

Comments on December 14, 2017 Planning Commission agenda items, received December 11-12

Item 6, Hall Estates Section 3 Resub of Lot 235

From: Jeanice Fisher [<mailto:jeanicefisher4@gmail.com>]

Sent: Monday, December 11, 2017 7:51 PM

To: Napier, Patrick (Planning)

Subject: sale of land on Trousdale

Jeanice & James Fisher - 417 Arrowwood Drive. Our property backs up to M/M Jack Barrett's land on Trousdale Drive. We both oppose the sale of this property. My husband is disabled & it is hard for him to come to the meeting on Dec. 14.

Thank You.

Item 8, Riverview at Cumberland Hills

From: Patricia Smith [<mailto:patriciasmith1981@yahoo.com>]

Sent: Monday, December 11, 2017 6:20 PM

To: Planning Commissioners

Subject: Opposition of the Twin Hills Development

Dear Members of the Planning Commission,

I am a resident on Northside Drive in Madison, TN. I oppose the Twin Hills Development. Please reinstate Special Policy 04-T3-NM-02-IA01 to preserve the character of our North Hills Estates neighborhood.

Thank you very much.

Patricia Smith

208 Northside Drive

Madison, TN 37115

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

From: Arthur Lindaman [mailto:aol31732@gmail.com]
Sent: Tuesday, December 12, 2017 9:30 AM
To: Planning Commissioners
Subject: Vote YES on Bill 937!

Dear Member Planning Commission,

Thank you for your time and consideration of short-term rental property (STRP) regulations in Nashville. I urge you approve Substitute Ordinance 937, which represents the policy solutions reached by the STRP Ad Hoc Committee, and will allow all STRPs in Nashville to continue to operate responsibly across the city. STRPs have been a part of Nashville's culture for generations, and responsible short term rental operators like me have only enhanced the quality of our neighborhoods and strengthened our local economy. Bill 937 will protect my right to use my home for short-term rental, while ensuring accountability and responsible renting.

Thank you,

Regards,
Arthur Lindaman
303 Criddle St
Nashville, TN 37219 ◻

Thirteen other commenters sent the same message:

Ray Novak
4325 Westlawn Dr
Nashville, TN 37209 ◻

Rebecca Buchanan
1014 1st Ave N
Nashville, TN 37201 ◻

Jason Costelle
14 Fern Ave
Nashville, TN 37207 ◻

Ann Piarrot
2612 Crestwood Rd
Nashville, TN 37214 ◻

Sarah Johnson
830 1st Ave N
Nashville, TN 37201 ◻

Jennifer Denney
2701 Paddle Wheel Dr
Nashville, TN 37214 ◻

David Neff
1810 Ashwood Ave
Nashville, TN 37212 ◻

matt wilson
580 Liberty Chapel Rd
Mount Juliet, TN 37122 ◻

Ryan Davis
1909 Russell St
Nashville, TN 37206 ◻

Andrew Jacoby
509 Ben Allen Rd
Nashville, TN 37216 ◻

David bishop
1616 Glenridge Dr
Nashville, TN 37221 ◻

Cynthia Hicks
1702 Ashwood Ave
Nashville, TN 37212 ◻

Loni walters
213 Wauford Dr
Nashville, TN 37211 ◻

From: Patrick Shepard [mailto:ph.shepard@comcast.net]

Sent: Tuesday, December 12, 2017 10:23 AM

To: Planning Commissioners

Subject: Short Term Rentals

To the Metro Planning Commission:

I ask that as you consider various proposals to address this controversial subject, you also consider the position of those of us who live in residential (R & RS) zones that have historically been off limits to commercial activity.

It seems obvious to me that a non-owner-occupied house that is operated in the same way that a hotel is operated would constitute commercial activity and should not be allowed. If that activity is allowed, what would be next - a coffee shop, a 7/11? Please maintain the integrity of the intention of the Residential zones.

I fully and enthusiastically support Council bill BL2017-608, and hope that the other bills that have been put forth in the Council that dilute 608 will be denied passage.

Sincerely,

Patrick Shepard

ph.shepard@comcast.net

From: Will Worrall [mailto:william.worrall@yahoo.com]

Sent: Tuesday, December 12, 2017 11:43 AM

To: Planning Commissioners

Cc: Withers, Brett (Council Member)

Subject: Please Reject Bill 937 - Please Phase Out "Not Owner Occupied STRP" From Residential Neighborhoods

Dear Planning Commissioners,

Please reject Bill 937 as written. Please phase-out "STRP not owner occupied" from residential zones.

Below are the reasons I oppose this bill as written:

1. 937 allows commercial STR uses in established residential zoning locations. Residential zoning is designed to protect the residential character of our neighborhoods. "STRP not owner occupied" properties are typically investor-owned hotels without staff on site and are certainly commercial uses, incompatible with our residential neighborhoods. These investor-owned properties have no interest in improving our neighborhoods, but are solely motivated by profit. Commercial uses are available in other zoning designations, and the investor owned STRP can be utilized in other zoning locations, excluding residential. The bottom-line, these properties are commercial uses and are not compatible with our neighborhoods. They undermine our neighborhoods.
2. 937 provides no additional enforcement resources.
3. Fines should be increased. Jail time should be considered for flagrant, knowing, repeat violators.

I do support the portions of 937 that reduce occupancy limits to 10 and that require "STRP-owner occupied" to be owned by natural persons, and not corporations or LLCs. I support these portions of 937.

Please support 608, which is vetted and compatible with Nashville Next, and phases out the commercial "STRP not owner occupied" from our residential neighborhoods. I also disapprove with 981, 982, and 1005, as these are inconsistent with 608.

My family lives immediately adjacent to a newly built STRP. This is an ongoing nightmare for me and my family, and the entire neighborhood. The house is always busy with parties and illegal activities. A couple weeks ago, the property was rented by obvious drug dealers who had dozens of visiting people 24/7. It was quite clear illegal operations were occurring at the site. We could smell marijuana smoke from the property most of the weekend. At least 15 different vehicles visited the house. This situation is a safety issue for my family, and not compatible with our neighborhood. We work very hard to have a safe and livable neighborhood. This STRP next to us is a dreadful for our neighborhood and our children; we are regularly concerned with our safety from the drug and party operations at the property. We purchased our home in a residential zone, and expected residential activities in the adjacent properties, but now there is a party/drug hotel on the adjacent residential lot. This STRP is investor owned by an LLC located in Williamson County, yet they obtained a "STRP owner occupied" permit despite the property never being owner occupied by the owner. The permit was revoked by Codes, but the LLC continues to advertise and operate without a permit, because there are no real consequences for violators. Fines should be increased and jail time authorized as a last resort for these type of repeat, knowing violators.

Please phase out the investor owned STRP in residential zoning; these are commercial hotels; these are NEVER good for our neighborhoods.

Thank you very much for your consideration.

William Worrall
1000 Glenview Drive
Nashville, TN 37206

From: Anderson Williams [mailto:anderson.edgefield@gmail.com]
Sent: Tuesday, December 12, 2017 11:32 AM
To: Planning Commissioners
Subject: Please vote NO on BL2017-937

Dear Planning Commission,

Cities need vibrant, viable neighborhoods. Neighbors who want to live in protected residential neighborhoods deserve that right - as Nashville has always provided us with R and RS zoning, and which the Commission acknowledged with its support of BL2017-608.

BL2017-937 formally institutionalizes commercial uses in residential zoning thereby effectively ending such zoning and contradicting the protections of 608.

As Nashville continues to grow, it must remain a place where people want to live - not just a place to visit.

Please protect residential zoning. Please oppose BL2017-937.

Thanks for your consideration.

Anderson Williams

800 Russell Street

37206

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

From: Alexa Herndon [mailto:nashvillenative@icloud.com]
Sent: Tuesday, December 12, 2017 11:54 AM
To: Planning Commissioners; Barry, Megan (Mayor)
Subject: Keep Short Term Rentals Legal - I Support BL2017-937

Hello Neighbors!

Im writing to let you know that I support -937 as it pertains to STRs in the Nashville area. Furthermore, i believe there are various options that should be considered when approaching this issue.

Firstly, I believe that if a property is permitted as NOO, there should be a requirement that these properties be managed by a legal and reputable management company with a 24hr response line. That way someone is held liable 24/7 and you know exactly who that is and how to get ahold of them. I believe that any OO properties that have received violations or numerous complaints should also be held to the same standard. This would not only create a much needed standard amongst STRs but also drastically cut down on non-permitted and/or noncompliance properties.

Secondly, permits are way too cheap. They should run upwards of \$500 to start. Only charging \$50 entices everyone to get one, just in case.

Thirdly, the fire inspectors need to do their job thoroughly. Too often, I have met with inspectors who don't even come into the house. There is a particular inspector in East Nashville who refuses to even check the fire alarms because "I would go deaf if I checked every single one!" This is a SERIOUS issue. Aren't they supposed to be checking windows on second floor apartments?

Fourthly, Codes needs to follow through with complaints on a regular basis and legitimize those complaints. A lot of neighbors are so dead set against STRs that they are making up complaints that are not legitimate just to cause problems. This is a BIG issue. There have been issues filed when there were no guests that should pertain to the property and not the STRP. Again, having a knowledgeable management company covering the property would ensure that all codes requirements are met.

Thank you for your time,
Alexa

From: Karen Rich [mailto:kgrich@comcast.net]
Sent: Tuesday, December 12, 2017 11:14 AM
To: Planning Commissioners
Subject: Please Oppose Bills 937, 981, 982 and 1005

Dear Planning Commission Members,

I am hopeful that you will vote to oppose Bills 937, 981,982 and 1005.

The Metro Council Ad Hoc Committee was charged with solving the problems associated with the STRP industry. **BL-937 does not solve problems.** The specifics regarding process, fines, enforcement, taxes, code requirements, etc...just aren't spelled out clearly enough to be law. **Metro does not need to pass more laws that cannot be adequately supported by the people, funded or enforced.** It was sloppy legislation that got us into this mess in 2014 and 937 is simply more sloppy, manipulative and pro-commercialism legislation. What we now need is clarity, consistency and thoughtful solutions.

Your commission rightly recommended passing 608 because it is sensible legislation that takes us back to a place that confirms and supports our existing zoning laws. What is undeniably clear is that home sharing, home occupation and residential use are NOT the same thing as investing in real estate property for explicit "Commercial Use" in a residential neighborhood. Hotels do not belong in residential neighborhoods and neither do Non-Owner Occupied-Type 2 Short Term Rentals. They are one and the same.

Bills 937, 981 and 982 muddy the zoning waters by condoning "Commercial Activity in residential zoning" and "grandfathering" of what are merely "per year" permits. Each of these bills are extremely anti-neighborhood, inconsistent with Nashville Next and entirely pro-commercialism.

Companies like Airbnb, Home Away and VRBO already blatantly ignores our existing laws. By passing 608 and defining clear law and process (NOT BL 937), we will have the time and the opportunity to see if the STR industry will cooperate within the rule of law. We are not alone in this endeavor; cities around the world are now passing legislation similar to 608.

Please do not approve of legislation like BL-937 that continue to chip away at our zoning law through a process of “text changes.” If citizens or business want to see Nashville do away with zoning, that is a completely different legal process for which ALL Nashville citizens must be properly notified, informed and have a say. A small 5 person Ad Hoc Committee of five people does NOT properly represent the people of Nashville.

As a city, let’s put our efforts towards really solving problems, not perpetuating them. Please stand by your support for BL-608 and recommend against BL-937, 981,982 and 1005

Thank you,

Karen Rich

4401 Honeywood Dr, 37205

3813 Sentinel Dr, 37209

1114 Nichol Ln, 37205

From: Green Hills Neighborhood Association [mailto:greenhills37215@gmail.com]

Sent: Tuesday, December 12, 2017 11:11 AM

To: Planning Commissioners

Subject: Please Disapprove BL2017-937, 981, 982 and 1005

Good Morning,

Please find attached our letter opposing BL2017-937, 981, 982 and 1005. Thank you.

Green Hills Neighborhood Association Board

(attachment follows)

The logo for the Green Hills Neighborhood Association features the words "GREEN HILLS" in a large, green, serif font. A green, curved line arches over the letters "EEN" and "ILLS". Below "GREEN HILLS" is the text "NEIGHBORHOOD ASSOCIATION" in a smaller, green, sans-serif font.

GREEN HILLS

NEIGHBORHOOD ASSOCIATION

December 12, 2017

Dear Commissioners,

As Board members, our main focus is working to protect the many residential neighborhoods in the Green Hills area. After reviewing BL2017-937, 981, 982 and 1005, we believe these ordinances would have a negative impact on our residential neighborhoods. Therefore, we must oppose these ordinances.

In April this Board fully supported BL2017-608 in an effort to phase-out the not owner-occupied short-term rental businesses from our R and RS zoned neighborhoods. Green Hills may not have as many short-term rentals as other districts, especially East Nashville, but several of the ones we have are very problematic. Even when operating within the guidelines, these businesses disrupt the routine of a neighborhood – unfamiliar cars, strangers, activity going on around the clock – as CM Angie Henderson said – “Death by a thousand cuts.” Running a commercial type business in our residential neighborhoods is not what homeowners in Green Hills, as well as other neighborhoods across Nashville, bought into.

The four ordinances on Thursday’s agenda (items 24a-d) are inconsistent with BL2017-608. We continue to fully support 608.

Our members are active in our community; they participated in Nashville Next and believed in the guiding principals found in the plan to protect neighborhoods:

- Neighborhoods are the heart and soul of Nashville
 - ✓ Committed to addressing housing challenges
 - ✓ Commitment to preserving the character of neighborhoods
 - ✓ Commitment to retaining and enhancing the basic elements of their character

- Foster strong neighborhoods
 - ✓ Neighborhoods are the building blocks of our community
 - ✓ Neighborhoods should be healthy, safe, affordable and connected
 - ✓ Improve Nashville’s neighborhoods in a neighborhood appropriate manner

Nashville Next talks about land use – “Land with homes on it is called residential.” Residential is defined as where you live permanently as a resident. Some have argued that transients are residents. However, the definition of transient is a guest or boarder for only a short time. Transients do not vote, do not send their children to our schools, do not attend public meetings and are not stakeholders. Residentially zoned properties were never meant to act as temporary lodging for short-term guests. That is why we have hotels in commercially zoned areas.

We respectfully request that you disapprove BL2017-937, BL2017-981, BL2017-982 and BL2017-1005. We appreciate your voluntary service to Nashville and it’s great neighborhoods.

The GHNA Board

From: JAMES [mailto:stanley3211@comcast.net]
Sent: Tuesday, December 12, 2017 11:08 AM
To: Planning Commissioners
Subject: Opposition to BL2017-937, 981, 982 and 1005

Commissioners:

I oppose BL2017-937, 981, 982 and 1005. These ordinances will permit the intrusion of non-owner short-term rental businesses into our residential neighborhoods.

In April 2017, the Planning Commissioners voted unanimously for BL2017-608 which would phase out the non-owner type STRs and would protect the residential subdivisions typically zoned either 'R' or 'RS'.

It was also noted by the Commissioners that 608 met the guidelines of the *NashvilleNext* General Plan by protecting the residential subdivisions located throughout Metropolitan Nashville and Davidson County.

The four bills on the Planning Commission agenda fail to meet the protection guidelines and are completely inconsistent with 608.

I request that you respect our residential districts and vote 'no' on each of the four bills that will come before the Planning Commission.

Thank you for your service to our municipality.

James Bruce Stanley

From: Jenny Holskey Alexander [mailto:jholskey@gmail.com]
Sent: Tuesday, December 12, 2017 10:16 AM
To: Planning Commissioners
Subject: Please vote no on #937

Dear members of the Planning Commission,

I am writing today to ask you to please vote no on Bill #937.

I ask you to protect residential zoning, and vote no on a bill that will allow non-owner occupied STRPs, a commercial business, to operate in residential neighborhoods.

My personal story: I live directly next door to a permitted STRP (permitted as owner-occupied, while the owner lives out of state). What was intended to be a rental for small groups has turned into a party house over the past few weekends. Large groups of tourists partying in the yard, loud music at all hours, leading "boot camp" style work outs in the front yard, drunkenly taunting me in fake Southern accents while hopping in their Ubers... None of this is illegal, of course. But it does completely erode the quality and stability of the neighborhood we invested in and committed to nine years ago.

Please continue to prioritize Nashville residents and protect Nashville neighborhoods, and oppose Bill #937.

Thank you so much for your time, and your service to the city.

Jenny Alexander
809 Fatherland Street
Nashville 37206

From: Tim Weeks [mailto:timweeks@att.net]
Sent: Tuesday, December 12, 2017 10:18 AM
To: Planning Commissioners
Subject: BL2017-937 and related

Dear Commissioners,

I oppose BL2017-937, 981, 982 and 1005. Each of these ordinances will allow even more not owner-occupied short-term rental commercial type businesses into our residential neighborhoods.

By permitting Type 2 STRPs as commercial use in residential areas, 937 is a Pandora's Box opening Metro to years of litigation.

In April of this year, Planning Commissioners voted 8-0 to approve BL2017-608, phasing-out not owner-occupied STRs from R and RS zoned neighborhoods. These same Commissioners stated 608 meets the tenets of NashvilleNext by protecting our residential neighborhoods. The 4 ordinances on today's agenda are completely inconsistent with 608. Therefore, I respectfully request that you vote no on each of these ordinances.

Thank you for acting accordingly on Thursday night.

Tim Weeks

President Donelson Hermitage Neighborhood Association

6101 Hagars Grove Pass

Hermitage, TN 37076

District 12

mobile (615) 293-8178

From: Everett and Judy Davis [mailto:JD-ED@COMCAST.NET]

Sent: Tuesday, December 12, 2017 10:13 AM

To: Planning Commissioners

Subject: NO AIRBNBs in Our Neighborhood

I write to plead with you to NOT allow more AIRBNB's in our neighborhood.

My wife and I have lived at 4713 Belmont Park Terrace, Nashville, TN 37215 for 48 years.

We live about 2 blocks from an Airbnb and sometimes hear the noise that comes from that location.

Our neighborhood simply does not need those non-locally owned party houses.

Thank you for doing your job and to disallow airbnbs in neighborhoods such as ours.

Everett and Judy Davis

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

From: Lynn Taylor [mailto:lynn@taylormadeplans.com]

Sent: Tuesday, December 12, 2017 9:42 AM

To: Planning Commissioners

Subject: I SUPPORT - Ordinances BL-2017-608, BL2017-981, BL2017-982, and BL2017-937

Importance: High

I am writing to you to express SUPPORT for Ordinances BL-2017-608, BL2017-981, BL2017-982, and BL2017-937. I live in East Nashville and support STR in general, however we do need more detailed regulations. The non-owner occupied especially needs more detail, because it can really disrupt neighbors quality of life.

I appreciate your consideration of my comments.

Best,

Lynn Taylor

615-650-8956 office

From: Ryan Parrish [mailto:ryanedwardparrish@gmail.com]

Sent: Tuesday, December 12, 2017 9:25 AM

To: Planning Commissioners

Cc: Henderson, Angie (Council Member)

Subject: Please vote NO on -937

Good morning Planning Commission,

I am opposed to -937 because it is inconsistent with NashvilleNext and -608. It is anti-neighborhood because it formally established non-owner occupied STR's as commercial uses in residential neighborhoods. It is not a compromise and leaves all non-owner occupied STR's in place. Furthermore, it provides for no additional enforcement resources.

STR's are disruptive and ruin the fabric of our neighborhoods - I speak from experience. I was a 13 year resident of District 17 / 12south neighborhood (833 Glen Avenue). A few years ago, two homes across the street from us turned into AirBnB's. The noise and lack of respect for neighbors ultimately took its toll and my wife and I sold our beloved home in September and moved to District 34 / Shy's Hill (4716 Benton Smith Road) to escape the party house madness.

I urge you to please vote for neighborhoods and for Nashville residents. Thank you for your time.

--

Ryan Parrish

615.293.0519

www.ryanedwardparrish.com

From: Robert Hopkins [mailto:bob.hopkins@yahoo.com]
Sent: Tuesday, December 12, 2017 8:53 AM
To: Planning Commissioners
Cc: Withers, Brett (Council Member)
Subject: Please vote NO on BL2017-937; protect neighborhoods.

Dear Planning Commission,

Please vote no on BL2017-937.

Quite simply, this bill is re-zoning residential districts to allow significant commercial activity en masse. Further, it affects this change outside of the traditional process for re-zoning. If 937 is approved, at the moment the gavel is pounded, literally thousands of commercial businesses will be permitted to operate in residential neighborhoods.

This Commission has traditionally considered variances to residential zoning on mostly a case-by-case basis. This very careful and deliberate process requires Council Member inclusion, proper notification to the affected constituents, plan review, public hearings, etc. Bill #937 does not allow for this specific deliberation now or in the future as it relates to non-owner occupied STRP.

If 937 is approved, you can be certain that other industry groups similar to AirBNB and HomeAway will follow. These groups will use the passage of 937 as a basis to support other commercial activity in neighborhoods. How can we say that commercial hotel activity is permitted, but not law offices, daycares, hair salons, car repair, pawn shops, check cashing, pet boarding and on and on and on.....

Do you want to see our neighborhoods disappear 3% at a time? This is an obvious outcome of 937.

I purchased my home in D6 of East Nashville 11yrs ago. I purposefully purchased a home bound by residential zoning. I rely on that zoning to ***protect my investment from commercial encroachment***. Non-owner occupied short term rentals violate my residential property rights. I ask that you please preserve my property rights.

There will always be another business idea that will try to monetize neighborhoods. Don't make this harder than it needs to be for this Commission. Stay consistent on your stance that residentially zoned areas are for residents. They are not for mass commercial activity.

There are plenty of properly zoned areas in and around Davidson County where this commercial hotel activity can continue without damage to neighborhoods.

We were here first. Please protect the neighborhoods.

Please vote NO on BL2017-937

Bob Hopkins

1300 Shelby Ave, 37206

District 6

From: Charlotte Cooper [mailto:cscoopernash@gmail.com]
Sent: Tuesday, December 12, 2017 8:18 AM
To: Planning Commissioners
Subject: Please vote NO On BL2017-937, 981, 982 and 1005

Dear Commissioners,

I am opposed to BL2017-937, BL2017-981, BL2017-982 and BL2017-1005, items 24a-d on the agenda. These ordinances all concern short-term rentals, and if approved, will have more negative impacts on our residential neighborhoods. BL2017-937 and 981 basically grandfather-in all existing not

owner-occupied STR businesses and could allow more new applications in residential neighborhoods, without offering any effective enforcement. As we have watched over the last 2 ½ years, Codes cannot enforce the current regulations on the 3,000 plus permitted STRs, not to mention the numerous non-permitted ones.

Attempting to legitimize these commercial businesses in residential neighborhoods by actually listing them as “commercial uses” permitted with conditions under residential in the district land use table is insulting. These commercial businesses, operating 24/7, without any onsite supervision are nothing more than “mini hotels.” Even obeying current regulations, they still disrupt the quality of life for actual residents. Not owner-occupied STRs do not belong in residential neighborhoods.

The Staff Report states that with "substantial fines, aggressive enforcement and occupancy limitations," not owner-occupied STRs have the potential to exist in neighborhoods without disrupting the character and enjoyment of those neighborhoods.

1. Substantial fines – fines are limited by the State. To receive substantial fines requires the complainant to take the owner/violator to court. \$\$\$s spent by a neighbor in an attempt to regain the quality of life he imagined when he purchased his home in a residential neighborhood.
2. Aggressive enforcement – there is no aggressive enforcement; Metro does not have the financial nor human resources to enforce the regulations. Each of these STRs operate independently; the not owner-occupied STRs have no supervision, except the actual residential neighbors who are trying to live their daily lives. Enforcement is complaint driven, falling on the neighbors to monitor and report and follow-up. Enforcement will always be a problem.
3. Occupancy limitations – the current limitation is 12; 937 reduces the limitation to 10. The platforms allow ads for over 12, so limiting the occupancy only sounds good on paper. There is really no way for enforcement.

In April of this year the Planning Commissioners voted to approve BL2017-608, an ordinance that will phase-out not owner-occupied short-term rentals in R and RS neighborhoods. BL2017-608 offers protection for residential neighborhoods in order to maintain the neighborhood character and quality of life we deserve. BL2017-937, 981, 982 and 1005 contradicts 608. Please vote no on each of these ordinances.

Thank you for your time, your consideration and your service to Nashville.

Charlotte S. Cooper

3409 Trimble Rd

Nashville TN. 37215

District 34

From: Kerry Foth [mailto:kerryf@esarch.com]
Sent: Tuesday, December 12, 2017 7:48 AM
To: Planning Commissioners
Subject: Short-term Rentals

12.12.2017

Dear Planning Commission,

My name is Kerry Foth, I live at 1350 Burton Valley Rd., Nashville. I want to express my concern and disapproval of Short-term rental units in Residential Neighborhoods. There are several bills that will be on the agenda and I want to let you know that I am strongly against the bills that let Short-term rentals operate in residential neighborhoods. The bills that I am referring to are;

BL2017-937

BL2017-981

BL2017-982

BL2017-1005

Residential neighborhoods should be for the individuals that LIVE there, not for commercial enterprises. Previously the Planning Commission passed the bill BL2017-608, which I am in favor of and I strongly urge you to keep this bill in mind when you consider the new bills on the agenda.

Please consider the wishes of the actual residents that live in these neighborhoods and vote **AGAINST** bills BL2017-937, BL2017-981, BL2017-982 and BL2017-1005.

Please vote against these bills to coincide with desires of the actual neighbors that live there.

Kerry G. Foth, AIA
LEED® Green Associate

Visualization Team/Senior Architecture Team

ESa

architecture | interior architecture | master planning | space planning

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Moving forward together to create environments that shape lives.

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

From: Teddie Clark [mailto:teddie5281977@gmail.com]

Sent: Tuesday, December 12, 2017 7:15 AM

To: Planning Commissioners

Subject: Opposition to 937

Dear Commission Members:

We live in District 18 and have a rental house (with a long term tenant) in District 23.

We are opposed to Bill 937 because it leaves non-owner short term rentals in place.

It is inconsistent with 608 which provides a phase out of all non-owner short term rentals from our residential neighborhoods.

Bill 937 also does not provide effective enforcement which leaves in place the noisy late night party STRs that are making it impossible for their hapless neighbors to get a decent night's sleep.

Please reject 937.

Yours truly,

Don Dawson & Teddie Clark

1703 Cedar Lane 37212

937 Windrowe Dr. 37205

From: Kim Sorensen [mailto:kimsorensen@usa.com]
Sent: Tuesday, December 12, 2017 6:59 AM
To: Planning Commissioners
Subject: Please Oppose 937, 981, 982, 1005 and Protect Our Neighborhoods

Dear Planning Commission,

I am deeply opposed to the four bills being voted on this week in regards to short-term rentals. I ask you to please help protect Nashville's community and oppose 937, 981, 982 and 1005.

I have experienced first-hand what short-term rentals can do to a neighborhood. When neighbors move out and a revolving door of strangers move in, we lose the very essence of what makes up a neighborhood. It's not about party houses. My neighbors are GONE. I am envious of people who still have a neighborhood community, though they could also lose their community if these bills pass.

Even one short-term rental has a direct effect on all the neighbors, party house or not. With 10 short-term rentals on my street, that means TEN families are gone. Communities all over the world are losing their residents to short term rentals. Please help stop this activity in Nashville. The wants of tourists to stay in my neighborhood should not override our zoning laws and our right to live in a residential area instead of a commercial one.

For those of you who voted on 608, I want to thank you so much. Our neighborhoods are fragile, and 608 is a good step towards keeping our residential neighborhoods residential.

Let's clean up this mess and vote NO on these bills!

Thank you for protecting Nashville's neighborhoods.

Sincerely,

Kim Sorensen
2627 Miami Ave
Nashville, TN

From: Carol Norton [mailto:c.norton@comcast.net]
Sent: Monday, December 11, 2017 11:19 PM
To: Planning Commissioners
Cc: Withers, Brett (Council Member)
Subject: Vote NO on BL2017-937

December 11, 2017

Dear Planning Commission Members,

I am writing in **OPPOSITION** to **BL2017-937** (2017-981 or 2017-1005 also)

I've spent 40+ years working to improve East Nashville and Nashville's Urban core, three of them spent on the Nashville Next Community Enhancement Committee. Please don't throw away all those years and hours by allowing the abovementioned bills to go forward.

I live in a residentially zoned neighborhood, not a commercially zoned one. Your previous vote in favor of #608, indicates you recognize neighborhoods should not have commercial businesses round the clock, 365 days of the year. There are commercially zoned locations for commercial businesses. RS and R zoned property are not among them.

I've lost neighbors because of the antics at non-resident STRs. The recent well publicized drug bust was associated with an investor owned STR two doors from me. Our neighborhoods are being eroded by the infiltration of investor owned (Type 2) STR's. The diversity of my neighborhood no longer exists, as there is less and less affordable housing that previously existed here. Now there are houses that only have "weekend neighbors". They don't have children in our schools or attend PTA meetings. They don't volunteer at our various community events like neighborhood clean-ups, or tree plantings. They don't support activities at our Parks. They eat, sleep, party, and that's about it. I prefer real, full time neighbors who will let me know if the cat's gotten out, or put my mail in my mailbox if it's mistakenly been placed in theirs, and all the other neighborly things we do looking out for each other.

Please vote NO on Bill #937 (981, 1005) so we can keep neighbors in our neighborhood. Bill 608 accomplishes that end and is consistent with Nashville Next, which is supposed to be the blueprint for our future.

Sincerely,

Carol Norton

District 6

801 Boscobel Street

Nashville 37206

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

From: Ann Roberts [mailto:avroberts210@comcast.net]

Sent: Monday, December 11, 2017 10:21 PM

To: Planning Commissioners

Subject: Please vote no on 937, 981, and 1005

Dear Commissioners,

Last April the MPC voted unanimously to support Bill 2017-608 as compatible with NashvilleNext. That bill would phase out non-owner-occupied short term rentals in R and RS zones. Now you are being asked to vote on this issue again on bills that completely contradict 608. Bill 937, the product of an ad hoc committee of the Council, would grandfather in all existing investor-owned short term rentals, opening the gate to commercial business within our neighborhoods. If mini-hotels are to be allowed, what other industry will invade neighborhoods next? I write to ask you to once again keep the promise made to homeowners that residential zoning means just that -- residential use -- by disapproving 937, 981, and 1005

In the months that this issue has been debated, many neighbors of investor-owned STRs have seen their quality of life diminished. Research shows that platforms such as AirBnB and HomeAway are causing problems in cities all over the world. They have not proven themselves to have the interest of neighborhoods at heart but to profit themselves at the expense of residents. Please vote to disapprove the STR bills before you on December 14.

Thank you very much for your service to Nashville.

Ann Roberts
210 Jackson Blvd.
37205
Council district 23

From: Hilda Ortega [mailto:horteaga@gcanews.com]

Sent: Monday, December 11, 2017 4:50 PM

To: Sloan, Doug (Planning)

Subject: BILL 608

Deer Sir:

I am asking you and all the members of the Metro Commission to vote against the 608 bill. It is so sad that our neighborhoods are being destroyed by the "party houses," Airbnbs. The people who buy these houses to rent them for that purpose do not even live in Nashville. Please vote NO on bill 608 and stop destroying our neighborhoods.

Thanks for your support,

Hilda Ortega

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

From: PATRICIA [mailto:phwilliams2@comcast.net]

Sent: Monday, December 11, 2017 10:20 PM

To: Planning Commissioners

Subject: 937

I am opposed to -937.

It is inconsistent with NashvilleNext and -608.

It is anti-neighborhood because it formally establishes non-owner occupied STRs as commercial uses in residential neighborhoods.

It is not a compromise. It leaves all non-owner occupied STRs in place.

It provides for no additional enforcement resources.

Please consider this carefully. Thank you so much for your service!

Pat Williams
4301 Elkins Avenue
Nashville, TN 37209
615-386-0204

Sent from XFINITY Connect Application

From: Loni walters [mailto:loni@musiccitymagnolia.com]

Sent: Monday, December 11, 2017 7:11 PM

To: Planning Commissioners

Subject: Vote YES on Bill 937!

Dear Member Planning Commission,

Thank you for your time and consideration of short-term rental property (STRP) regulations in Nashville. I urge you approve Substitute Ordinance 937, which represents the policy solutions reached by the STRP Ad Hoc Committee, and will allow all STRPs in Nashville to continue to operate responsibly across the

city. STRPs have been a part of Nashville's culture for generations, and responsible short term rental operators like me have only enhanced the quality of our neighborhoods and strengthened our local economy. Bill 937 will protect my right to use my home for short-term rental, while ensuring accountability and responsible renting.

Thank you,

Regards,
Loni walters
213 Wauford Dr
Nashville, TN 37211

From: M Stroop [mailto:mcstroop@gmail.com]
Sent: Monday, December 11, 2017 6:56 PM
To: Jannelle Hamilton
Cc: Burton Valley Neighbors
Subject: Re: Short term rentals

I will be emailing the Planning Commission.

Part of what I will say is: Reviews from the Airbnb next door use the words, "location was quiet & private", "peaceful", nice quiet neighborhood", "We felt comfortable & safe in this house". Ironically these are the exact things that have been taken away from me by an investor owned Airbnb next door!

Also I will be at the meeting Thursday to raise my hand that I am against grandfathering in and adding more commercial self-service hotels to neighborhoods (Bill 937 does that).

Hope to see lots of others there raising their hands and speaking out!

M'Lissa Stroop
4615 Shys Hill Rd

On Mon, Dec 11, 2017 at 11:30 AM, Jannelle Hamilton <hami730@att.net> wrote:

Hi neighbors,

We are getting very close to having 2 years of work either adopted or rejected. Our committee needs your help. The number of people we can get out to meetings and the number of emails we can get to the Planning Commission today and tomorrow and Wednesday will be crucial. They will be considering several bills that have been brought up since our bill 608.

If You will read the email from the leader of the Green Hills neighborhood association and especially look at our objections to these other bills and send an e mail to the Planning Commission today or tomorrow that will be so helpful. We need as many as we can get. If you know neighbors that are not on the list serve, please help them with sending emails also. We also need as many as can to go with us to the Planning Commission Thursday around 5:00. They begin at 4:00, but by our place on the adgenda, our head of committee thinks we should come by 5:00.

Remember our bill is 608. It phases out Non owner occupied STRS like Airbnb, Home Away, etc over a 3 year period. It would get those out of residential areas and have them in commercial areas.

We are speaking against the other 3 bills.

This meeting on Thursday the 14th with the Planning Commission and one in January with the Council will hopefully be the end of all this work and most of all that 608 will be in effect after the Council votes..

If you need to know where the PlanningCommission meets, it is at 700 Second Ave . Howard office building, Sonny West Conference. This Center is entered behind the Second ave building.

Thanks for reading through this and the Green Hills neighborhood email I will forward to you.

Any of us could wake up to a for sale sign next door, and have someone buy it to rent it out to tourists and bachelor and bachelorette parties. We have 3 in our neighborhood that I know of-there could be more. These have been called party houses because that's what they are a lot of the time. Of course you could get a nun's or rabbi's retreat.

There are people going and coming all the time. Many party until around 4:00 in the morning when they pass out. It is difficult and sometimes impossible to sleep with the noise, music and car doors slamming throughout the night. People end up with a drunk person banging on your door in the middle of the night because they've forgotten which house they are renting. You may not be able to let your children play in your own back yard unless you can sit with them because you don't know who is next door.

Please let me know if you can send an email or go to the meeting.

Jannelle

Sent from my iPhone

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

From: Jannelle Hamilton [mailto:jannelleh@icloud.com]

Sent: Monday, December 11, 2017 5:09 PM

To: Planning Commissioners

Subject: Bills on STRS

We appreciate your approval in the spring of bill 608. It protects neighborhoods from the mini-motel business of short term rentals. People all over Davidson County have had their lives changed in very unfortunate ways by having a house

next door sold to someone who wants to rent it out to tourists, bachelor and bachelorette parties. As we presented before, lack of sleep from noise, music, and car doors slamming until around 4:00 in the morning when the partiers pass out become a constant fact of life. Children and babies cannot sleep either. There are cars parked up and down the street. Garbage piled up because the temporary residents do not know where to put it and when. Animals get into the bags and strew it around. You sometimes have a drunk person bang on your door in the middle of the night because they don't remember which house he rented. There has been very obscene behavior with blow up women dolls and actual sexual behavior in a pool next door. When a naked woman doll was put up in a window near a school and the owner was given 1 strike, he hired a lawyer and sued the zoning commission and won. Another house rented by a bachelorette party was "decorated" with men's body parts around the porch and the front door. Do we want our children seeing such behavior.

Bill 608 phases out non owner occupied STRS over a 3 year period. They can run a mini motel in a commercial district, but not residential. It does not affect the ones in which the owner is living there and rents out rooms.

Bill 937 leaves those non owner occupied houses there in a residential neighborhood. It tries elaborate ways to control them, but cities all over the country have found there is no controlling this. We hire police to handle crime not to run all over town trying to get people to quiet down or stop obscene behavior, but neighbors have found that about 30 minutes after police have left, the party begins again. The Host Compliance bought by the city for an incredible amount of money is not working for neighbors trying to get help from it.

Bill 981 keeps all current non owner occupied STRS in residential areas, also

Bill 982 allows the owner of a 2 unit dwelling to have STR permits in both units. It is inconsistent with 608

Bill 1005 allows hotel-motel uses in R and RS districts.

When you voted in favor of bill 608, you backed a winner. I do hope you will not approve any of these 4 bills. The only people who do not like 608 are those people who are making money off our neighborhoods. Many do not even live in Nashville. The person who owns the most is from Spokane, Washington. A man who owns one in our neighborhood and several in other parts of town is from Canada, and he has refused to do any simple things that would give a little help to the lady living next door.

Let's stop investors from making money from Nashville's wonderful neighborhoods where we all return looking for peace and quiet.

Jannelle Hamilton

Sent from my iPhone

From: CAROL COPPLE [mailto:copple202@aol.com]

Sent: Monday, December 11, 2017 3:41 PM

To: Planning Commissioners

Cc: Shulman, Jim (Council Member); Withers, Brett (Council Member); O'Connell, Freddie (Council Member); Mendes, Bob (Council Member); Gilmore, Erica (Council Member); Hurt, Sharon (Council Member); Cooper, John (Council Member); Briley, David (Vice Mayor)

Subject: STR regulation in Nashville

Planning Commissioners:

I am a home owner in the Cherokee Park neighborhood and am against non-owner occupied short-term rentals in residential neighborhoods. Thus I am opposed to bills BL 2017-937, 981 and 1005 and support **BL-2017-608**.

Thank you for considering this concern.

Sincerely,

Carol Copple

4201 Aberdeen Rd

Nashville, TN 37205

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

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

From: Carol Williams [mailto:wachtel@bellsouth.net]

Sent: Monday, December 11, 2017 11:53 AM

To: Planning Commissioners

Cc: Withers, Brett (Council Member)

Subject: Please VOTE NO on Bill 937

December 11, 2017

To the Planning Commission:

Forty years ago a group of neighbors fought to downzone our neighborhood to R/RS and saved a struggling area now called Historic Edgefield. We need to continue protecting our residential zoning for stability and preservation.

REASONS TO VOTE NO ON BILL # 937:

--Bill 937 allows commercial businesses to operate 24/7 in R/RS zoning.

--We have a zoning process that has worked for decades. Commercial Businesses can apply for a zoning change, neighbors have a voice, and Metro Council votes. I am not aware of any time the State fought to remove this process.

--Nashville offers many opportunities for commercial business locations for non-owner occupied short-term rentals. R/RS zoning is meant to protect neighbors/neighborhoods. Commercial infiltration is best in appropriate locations as our present zoning code permits.

--The Planning Commission previously voted for #608 recognizing commercial use should not be allowed in R/RS. Bill 937 allows commercial business rights in our neighborhoods and does not follow the Nashville Next Plan.

--STRs are permitted for one year so the short term investment was known in advance.

Please keep in mind with a population of 600,000+ in Davidson County, no one gets to do exactly what they want with their property. Can you imagine the chaos without zoning laws in any large city?

Please vote NO on Bill #937 so we can keep neighbors in our neighborhood. STR2s will thrive in appropriate zoning areas. Bill 608 accomplishes that end.

Thank you for serving our city.

Respectfully,

Carol Williams
800 Russell Street
Nashville, TN 37206

From: G. Renshaw [mailto:grenshaw55@gmail.com]

Sent: Monday, December 11, 2017 3:35 PM

To: Planning Commissioners

Subject: Opposition to Non-owner-occupied Short-Term Rentals as a Commercial use

Dear Planning Commissioners:

I ask that you reject the Metro Planning staff analysis asserting that short-term rental--either owner-occupied or non-owner-occupied--is similar to the definition of a "home-based business" under current Nashville Next guidelines.

Below are direct quotes from the Home Occupation Permit form I downloaded from Nashville.gov, which is attached for your convenience.

- **"The home occupation shall be conducted in a dwelling unit or accessory building by one or more occupants of the dwelling unit." - This prohibits non-owner-occupied short-term rentals of any type.**

- **"No clients or patron may be served on the property."** - This prohibits all types of short-term rentals as patrons of those properties come and go at all hours of the day and night.
- **"Offensive noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare of other objectionable effects shall not be permitted."** This should prohibit exterior decor involving paper or inflatable sex organs and lewd dolls, but to date it has not. Please see the attached picture of the sex doll at a day-time, poolside bachelor party in Sylvan Park.
- **"Vehicles associated with the home occupation shall be limited to one vehicle with a maximum axle load capacity of one and one-half tons."** No short-term rental law proposed or currently in effect limits the number of vehicles or includes a parking requirement. The non-owner-occupied short-term-rental down the street from me recently hosted a motorcycle group with 7 motorcycles that lacked mufflers. The same property has been surrounded by up to 5 cars; 3 cars parked in the driveway of this property is normal.

Residential zones were established to create a buffer zone between commercial areas, where heavier traffic 24 hours a day is expected, and residential zones, where people hope the neighborhood will be quiet at night.

Many homeowners, including me, bought our houses with the understanding that residential zoning protected us from commercial intrusion. Please uphold this long-standing tradition, and do not approve Bills 2017-937, 2017-981 or 2017-1005.

Please keep ALL commercial uses out of residential zones.

Thanks and regards-

Grace Renshaw

220 Mockingbird Rd, Nashville 37205, and 1607A Douglas Ave, Nashville 37206

grenshaw55@gmail.com



(attachment follows)



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS
METRO OFFICE BUILDING – 3rd FLOOR
800 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS
POST OFFICE BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

THE CUSTOMER WILL FURNISH THE FOLLOWING ITEMS TO OBTAIN ACCESSORY HOME OCCUPATION PERMIT:

1. **Letter of intent** stating exact details of home occupation and applicant's intent to fully comply with the Zoning Code Section 17.16.250(C) (copy attached). The applicant must state in the letter the number of square feet they plan to use in connection with the home occupation and that it will not exceed 20 percent of the floor area in the residence or accessory structure occupied and in no case more than 500 square feet. It must also state that they fully understand that they cannot serve customers on the premise and can only have one employee other than a resident of the dwelling on the property.
2. **Copy of a floor plan** of the residence (copy attached).
3. If you rent, you will need a letter from the management of your apartment complex or the landlord of your rental property permitting you to have a home occupation.
4. A fee of \$50.00 is required. This is a one-time fee, not a yearly fee.

THE ZONING EXAMINER WILL FURNISH:

1. A copy of the application to the zoning inspector so they can inspect the property to verify residence requirements before the permit is issued.
2. A copy of all home occupation permits is to be provided for the division secretary so it can be forwarded to the district councilperson by the zoning examiner.

Letter of Intent

To Whom It May Concern:

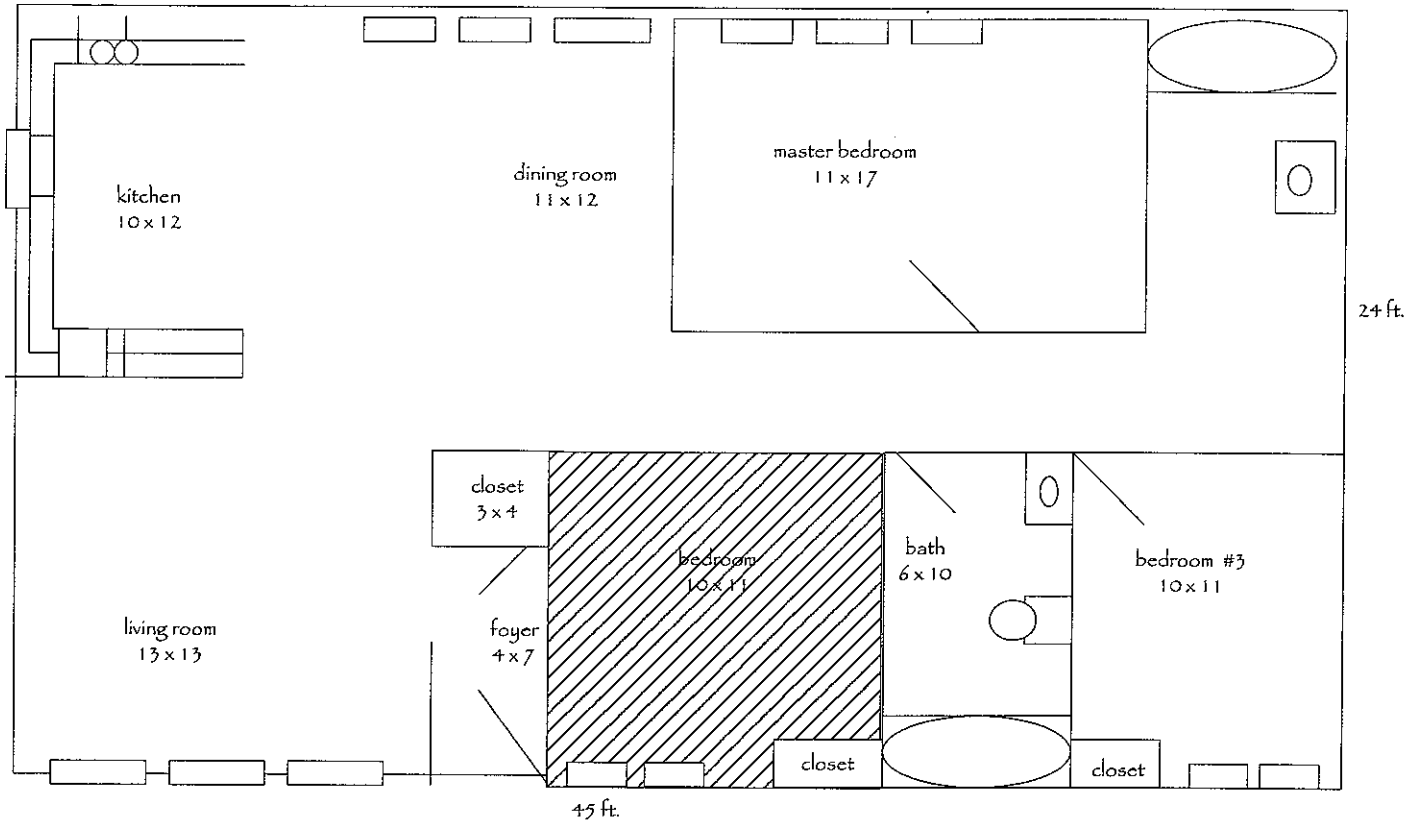
I _____ wish to use a _____
square foot portion of my residence, approximately _____% of my
floor area, as a home occupation. (Description of the business below)

I fully understand that I must at the time of obtaining the permit for a home occupation be a full time resident of the property for which I have applied. The Code does not permit more than one (1) additional full time employee other than full time residents of the property. No customers may visit the property nor any additional employees.

I have received a copy of Section 17.16.250(C) of the Metropolitan Zoning Code outlining the restrictions on home occupations and I intend to fully comply.

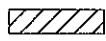
Sincerely,

EXAMPLE FLOOR PLAN



1080 square feet living space

Designate the amount of floor area to be used as home occupation. Not to exceed 20% of floor area, up to 500 square feet maximum. Calculate on living space not to include garage or accessory buildings.

 indicates area of home occupation.

example:
living space 1080 sq. ft.
garage 500 sq. ft.
 $1080 \times 20\% = 216$ sq. ft.
216 sq. ft allowed to be used as home occupation.
proposed $10 \times 11 = 110$ sq. ft.

Section 17.16.250 (C)

C. Home Occupation. A home occupation shall be considered an accessory use to a residence subject to the following:

1. The home occupation shall be conducted in a dwelling unit or accessory building by one or more occupants of the dwelling unit. No clients or patrons may be served on the property. No more than one part-time or full-time employee not living within the dwelling may work at the home occupation location.

2. The home occupation shall not occupy more than twenty percent of the total floor area of the principal structure and in no event more than five hundred square feet of floor area.

3. The home occupation shall not be advertised by signs, exterior displays or interior displays of goods visible from the outside, or any exhibit whatsoever that would indicate that the dwelling unit or accessory building is being utilized for any purpose other than a residence.

4. The use of mechanical or electrical equipment shall be permitted in connection with a home occupation provided such equipment:

a. Would be used for purely domestic or household purposes;

b. Is located entirely within the dwelling unit or accessory building and cannot be seen, heard or smelled from outside the dwelling unit or accessory building and has an aggregate weight of less than five hundred pounds; and

c. Does not interfere with radio and television reception on neighboring properties.

5. The storage of materials or goods shall be permitted in connection with a home occupation provided such storage complies with the following standards.

a. All materials or goods shall be stored completely within the space designated for home occupation activities.

b. Only those materials or goods that are utilized or produced in connection with the home occupation may be stored within the dwelling unit or accessory building.

c. All materials or goods shall be stored completely within the dwelling unit or accessory building.

d. All flammable or combustible compounds, products or materials shall be maintained and utilized in compliance with *Fire Code NFPA-30*.

6. External structural alterations not customary in residential buildings shall not be permitted.

7. Offensive noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare, or other objectionable effects shall not be permitted.

8. The manufacture or repair of transportation equipment shall not be permitted as a home occupation.

9. Vehicles associated with the home occupation shall be limited to one vehicle with a maximum axle load capacity of one and one-half tons.