:DavisA17@aetna.com>]  
**Sent:** Monday, December 11, 2017 10:01 AM  
**To:** Birkeland, Latisha (Planning)  
**Cc:** 'ashontidavis@gmail.com'  
**Subject:** RE: Item 10 on the Consent Agenda - 2017Z-037PR-001

Hi, Latisha,

I am writing to request again that the above item be removed from the Consent Agenda. Also, I would like to reiterate the previous comments that have been submitted in opposition to this request to rezone 36 acres in the Highland Heights neighborhood. Further, as a property owner on the block of Edwin affected by the Petition, I did not request that my property be rezoned, along with several of my neighbors, and I would like to stress there has been a complete lack of neighborhood engagement on this issue. Due to the large scale of the proposed rezoning, there are serious concerns of due process. It is simply unfair and discriminatory to cherry pick certain blocks and portions of a street for rezoning that are a part of a larger and cohesive neighborhood.

I sincerely appreciate your consideration of my comments.

Kindest Regards,

Ashonti

**Ashonti T. Davis**

Counsel

Aetna Senior Supplemental Insurance

800 Crescent Centre Drive, Suite 200

Franklin, TN 37067

Phone: 615-807-7655

Email: [davisa17@aetna.com](mailto:davisa17@aetna.com)

This e-mail may contain confidential or privileged information. If you think you have received this e-mail in error, please advise the sender by reply e-mail and then delete this e-mail immediately. Thank you.

## Item 15, Hoggett Ford Road

**From:** Chris Gorsuch [<mailto:chris.gorsuch@gmail.com>]

**Sent:** Monday, December 11, 2017 9:02 AM

**To:** Planning Staff; Planning Commissioners

**Subject:** Item 15 2017S-280-001

The property is zoned RS15.

RS15 requires a MINIMUM 15,000 square foot lot per title 17 of the municipal code.

This proposal would create lots from 10,985 to 7,500 square feet.

This proposal is clearly not allowed under the code.

Chris

**From:** Chris Gorsuch [<mailto:chris.gorsuch@gmail.com>]  
**Sent:** Monday, December 11, 2017 8:49 AM  
**To:** Planning Staff; Planning Commissioners  
**Subject:** Dec 14 item 15 2017-280-001 hoggett ford

Please REMOVE from consent agenda. This NEEDS to be discussed.

Chris

**From:** Chris Gorsuch [<mailto:chris.gorsuch@gmail.com>]  
**Sent:** Friday, December 08, 2017 3:47 PM  
**To:** Planning Staff; Planning Commissioners  
**Subject:** Dec 14, Item 15 (?), Hoggett Ford Road

I am concerned with the proposal to open the Fleetwood subdivision to the new construction on Hoggett Ford Road.

When the rezoning of the Hessey property was discussed last spring, I communicated my concern, both in email and person, that the traffic study done for that change was inadequate and improper. The proposal to put a light at Hoggett Ford and Dodson Chapel COMPLETELY ignored the impact on Fleetwood.

Your new proposal to allow additional traffic THROUGH Fleetwood will exasperate that problem.

Please do NOT open Fleetwood to additional traffic or you WILL see an increase in accidents at Fleetwood and Dodson Chapel.

This is in addition to the hell you already plan to subject us to.

If this must proceed, I request a new traffic study be performed using experts, rather than the (incompetent or purposefully deceptive) company that chose to completely ignore the impact on the CLOSEST intersection in the last study.

If emergency access is the only issue, I recommend a gated access road restricted to emergency vehicles only be considered.

Thank you for your consideration of our concerns.

Chris Gorsuch

## **Items 24a/b/c/d, Short-Term Rentals/Hotels**

**From:** Meredith Jones [mailto:meredith@aboutmjones.com]

**Sent:** Monday, December 11, 2017 3:06 PM

**To:** Planning Commissioners

**Subject:** STRPs

To whom it may concern:

I am writing to you to express support for BL-2017-608 and to oppose BL-2017-937, BL-2017-981 and especially BL-2017-1005. It seems that the STRP issue in Nashville will never be resolved, but to me this issue is simple: Do we want to cater to visitors and business or to make Nashville great for the people who live here?

The STRP folks seem to be wrapped up in their rights to do what they will with their property, forgetting that permanent residents and homeowners also have rights. Most importantly, we have the right to the quiet enjoyment of our property. If we bought in a residential area, we have the right to live next to other residences, not next to a commercial enterprise. We have the right to not have to police our neighbor's

property and act as enforcement for any issues arising from transient commercial residents. In short, my rights as a homeowner are not subservient to someone else's rights as a commercial business operator.

I can only hope that at some point Metro realizes that residential areas should remain residential, and commercial enterprise belongs in commercial zones. Only when that happens will this issue finally be put to rest.

Please support BL-2017-608 only.

All the best,

Meredith

Meredith Jones

615-504-8390

4117 Aberdeen Road, Nashville TN 37205

**From:** stephanie borek [mailto:stephanieborek82@gmail.com]

**Sent:** Monday, December 11, 2017 3:04 PM

**To:** Planning Commissioners

**Subject:** Please oppose 937 if commercializes our residential neighborhoods

Hello,

I live next to a non owner occupied short term rental on Beacon Drive in the tynemeade neighborhood of Green Hills. My neighbor turned his home into an STR about a year and a half ago without telling us. Suddenly we were living next to a revolving door of guests, Ubers at all hours of the night, suitcases and vacationing tourists. The home is listed on Airbnb as a one night minimum stay, 10 person occupancy, \$120/night hotel. I have spoke at every public meeting concerning short term rentals, my council

woman and anyone I can to share my experience. As you can imagine our everyday life is on edge as we pull into our driveway everyday at 3pm to see who the next load of people are ( as the checkin time is 3pm and noon is checkout). We never know who is next door. The security of knowing your neighbor does not exist anymore.

We moved here in 2013 with our 2 small children from Cleveland,Ohio. We purchased our home in a residentially zoned neighborhood for a reason. We did not want to raise our children in a business district. I did research on our neighborhood, used the sex offender app to make sure our neighborhood didn't have any. We trusted Nashvilles zoning laws to make our choice. We had a neighbors on both sides of our house.

The short term rentals are given a yearly permit that must be renewed. Our residential neighborhood was never rezoned or an overlay applied. These commercial businesses disguised as AIRBNB were never guaranteed a forever, they were only given a year as a permit.

937 clearly calls nonowner occupied STR's commercial businesses and grandfathers in all existing permit holders. It does nothing to protect our neighborhoods. When we moved here commercial businesses were not allowed in residential neighborhoods. I am asking you to hold the STR industry to the same standard as all of the other businesses and prohibit them from residential neighborhoods. If not why have zoning?

Thank you

Stephanie Borek

4515 Beacon Drive

**From:** Juliana Ericson [mailto:ericson149@gmail.com] **On Behalf Of** Juliana Ericson  
**Sent:** Monday, December 11, 2017 2:51 PM  
**To:** Planning Commissioners  
**Cc:** Johnson, Mina (Council Member)  
**Subject:** not owner-occupied short-term rental ordinance

Good day,

Ordinance, BL2017-608, that will phase-out not owner-occupied STRs from R and RS neighborhoods over a three year period. This is the ordinance I fully support. I am against Ordinances BL2017-937, 981, 982 and 1005.

BL2017-937, a not owner-occupied short-term rental (STR) ordinance. This ordinance, if approved, will allow the continuation of operating a commercial type business in our residential neighborhoods.

BILL BL2017-981 – Grandfathers-in current not owner-occupied STRs in R and RS districts, prohibits new permits – inconsistent with BL2017-608

BILL BL2017-982 - Allows owner of two-unit dwelling to have STR permits in both units – inconsistent with BL2017-608

BILL BL2017-1005 – Allows hotel-motel uses in residential districts

Thank you,

Juliana Ericson

6317 Percy Dr.

Nashville, TN 37205



[Juliana Ericson](#)

[Silver Rank with DoTerra](#)

[615-212-5511](#)

**From:** JOHN HOLLIS [mailto:johnandnitahollis@comcast.net]

**Sent:** Monday, December 11, 2017 1:59 PM

**To:** Planning Commissioners

**Subject:** Thursday's meeting and BL2017-608

Please, please, please... help us protect and preserve our lifestyles, property values and overall non-commercial

neighborhoods! I want you to vote for BL2017-608, that will phase-out not owner-occupied STRs from R and RS neighborhoods over a three year period.

Also, please forward this to all voting elected officials...well, really, only the ones not being swayed by VRBO tactics and politics.

Thank you.

Nita Hollis

4704 Chalmers Drive

Nashville, TN 37215

**From:** Erik Carlson [mailto:erikbiorn@gmail.com]

**Sent:** Monday, December 11, 2017 1:04 PM

**To:** Planning Commissioners

**Cc:** Libby

**Subject:** Note from our family to please disapprove BL2017-937

Hello, We are writing to ask for your disapproval of BL2017-937. We live with our two young children — ages 7 and 9 — in the historic Belmont-Hillsboro neighborhood (District 18), where the owner of a home next to ours is considering his home for STR purposes. We have reviewed BL2017-937, have given this matter a lot of thought, and have learned from others who have experienced both owner-occupied and non-owner occupied STR's in their neighborhoods. We owe it to ourselves, our neighborhood, and primarily to our children to let you know that we are very upset and concerned. We believe the passing of BL2017-937 would substantially degrade our kid-friendly neighborhood and negatively impact our community's quality of life.

We spent years looking for a Nashville home on a street where we want to raise our children and participate in the culture of the neighborhood. Having transient, unsupervised visitors in and out of a neighboring house on a frequent basis goes against everything we appreciate about living here. We have heard horror stories — trash, noise, crime, substance abuse, offensive behavior, cigarette butts, bachelor/ette parties — and we do not want to have to deal with or expose our young children to a neighboring small motel with no on site management. We have also heard that it is challenging for the police department to respond to and prevent disruptive activity at STR's because groups are occupying the space for such a short amount of time.

Even if by chance every renter were quiet and respectful, we and our fellow neighbors on 19th Avenue South strongly desire to continue to live on a residential street with



known homeowners and long-term renters. Having a rotating door of strangers — unfamiliar people and cars — in and out in an unpredictable and frequent manner is highly unsettling, particularly since we currently trust that our kids can safely play out front and visit neighbors freely. That sense of safety disappears if STRs enter our neighborhood.

We understand and respect that for some people, their home is an important financial investment, but STRs bring more extreme potential problems than long-term renters. Please, on behalf of our family and every neighbor we have we have spoken to about this, consider the negative impact STRs would have on Nashville neighborhoods and oppose BL2017-937.

Thank you for your consideration. If you would like any additional perspective, please contact us any time.

Sincerely,  
Erik & Libby Carlson  
615-336-3570

**From:** Gary Bouge [mailto:garybouge@gmail.com]  
**Sent:** Monday, December 11, 2017 12:22 PM  
**To:** Planning Commissioners  
**Subject:** BL2017-937

STRP are ruining many Nashville neighborhoods. Airbnb, VRBO and HomeAway are pushing it for their own profit. All you need to do is follow the money. Someone in our government needs to step up and take responsibility for Nashville neighborhoods.

Would the city council members, metro planning commission members and/or the mayor want what amounts to a motel next to their home or even in their neighborhood? I don't think so.

Please vote NO to BL2017-937.

Thank you.

**From:** Logan Key [mailto:keylogan@icloud.com]  
**Sent:** Monday, December 11, 2017 11:50 AM  
**To:** Planning Commissioners  
**Cc:** Withers, Brett (Council Member)  
**Subject:** Please vote NO on BL2017-937

Dear Planning Commission,

I am writing in **OPPOSITION** to **BL2017-937**.

In April, the Commission voted unanimously in favor of a separate bill that would phase out non-owner occupied short-term rentals from R and RS zones.

However, BL2017-937 would do the opposite. In fact, the bill institutionalizes non-owner occupied STRPs as a “commercial” use but would continue to allow it by permit in R and RS zones.

This is problematic for **two** reasons:

**1. It runs counter to Nashville Next’s vision for neighborhoods.**

One key theme running through Nashville Next is **protection of housing stock** and conservation of homes, particularly those near the urban core. BL2017-937 would continue to allow property owners to **remove a residentially-zoned home from the local housing stock** and convert it to exclusive use for **commercial overnight lodging**.

***Nashville Next absolutely does not endorse converting existing homes into overnight lodging establishments.***

2. It fails to provide any participatory zoning-based process for impacted neighbors to voice concerns and have those concerns considered on a case-by-case legislative basis. This bill is a dangerous departure from that practice.

You've recently rejected requests for commercial land-uses in neighborhoods that are much less intense than whole home (non-owner occupied) short-term rentals (beauty salon and recording studio). Please remain consistent with that position by protecting our neighborhoods from the commercial encroachment associated with self-service overnight lodging establishments.

Sincerely,

Logan Key

1411 Fatherland St.

Nashville, TN 37206

**From:** LeighAnn Rodd [mailto:leighann.rodd@gmail.com]

**Sent:** Monday, December 11, 2017 11:20 AM

**To:** Planning Commissioners

**Cc:** Withers, Brett (Council Member)

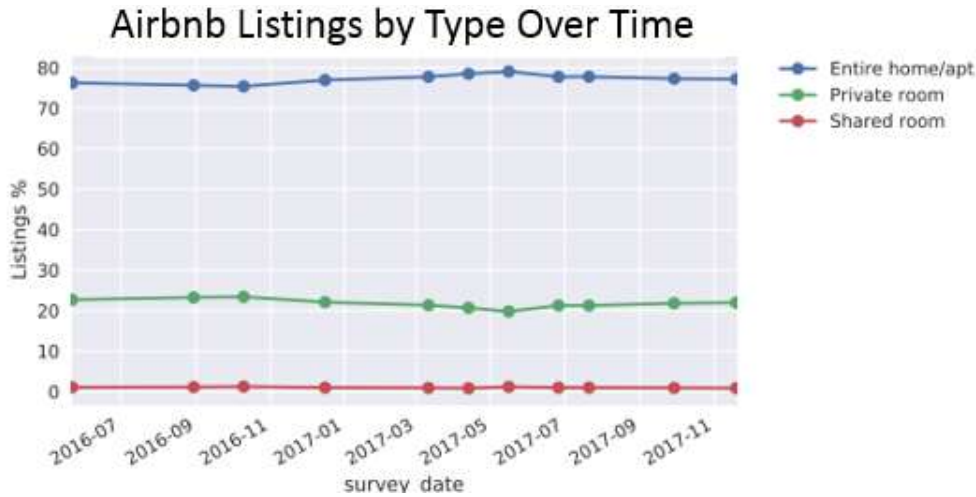
**Subject:** Support our Neighborhoods: Oppose 937, 981, 982 & 1005

Dear Commissioners,

I am writing to ask that you please oppose bills 937, 981, 982 and 1005, which will legitimize the existence of commercial businesses in our residential neighborhoods. 937's sponsor lives under an HOA and therefore will never experience what we neighbors to vacation rentals are experiencing.

As your staff noted, "When Title 17 was first amended...the information presented to staff reflected a home-sharing model." The chart below shows that Airbnb in Nashville is not (and has never been) used for home-sharing. In November, 80% of listings on Airbnb alone were for entire homes or apartments, not home-sharing\*. These commercial businesses are not occupied

by the property owner and do not have on-site staff, despite 24/7 operating hours. These commercial uses are inconsistent with NashvilleNext, and violate the contract I made with Nashville when I purchased a home on a residentially-zoned street.



Moreover, Bill 937 and all bills that advocate grandfathering will cement in stone the following problem properties in neighborhoods like mine (and yours!). All of these Airbnb listings are currently permitted by Metro:

- This 7,000 square foot home with 7 bedrooms and 11 beds, with bedrooms that can be rented individually by separate sets of tourists: <https://www.airbnb.com/rooms/3107569> (and <https://www.airbnb.com/rooms/20534917> & <https://www.airbnb.com/rooms/20094989> & <https://www.airbnb.com/rooms/4205515> & many more!
- This home, advertised as a wedding venue, which has been cited 5 times for property standards violations, including for offering hot air balloon rides, yet still has a permit: <https://www.airbnb.com/rooms/2247632> (and <https://www.tripz.com/vacation-rentals/usa/tennessee/nashville/country-in-the-cityeast-nashville-1004004>)
- This permitted home, which sleeps 20 and has not 1 but 2 rooms filled wall to wall with bunk beds, like the room pictured below with 8 beds: <https://www.airbnb.com/rooms/21414446>



- This permitted house, owned by an LLC in Brentwood, which lawyers for Airbnb have argued has a right to decorate with sex dolls and penis décor as pictured below:  
<https://www.airbnb.com/rooms/16805727>



- The permitted Airbnb next to my son's daycare, at which a still-drunk bachelorette was swearing on her phone next to the playground during drop off. When confronted by a parent, she said, "I'm paying \$600 a night. I'll do whatever the f\*ck I want."
- And of course the permitted Airbnb next to me, which 1 month after opening had guests engaging in various sex acts outside in broad daylight, in eye- and ear-shot of our home and our children.

Please be the voice of Nashvillians who bought homes to live in, not as crash pads for tourists. We are simply asking for the residential zoning under which we made signed a contract with the city of Nashville be honored. The bright line needs to be drawn for our residential neighborhoods. Then we can see if it's even possible to enforce the existing rules, which as evidenced by activity at the permitted listings above, seems unlikely

Please again support Nashville's neighborhoods, as you did with the approval of bill 608, and oppose bills 937, 981, 982 and 1005.

Thank you kindly,

LeighAnn Rodd

District 6

\*Data provided by Tom Slee and available for download at: <http://tomslee.net/airbnb-data-collection-get-the-data>

**From:** Jennie Bowman [mailto:jb3614@gmail.com]  
**Sent:** Monday, December 11, 2017 10:55 AM  
**To:** Planning Commissioners  
**Subject:** Opposition to Bills BL2017-937, 981, 982, 1005

**I am opposed to commercial enterprises operating in residential areas. Metro codes are supposedly biased against most businesses running in residential areas. STRs are businesses! STRs are very different from long term rental units that usually do not affect neighborhood safety, ambiance, and property values.**

**I am opposed to BL2017-937.** I am opposed to commercial enterprises operating in residential areas, especially STRs that are not owner-occupied. They are businesses pure and simple. They should not be grandfathered in. Nor should new permits be allowed for new non-owner occupied STRs in R and RS areas.

In the same way, I am opposed to:

**BL2017-937** because it grandfathers-in current not owner-occupied STRs in R and RS districts, prohibits new permits – inconsistent with BL2017-608.

**BL2017-982** because it allows owner of two-unit dwelling to have STR permits in both units – inconsistent with BL2017-608.

**BL2017-1005** because it allows hotel-motel uses in residential districts.

Jennie Bowman

3614 Chalmette Court, 37215

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

From: Bryan Neely [mailto:bneely@comcast.net]

Sent: Monday, December 11, 2017 10:30 AM

To: Planning Commissioners

Subject: BL2017-1005 Item 24-d

I urge you to vote as recommended by both the administrator & staff and disapprove this bill. I'm unable to determine the origin of this bill but the possibility of granting hotel/motel uses in current residential districts is honestly preposterous.

Please disapprove.

Thanks,

Bryan Neely

1411 Gartland Avenue

37206

**From:** jrouton [mailto:jrouton@bellsouth.net]

**Sent:** Monday, December 11, 2017 9:13 AM

**To:** Planning Commissioners

**Subject:** STR BL2017-937

I ask you to please consider how the Short Term Rentals affect our neighborhoods. I have had regular rental properties on both sides of my home for many years, with limited upkeep on both homes, and visitors and parties during evening and night time hours. Now, with Short Term

Rentals in my neighborhood, there is even worse. Crowds and many cars parking on both sides of the streets where there are STR homes. It is inconceivable to me that the laws allow this to happen in residential neighborhoods. Why do we even have any regulations for how residents can use their homes for business if the city and state can allow rental of homes for whatever use the house is rented for?

Please don't pass these ordinances: BL2017-937, (Items 24b, c and d),

BILL BL2017-981 – Grandfathers-in current not owner-occupied STRs in R and RS districts, prohibits new permits – inconsistent with BL2017-608

BILL BL2017-982 - Allows owner of two-unit dwelling to have STR permits in both units – inconsistent with BL2017-608

BILL BL2017-1005 – Allows hotel-motel uses in residential districts

Thank you for your consideration and please keep our residential neighborhoods residential.

Jan Routon

712 Ebenway Drive

Nashville, TN 37205

**From:** Chandler Spence [mailto:CHANDLERSPENCE1@GMAIL.COM]

**Sent:** Monday, December 11, 2017 9:09 AM

**To:** Planning Commissioners

**Subject:** Support Nashville's New Short-Term Rental Ordinance



Dear Member Planning Commission,

I am writing you to ask for your support in protecting short-term rentals and the value they bring to the Nashville community. It is important for the Planning Commission to vote YES on Substitute Ordinance 937, which will preserve the economic benefits STRPs bring to the city, while creating requirements that make enforcement easier.

Nashville's STRPs have existed in our city for decades. They provide our residents with a critical source of income, bring visitor spending to neighborhoods that traditionally do not benefit from tourism, and expand the opportunities for families to visit the Music City we call home.

Thank you for your work on STRP regulations in Nashville. We have finally found a solution that will work for all groups involved. For this reason, I urge you to support Substitute Ordinance 937 and to pass the bill with no amendments. Bill 937 will protect property rights, preserve the economic benefits of STRPs, and ensure accountability and responsible renting.

Regards,  
Chandler Spence  
511A N 17th St  
Nashville, TN 37206

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

From: Kathy Chiavola [mailto:kcsing1@aol.com]  
Sent: Monday, December 11, 2017 12:50 AM  
To: Planning Commissioners  
Cc: Kathy Chiavola  
Subject: Disapprove 937

To the Members of the Planning Commission:

I respectfully ask for your disapproval on 937. In April, the MPC voted unanimously in support of 608 as consistent with NashvilleNext. 937 is not consistent with that recommendation:

- 937 defines non-owner occupied STRs as a permitted “commercial use” in residential districts, thus formalizing commercial activity in our residential districts; these are businesses, “mini-hotels” operating in our residential neighborhoods
- 937 provides no enforcement resources

Non-owner occupied short term rentals are changing the residential character of our neighborhoods, taking the “neighbor” out of neighborhoods, and creating “death from a thousand cuts”. My personal experience with short term rentals directly across the street has directly impacted my quality of life. I have lived in the same house for twenty nine years. I have treasured my neighbors and felt safe and secure as a result of our relationships. Now I don't know who these various people are that come and

go constantly in the short term rentals. Many times they are loud, block my driveway with their cars and are not invested in the neighborhood. Nashville's strength is in our neighborhoods. If neighborhoods deteriorate, so will Nashville.

In conclusion, I would like to thank those members who supported 608 in April. I ask that they be consistent with their April 27th position. (37 is not consistent with NashvilleNext as it formalizes commercial use in our residential neighborhoods. Time has shown enforcement does not work. I ask for disapproval for 981, 982, and 1005 as inconsistent with 608.

Thank you,  
Kathy Chiavola  
4107 Colorado Ave  
Nashville, TN 37209

**From:** Holly Beavers [mailto:hollybeavers22@gmail.com]  
**Sent:** Sunday, December 10, 2017 5:24 PM  
**To:** Planning Commissioners  
**Subject:** Not owner occupied short term rental.

I'm against the item 24a that you will vote on this week.

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

From: Andy Curry [mailto:andycurry@comcast.net]  
Sent: Saturday, December 09, 2017 5:05 PM  
To: Planning Commissioners  
Cc: nashvilleareastra@gmail.com  
Subject: Are

Please support 937

Pardon any errors. Sent from very small iPhone.

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

From: Brandon McDonald [mailto:brandonm@urbandwellhomes.com]

Sent: Saturday, December 09, 2017 8:25 AM

To: Planning Commissioners

Cc: nashvilleareastra@gmail.com; Davis, Scott (Council Member); Leonardo, Nick (Council Member)

Subject: Bill 937 or lawsuits?

I'm writing to recommend that the planning commission, and ultimately the council, push the amended bill 937. This is the ONLY short term bill that is remotely close to acceptable since it grandfathers in all current legal STRs. If this, or a derivative of this, is not the bill that's passed, metro will spend hundreds of thousands of dollars defending lawsuits. The time and money could be better spent. Please don't waste our taxpayer dollars.

Sent from my iPhone