

Comments on December 14, 2017 Planning Commission agenda items, received December 13-14

Items 1a/b, Sidewalks

From: David Weintraub [mailto:david.a.weintraub@vanderbilt.edu]

Sent: Thursday, December 14, 2017 9:34 AM

To: Planning Commissioners

Subject: request that you vote against proposed exemption for sidewalks for churches

I am writing to ask you to support continuing the improvement of Nashville's sidewalk network. Please demonstrate that support by voting to recommend disapproval of the text amendment on your agenda that would create a blanket exemption for churches and other religious institutions from Nashville's sidewalk construction requirements.

There is no reasonable basis to single out churches and provide them with this unique financial advantage. Churches generate significant traffic of all kinds. Vehicular traffic on days of worship and for other activities actually create an increased need for better sidewalks along the frontages of these properties. Pedestrians in the community who are passing by the church need the sidewalks for safe passage, and pedestrians walking from their homes, or even just from their cars parked along the street, also need sidewalks.

As one who attends Second Presbyterian Church, I am writing this email as a member of the group that presumably is intended to be "protected" from the sidewalk requirements that apply to all other landowners. We - the members of Nashville's houses of worship - do not need the proposed exemption and I ask that you vote to recommend that the Council disapprove the proposal.

Thank you for your service to the citizens of Metro Nashville.

David A. Weintraub

3014 Medial Avenue

Nashville, TN 37215

From: Withers, Brett (Council Member)
Sent: Thursday, December 14, 2017 12:11 PM
To: Planning Commissioners
Cc: Planning Staff
Subject: Request disapproval of Agenda Item 1a: 2017Z-023TX-001

Planning Commissioners:

I am writing today to urge your disapproval of Agenda Item 1a: 2017Z-023TX-001 regarding religious exemptions from sidewalk requirements.

Churches and houses of worship are required to follow all building codes pertaining to structural integrity, access and egress, handicap accessibility, and other building and physical plant requirements. Churches are not even exempt from Codes pertaining to signs. While the content of a sign may be protected speech, the dimensions, materials, placement and lighting of the sign must meet all other Code requirements. Following the same logic, churches and houses of worship should not be exempted from sidewalk construction or contribution requirements.

Exempting churches from sidewalk requirements would not further religious speech or practice; it would instead create holes in the Metro Zoning Code wherein laws are applied to certain property owners but not others without having an objective basis for such a differentiation. This exemption practice would create a poor precedent for any number of Metro Code requirements.

I urge you to recommend disapproval of this item at today's meeting. While it is true that the Sidewalk Bill is a relatively new ordinance and the Metro Council and Departments are still learning together and working out some new best practices based on this experience, creating such a sweeping exemption allowance in the Code would be damaging to that thoughtful process. As things currently stand, property owners are able to apply for hardship variances to the Board of Zoning Appeals.

Thank you for your consideration and for your support of ensuring that critical infrastructure is installed where it is needed to support walkable neighborhoods and multi-modal transportation choices at outlined in the NashvilleNext plan.

Brett A. Withers

Metro Council, District 6

Mobile (615) 427-5946 | [facebook.com/Brett.A.Withers](https://www.facebook.com/Brett.A.Withers) | [twitter.com @brettawithers](https://twitter.com/brettawithers)

From: J Garr [mailto:jgarrett244@gmail.com]

Sent: Thursday, December 14, 2017 11:08 AM

To: Planning Commissioners

Cc: Withers, Brett (Council Member); Henderson, Angie (Council Member)

Subject: please oppose item 1a: 2017Z-023TX-001, BL2017-938; sidewalk exemptions for churches

Dear Planning Commissioners,

I'd ask for you to oppose item 1a: 2017Z-023TX-001, BL2017-938.

I'd suggest that sidewalks are not nearly as expensive as in-lieu fees may imply; I've heard of estimates as low as 1/10 of the cost of the current in-lieu fee (\$180) if building these when resources are available. So \$10k could buy 500 frontage feet of sidewalks. And a property with 500 feet of frontage surely has a nice financial backing where \$10k would be a small component of this.

Unless the issue is again continuing the myth and/or stigma of walking pedestrians, that this somehow suggests this is a not a valid mode of transport, or that people will never use this. Yes, in the GSD, segments must start somewhere, and this is a fair way of supporting this, as 2016-493 was vastly supported in past legislative steps.

Or perhaps it's deemed that road frontage property would be lost in this process, this is a sentiment shared by individuals learning of where their lot lines are.

But I'd submit part of the reasons for churches having such generous tax advantages is to be a benefit to the community, and thus should not not want to participate in a community benefit. Walking to/from church, or neighbors benefitting from this investment ammortized over 50 years seems a small price to pay to the community. It might attract individuals to sponsor or maintain a local or nearby church instead of driving to just one more place.

For many, many church buildings that sit dormant the majority of the week, unutilized, this might be the most contribution that they're making to the immediate community. And churches have a huge habit of changing hands when their congregations or brandings wax and wane over time, also suggesting that subsequent property owners inherit the sidewalks that once could have been built.

Piece by piece this is a method is needed for starting the "unconnected" zones in all districts, and this is a fair approach; it seems to be taxing only when the property owners assume they must pay the in-lieu fee.

Why not build sidewalks? In the midst of transit debate on the importance of providing alternative forms of transportation, getting to the root of the reasoning is completely in contrary to the healthy concepts both developed through NashvilleNext and that have led to many issues related to suburban sprawl, for which we're all dearly paying now, even us in the USD and urban core.

bl2016-493 provides a BZA provision potentially for hardship cases; why isn't this sought? I hope there aren't a flood of churches ready to be bought with vast sums of money, but not willing to give back to their community and perpetuate transport stigmas.

Sincerely,

Jason Garrett

1508 Sevier Court, 37206

east nashville, district 6.

From: barrett brantley [mailto:barrettdbrantley@gmail.com]

Sent: Thursday, December 14, 2017 7:07 AM

To: Planning Commissioners

Subject: Sidewalk exemption

I am writing to ask you to support continuing the improvement of Nashville's sidewalk network. Please demonstrate that support by voting to recommend disapproval of the text amendment on your agenda that would create a blanket exemption for churches and other religious institutions from Nashville's sidewalk construction requirements.

There is no reasonable basis to single out churches and provide them with this unique financial advantage. Churches generate significant traffic of all kinds. Vehicular traffic on days of worship and for other activities actually create an increased need for better sidewalks along the frontages of these properties. Pedestrians in the community who are passing by the church need the sidewalks for safe passage, and pedestrians walking from their homes, or even just from their cars parked along the street, also need sidewalks.

As a long time member and elder of Second Presbyterian Church, I am writing this email as a member of the group that presumably is intended to be "protected" from the sidewalk requirements that apply to all other landowners. We - the members of Nashville's houses of worship - do not need the proposed exemption and I ask that you vote to recommend that the Council disapprove the proposal.

Thank you for your service to the citizens of Metro Nashville.

Barrett Brantley

1850 Laurel Ridge Drive

Nashville

From: John Harkey [mailto:jharkey@harkeyresearch.com]

Sent: Thursday, December 14, 2017 6:13 AM

To: Planning Commissioners

Subject: Ref: 2017Z-023TX-001

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Dear Commissioners,

Councilman Glover is proposing a bill, BL2017-938, which should not receive your endorsement. I understand the back story on this, that the state legislature is looking over our shoulder. That the state might overturn a city law in opposition to every state legislator in

Davidson County does not seem likely. Steve Dickerson, a Republican, is certainly in favor of sidewalks. I would think that even Beth Harwell, who is running for Governor, would support sidewalks.

Our churches, including the one I attend, get exempted from property taxes and otherwise get favored treatment. They have the right of appeal under the sidewalk legislation, as it stands. There is no need for this legislation. We need more sidewalks in Davidson County, not less, especially adjacent to churches which generate lots of foot traffic.

John Harkey

225 Craighead Avenue

Nashville, TN 37205

(615) 292-6973 (home)

(615) 498-4726 (cell)

From: Adam Hill [mailto:hill.law@gmail.com]
Sent: Wednesday, December 13, 2017 10:24 PM
To: Planning Commissioners
Subject: Sidewalks and churches

Commissioners,

I'm writing to ask you to reject the proposal that churches be exempt from the sidewalk requirements. I'm an HWEN member and I walk by a local church on my walks. I don't think there's any reason to reduce the amount of sidewalk space in front of churches.

Many thanks for your consideration.

Adam Hill
Westmoreland Dr.

From: John Harkey [mailto:jharkey@harkeyresearch.com]
Sent: Thursday, December 14, 2017 6:13 AM
To: Planning Commissioners
Subject: Ref: 2017Z-023TX-001

Dear Commissioners,

Councilman Glover is proposing a bill, BL2017-938, which should not receive your endorsement. I understand the back story on this, that the state legislature is looking over our shoulder. That the state might overturn a city law in opposition to every state legislator in Davidson County does not seem likely. Steve Dickerson, a Republican, is certainly in favor of sidewalks. I would think that even Beth Harwell, who is running for Governor, would support sidewalks.

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John Harkey

225 Craighead Avenue

Nashville, TN 37205

(615) 292-6973 (home)

(615) 498-4726 (cell)

Item 8, Riverview at Cumberland Hills

From: John Sturdivant Jr [mailto:junior@junctionstudio.com]
Sent: Thursday, December 14, 2017 10:37 AM
To: Planning Commissioners; Sloan, Doug (Planning)
Subject: OPPOSITION TO 2017S-254-001

Members of the Planning Commission,

I beseech you to take into consideration the provided information below in opposition of 2017S-254-001 RIVERVIEW AT CUMBERLAND HILLS and also examine the quality of life that would be in detriment.

The neighborhood North Hills Estate is over 50 years old. Northside Drive, the only road in and out of the neighborhood, is narrow and barely wide enough for two cars. If anyone parks on the street it makes it impossible for traffic to flow freely. The stop light at Gallatin Road remains red for 4 minutes and 30 seconds and green for only 7 second. Northside Drive shall suffer damage from the weight of the trucks during the construction and will need to be repaired thus adding a cost to the city. The reconstruction Northside Drive could potentially at times completely cut off the residents to even get out of the neighborhood. Emergency officials have already recommended that there needs to be at least two exists from this proposed neighborhood and this could propose a very dangerous situation for the only access to be Northside Drive.

Potential flooding to the neighborhood and the railroad at the back of the subdivision needs to be considered. The proposed connection to Cumberland Hills Drive is going through a natural drainage ditch. It also has a high-pressure sewer line underneath. The solution in the proposed plan, are areas reserved for storm water. I respectfully ask that this be reviewed to ensure that the potential flooding and health hazards will be avoided.

This proposed neighborhood is not in keeping with the existing neighborhood.

In closing, with potential multiple accesses in and out of 2017S-254-001 RIVERVIEW AT CUMBERLAND HILLS, Spring Branch Road, Cude Lane, Shepherd Hills, and Twin Hills, including them would be more beneficial and ensure the safety and well being to all residents.

Sincerely,

John Sturdivant, Jr.

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Item 10, Rezoning S of E Trinity Lane

From: Davis, Ashonti [<mailto:DavisA17@aetna.com>]

Sent: Thursday, December 14, 2017 9:42 AM

To: Birkeland, Latisha (Planning)

Subject: RE: Item 10 - 2017Z-037PR-001

Hi, Latisha,

Attached are some additional letters from my neighbors. I will send a PowerPoint presentation in separate email.

Thanks,

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

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.

(attachment follows)

Dear Members of the Planning Commission,

RE: Proposed Rezoning: 2017Z-037PR-001

I am expressing my concerns along with my neighbors about the proposed rezoning, as reflected in 2017Z-037PR-001. The proposed rezoning of over 36 acres adversely affects the existing neighborhood on the proposed streets, nearly all are residential streets. A list of the problems that would result from the proposed rezoning include, but are not limited to:

- Increase in Traffic
- Inadequate Parking
- Inadequate Infrastructure
- Detrimental Environmental impact

The proposed rezoning as reflected in 2017Z-037PR-001, is akin to redlining in that it cherry picks and carves out certain portions of an entire neighborhood for rezoning without any justification. For instance, the proposed rezoning of the selected portion of Edwin Street primarily consists of single-family homes on .18 acres. The proposed rezoning of Edwin Street (and surrounding streets) does not account for the existing character of the neighborhood, nor does it include the 2 other blocks that encompass Edwin Street. Further, the proposed rezoning ignores the narrow nature of the existing streets and the fact that the existing topography of the neighborhood cannot support the additional density. It also appears there is a complete lack of oversight on the impact the additional traffic will have on the existing narrow and quiet streets where people frequently walk and children play. As the map indicates, the proposed rezoning does not involve Marshall Street, Pullen Avenue, Gatewood Avenue, and Joy Avenue – all streets with similar composition to the streets proposed for rezoning. It begs the question: why are similarly situated streets being proposed for rezoning?

Importantly, there has been a complete lack of neighborhood engagement on the proposed rezoning, and many neighbors are unaware of why their property is being rezoned without their input. Property owners, neighbors, and other stakeholders should have some input on whether large portions of our neighborhood are rezoned for higher density.

I urge the Commission to deny the proposed rezoning as shown in in 2017Z-037PR-001 for several reasons, including that such rezoning does not align with the existing characteristics of the neighborhood and any proposed rezoning should not ignore the existing quality of the neighborhood.

Signed: Evelyn Davis

Date: 12/14/12

Print Name: Evelyn Davis

Address: 315 Edwin St

November __, 2017

Dear Members of the Planning Commission,

RE: Proposed Rezoning: 2017Z-037PR-001

I am expressing my concerns along with my neighbors about the proposed rezoning, as reflected in 2017Z-037PR-001. The proposed rezoning adversely affects the existing neighborhood on the proposed streets, nearly all are residential streets. A list of the problems that would result from the proposed rezoning include, but are not limited to:

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Further, there has been an absence of significant community engagement on the issue of the proposed rezoning and the impact on the area. A lot of recent rezoning applications and specific plan (SP) applications in the immediate area over the last several months, and I ask the Planning Department and Commissioners to consider the aggregate impact on the neighborhood and its existing character and infrastructure.

I urge the Commission to deny the proposed rezoning as shown in in 2017Z-037PR-001 for several reasons, including that such rezoning does not align with the existing characteristics of the neighborhood and any proposed rezoning should not ignore the existing quality of the neighborhood.

Signed: Robert Hunt Date: 12 11 17

Print Name: Robert Hunt

Address: 325 Edwin St.

November __, 2017

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Signed: _____

Date: _____

Print Name: _____

Address: _____

Henry Duckwitz
12/11/17
Henry Duckwitz
329 Edwin St. Nashville TN 37207

November __, 2017

Dear Members of the Planning Commission,

RE: Proposed Rezoning: 2017Z-037PR-001

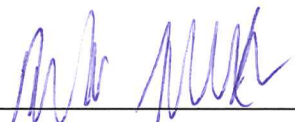
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Signed:  Date: 12/11/17
Print Name: ANTONIO SYLVESTER
Address: 332 EDWIN ST.

November __, 2017

Dear Members of the Planning Commission,

RE: Proposed Rezoning: 2017Z-037PR-001

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I urge the Commission to deny the proposed rezoning as shown in in 2017Z-037PR-001 for several reasons, including that such rezoning does not align with the existing characteristics of the neighborhood and any proposed rezoning should not ignore the existing quality of the neighborhood.

Signed: Misty DeFore Date: 12-11-17
Print Name: Misty DeFore
Address: 308 Edwin St

Dear Members of the Planning Commission,

RE: Proposed Rezoning: 2017Z-037PR-001

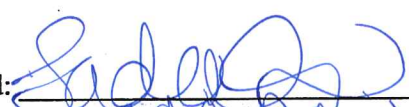
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Signed:  Date: 12/14/17
Print Name: Sadie Davis
Address: 313 Edwin St. Nashville, TN 37207

Dear Members of the Planning Commission,

RE: Proposed Rezoning: 2017Z-037PR-001

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Signed: _____

Date: 12/13/17

Print Name: _____

Adelee Seidel

Address: _____

905 Boswell St., Nashville, TN 37206

From: Evelyn Davis [mailto:anndavis863@gmail.com]
Sent: Thursday, December 14, 2017 8:07 AM
To: Planning Commissioners
Subject: Item No. 10 - 2017Z-037PR-001

Dear Planning Commissioners,

I oppose the upzoning of 36 acres reflected in the above item. I live at 315 Edwin Street and I have lived there for almost 30 years. I did not ask for my property to be rezoned and many of my neighbors apparently were not consulted on this issue.

Thank you for your time,
Evelyn Davis

Item 15, Hoggett Ford Road

From: Sherry [<mailto:sherry@greaternashvilleinsurance.com>]

Sent: Thursday, December 14, 2017 10:02 AM

To: Sloan, Doug (Planning)

Subject: 20175-280-001

Thank you for your time Mr. Sloan,

I am writing to ask you to reject the cut thru on Hoggett Ford Road from The Fleetwood Subdivision. I purchased my home due to only 1 in and out due to the safety reasons. I walk my subdivision and children play in the streets and we walk out dogs without fear of fast traveling vehicles or strange vehicles coming into the subdivision. We know the faces and vehicles that come into the subdivision. I don't have an issue with the homes built as I know they are coming. I also am ok with the locked gate for emergency access.

Thank you again for your time.

Sherry Groom, CISR

From: Sue Senchuk [<mailto:susansenchuk@yahoo.com>]

Sent: Thursday, December 14, 2017 8:56 AM

To: Kempf, Lucy (Planning); Milligan, Lisa (Planning); Birkeland, Latisha (Planning); Napier, Patrick (Planning); Sullivan, Deborah (Planning); Shepard, Shawn (Planning); Rickoff, Abbie (Planning); Hill, Levi (Planning); karmeh.sharp@nashville.gov; Burse, Gene (Planning); michelle.hollingworth@nashville.gov; Rust, Jason (Planning); Shartzter, Christine (Finance)

Subject: IIssue for Planning Commission 4PM Today

Dear Friends,

I wish to add my voice to those who are NOT in favor of the proposed emergency access street for the new development planned for the Hoggett Ford/Central Pike area of Hermitage. The proposed access street is to cut through the Home Owners Association of Fleetwood which is currently a one way in- one way out neighborhood. **Such a street would definitely impact the safety of our neighborhood.** As a single woman homeowner, among others here, I bought my home in Fleetwood partly for the reason of its relative safety, away from the main streets. The option to place a gate at the point of access, instead of the street, seems to me to be a win-win solution. In my opinion, there is no need for the street.

This issue is scheduled to be reviewed at 4PM today by the Planning Commission. I hope my voice here may be heard and counted.

Susan Senchuk

2817 Chapelwood Drive (Fleetwood)

Hermitage

From: Sandra Duncan [mailto:d_saundr@bellsouth.net]

Sent: Wednesday, December 13, 2017 9:14 PM

To: Planning Staff

Subject: Case Number 201S-280-001

To Whom It May Concern,

My name is Sandra Duncan residing at 3771 Hoggett Ford Rd. I'm writing to inform you that I would like to oppose and gather more details for the proposed walking trail for Case Number 201S-280-001.

My family purchased this house in 2014 for the privacy. The back side of the house has many windows and doors along with the right side of the house that has two bathroom windows. There is a total of 9 windows and 3 doors with full length windows. It is very open and allows for a beautiful view of the land in the back. It will be very expensive and very costly to cover them. We are not opposed to progress and there being more houses built back there. Our concern is building a walking trail that circles our house.

We currently do not have the money to purchase a privacy fence. Neither do we have the money right now to purchase window coverings. The house has a lot of ornate detailed characteristics and the window and door coverings must match in style and class. I have attached some pictures to provide a visual of how you can walk from the laundry room to the master bedroom and see it from the outside. I also have attached a cost estimate to cover the windows. This is the the cheapest way and does not match the house. I would rather have roman shades but I have not had time to get a cost estimate for that. If someone was standing on the trail or sitting on a bench they could see inside. This is a sensitive and vulnerable area for my family so we would appreciate the pictures to be shown only to those that

need to see them. We also would like for our concerns not to be shown or be discussed unnecessarily with those that do not need to know.

Last year there was a rape and the rapist dumped the cell phone in the bushes on the side where the proposed walking trail will be. The detective that came to our house said they suspected he was one of the construction workers working in the neighborhood. This concerns us to have all those men working back there with my window and doors being so opened and with our low windows.

My family has always lived in a neighborhood where there was not a lot of traffic either by foot or automobile. Our last house was in a cul-de-sac where the kids were free to play and we did not have to be concerned about a lot of people coming by. In 2013 someone tried to break into our house and my kids were home alone. This has caused some great concern for me and my family where we are more cautious.

Adding a green space will improve the aesthetic of the current farm look, however we are concerned that this will bring so many more people to the back side of our house. We never intended to live next to a park or to be surrounded by a walking trail. If this proposed walking trail is built according to the plans it will surround our house and basically put us in the middle of a walking trail. That is an awful feeling. It almost seems as though it is intended to drive us away. We have no plans of moving since we just moved in 2014. I have my elderly mother that lives with us. Her bedroom window is very low to the ground. That is another reason I do not want to draw extra walking traffic to the area.

I think a high privacy fence and window treatment would definitely help. But there is still a security concern. Unlike automobile traffic when a car approaches they are passing. But when someone is walking there is opportunity for them to linger and watch and hide. You can see someone in our house walk from one end of the house to the other because of the many windows and doors.

I propose some of the following alternatives:

1. If the walking trail was limited to the left side of the house that would be better than surrounding the house.
2. If the walking trail could be built in the middle of the subdivision rather than by my house that would be good. This way the people that purchase the house would be making a decision to buy knowing the park/trail is there.

I would like to gain more details at the hearing to know exactly what the development will look like:

1. What is the distance between my property line and the street
2. What is the distance between my property line and the first park bench

3. What is the distance between my property line and the walking trail
4. What is the time frame on the completion of the project
5. I have an easement for my septic. Where will the first house be in relations to the field lines.
6. Is it possible for me to switch to metro sewage by latching on to whatever is used in the subdivision?

I ask that this matter be taken into consideration and a proposed solution reached.

(Photos follow – text file was unusable)





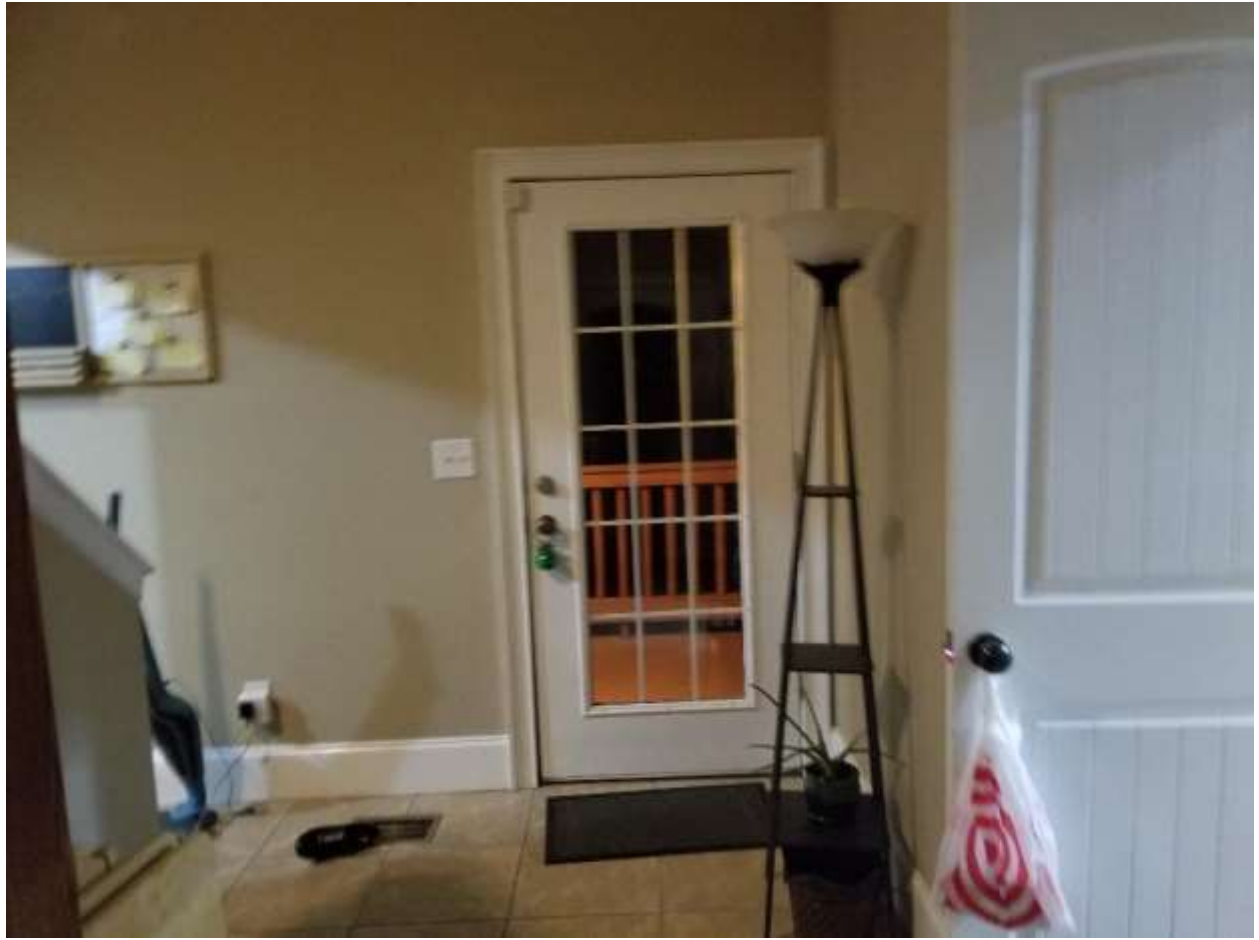
















Items 24a/b/c/d, STRPs/Hotels

From: F Stabile [mailto:frankie.stabile@gmail.com]

Sent: Thursday, December 14, 2017 11:50 AM

To: Planning Commissioners

Cc: Shulman, Jim (Council Member)

Subject: Yes on 937

Dear Commissioners,

937 is not perfect, but it is the best compromise we have seen yet. Passing this bill sends a clear message that we need to begin to focus our attention on the understaffed codes department.

Anyone who has been involved in their neighborhood, written the planning commission or their council member, attended meetings, and/or spoken at public hearings knows that the problems with quality of life issues in our neighborhoods could be resolved more timely if our codes department was properly staffed.

Every argument made against STR can be leveled against infill development; litter, parking issues, noise, or strangers in the house next door, yet no bill has been filed to ban infill development. STR has become the scapegoat for our growing pains. Trying to ban STR will not solve affordable housing. It will not stop builders working on Sunday. It will not cure parking issues or litter or stop a neighbor from getting home late at night.

Just last week a report revealed 85 homes in The Nations neighborhood with side setback violations because of the code department's lack of oversight. Codes is overburdened by the growth of this city yet somehow only STR is in the crosshairs.

Those against STR need to hold the right people accountable. If these neighborhood organizations would have put their effort towards demanding a codes staff that can meet the demand many issues would

have been solved by now. Instead we have to spend countless hours arguing over whether visitors should or shouldn't have a choice between an overpriced hotel or a moderately priced home when coming to our city for work or pleasure.

Please vote in favor of 937.

No on 981.

Yes on 982, though that language is in 937.

Defer 1005.

Best,

Frank Stabile

From: Tom Cash [mailto:tcash101@aol.com]
Sent: Thursday, December 14, 2017 11:49 AM
To: Planning Commissioners
Subject: Protect residential zones

Please vote against bill 937 and uphold residential zoning. Your support for 608 was spot on- type 2 STRPs are solely businesses and have no place in R and RS zoning as 937 allows.

Having land use policy is good planning and these businesses belong in commercial and mixed use zones which are likely to be on corridors near public transportation, and less impactful in our residential neighborhoods.

Thanks for protecting our communities and all you do.

Tom Cash

Hillsboro West End

From: Nashville-Percy Priest Environmental Cleanup [mailto:info@nashville-percypriest.com]

Sent: Thursday, December 14, 2017 11:45 AM

To: Planning Commissioners

Cc: Hagar, Larry (Council Member)

Subject: The case against Substitute Ordinance 937 and Airbnb's Ghost Hotels

Planning commission members:

Several months ago I warned that keeping non-owner occupied STR2 “ghost hotels” in our residential neighborhoods would result in legal challenges from other individuals wishing to establish commercial businesses that generate transient traffic in residentially zoned neighborhoods. As I am sure you are aware, that has happened and now Nashville is facing expensive lawsuits to bring beauty shops and recording studios into our residential zones.

Airbnb’s ghost hotels moved into our neighborhoods through subtle manipulation and half truths that are blurring the lines between residential and commercial zoning, counter to Nashville Next. Airbnb would have you believe that STR2s are good for Nashville’s residential neighborhoods when nothing could be further from the truth.

If BL2017-937 passes, the only winners will be a few STR investors and Airbnb’s profit margin! In the mean time, residents close to these ghost hotels will

- Still be dealing with wild parties.
- Still be the reluctant “enforcers” of social order.
- Still have to report violations after the fact.
 - You can’t take back something that has already happened.
 - You can’t erase seeing indecent behavior from a child's brain.
- Still have to deal with 3 a.m. drunk Uber drop-offs that disrupt sleep, often several times a week.
 - Disruptive Uber drop-offs DO NOT count as a strike!
 - Neither does falling down drunk or vomiting in the driveway!

Please keep in mind that Airbnb guests are coming here to party; they are not coming here to go to church! Don’t let 937 derail BL2017-608!

Cynthia Tieck
DHNA Board Member
Woodland Pointe HOA Board Member

Please Recycle! "It takes 150 plastic bottles to make one Adirondack Chair!"
Nashville-Percy Priest Environmental Cleanup Project
(615) 957-4707
info@nashville-percypriest.com

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

From: Carol Lecian [mailto:cal8946@hotmail.com]
Sent: Thursday, December 14, 2017 11:44 AM
To: Planning Commissioners
Cc: Hagar, Larry (Council Member)
Subject: Please oppose BL2017-937, BL2017-981, BL2017-982, and BL2017-1005

Dear Metro Planning Commissioners:

I am writing to ask that you oppose legislation represented by BL2017-937, BL2017-981, BL2017-982, and BL2017-1005 that is before you this afternoon.

Councilman Shulman will tell you that BL2017-937 is a bill that was drafted by an ad hoc committee appointed by Vice Mayor David Briley in order to find a "compromise" between the Type 2, Non-Owner Occupied, short-term rental property (Type 2 STRP) owners who want to be able to continue to rent out entire homes to transient vacationers and the homeowners who bought a home in a residentially-zoned neighborhood expecting to have neighbors and raise a family and have quiet enjoyment of their home and property and who do not wish to live next to mini hotels in their residential neighborhoods.

BL2017-937, touted as the "compromise" bill, is hardly a compromise when it intends to define Type 2 STRPs as a "commercial use" in residential districts--it is essentially a sell-out to the "home-sharing" industry. This is a flagrant disregard not only of current zoning laws and processes for implementing a change in zoning, but also of Nashville's General Plan, NashvilleNext, which is "a long-range plan for Nashville's future, intended to guide growth, development, and preservation in our city over the next 25 years." NashvilleNext was based on community vision and input, and is a plan that was adopted after three years of community engagement which involved "nearly twenty thousand community members sharing their thoughts and suggestions at over four hundred meetings, briefings, events, and public conversations." NashvilleNext was not entered into lightly and did envision and does not support the destruction through commercialization of its residential neighborhoods.

Nashville has zoning in place that defines specific areas in which commercial operations may occur. Residentially zoned properties are not intended for commercial operations. In fact, the Planning

Commission, in April, unanimously approved BL2017-608, which intends to phase out--not ban--Type 2 STRPs from R- and RS-zoned neighborhoods (under BL2017-608, Type 2 STRPs will be able to continue to operate in zoning where it is appropriate for such commercial endeavors). The Planning Commission stated in April, "[w]hen Title 17 was first amended to define STRPs and permit them as a use accessory to residential uses, the information presented to staff reflected a home-sharing model, where home owners were frequently present when transient guests were present." The Planning Commission realized then--and should realize now--that Type 2 STRPs do not fall under the definition of "home-sharing" and are commercial businesses operating in residential districts. BL2017-937 confirms that realization and intends to usurp current zoning to appease one industry by defining Type 2 STRPs as commercial businesses. In fact, many of these "homes" are owned by out-of-state residents, out-of-county residents, and limited liability corporations.

If the Planning Commission were to approve BL2017-937, BL2017-981, BL2017-982, or BL2017-1005 today, it will be in direct contravention of the tenets NashvilleNext, which the Planning Commission is charged with upholding, will afford preferential treatment to one business model, and will open up Pandora's box. In essence, the Planning Commission will have set a precedent and will have to overturn its prior decision to disapprove allowing a recording studio (a commercial enterprise) to conduct business from a residential home. It will have to allow hair salons to conduct business from a residential home. Just where does it stop?

Setting aside the commercial intrusion into residential neighborhoods by Type 2 STRPs, another factor that is germane to this issue is enforcement. None of the bills before you today deal with or offer a solution with regard to enforcement. Sponsors of BL2017-937 promise that "enforcement" will be dealt with in subsequent legislation. When? Regardless of how enforcement is handled--a private company, a division of Codes that is expanded to work 24-7, a branch of the police department that is solely and specifically for STRP issues--enforcement will ALWAYS be first and foremost the responsibility of the "neighbor." It will always take a neighbor whose quiet enjoyment of their home is being infringed upon that has to make that call to report. Neighbors are tired of having to police multiple houses in their neighborhood so that they can hope to have some semblance of peace and quiet.

Let us not forget that short-term rentals are a permitted activity in Nashville--a permit that is in place for one year and which must undergo a reapplication process when the permit expires. A short-term rental permit is not a guarantee that you can rent out your home for the rest of your life ... just as a driver's license is a permit--not a right--to operate a motor vehicle. That driver's license can be suspended or revoked for any number of reasons. Nashvillians realize that they have been duped by the "home-sharing" industry and it isn't working.

Quite frankly, Type 2 STRPs are literally and figuratively unraveling the fabric of Nashville's neighborhoods--one thread at a time. By opposing BL2017-937, BL2017-981, BL2017-982, and BL2017-1005, the Planning Commission will put neighbors back into neighborhoods and effectively reweave the fabric of our neighborhoods.

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

Respectfully submitted,

Carol Lecian
1228 Donelson Avenue

Old Hickory, TN 37138
615-920-0497

From: Jeffrey Miller [mailto:jeff@jjmillerlaw.com]
Sent: Thursday, December 14, 2017 11:35 AM
To: Planning Commissioners
Subject: Please Oppose BL2017-937

Dear Metro Planning Commissioners:

I am writing you today to please oppose BL2017-937. Non-owner occupied short term rentals (Type 2), in effect, mini-hotels, are inappropriate in residential neighborhoods.

BL2017-937 makes the very same district land use change proposed as an amendment to BL2017-608. However, this Commission approved 608 without the amendment and I ask that you demonstrate the same wisdom, consistency and integrity for our zoning by voting NO to BL2017-937.

The MPC staff report on 937 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." I disagree. BL2017-937 is a flawed on many levels, not the least of which is that it lacks the crucial ingredient its framers said they must be present: **"a much better enforcement process."** Indeed, it is utterly silent on any funding for or proposed mechanisms of any sort of enforcement, let alone better.

Both BL2017-608, which this Commission approved, and the present BL2017-937 arose from the well-documented and publicized problems arising from unsupervised Type 2 STRs - party houses, loud, obnoxious guests, trespassing of STR guests on adjacent properties, overflow of parking at properties and into streets, sex toys strung as garland across entrances, and the list goes on and on, relentlessly weekend after weekend. BL2017-608, albeit imperfect itself, directly addresses this problem by phasing these out of residential neighborhoods. On the contrary, BL2017-937 not only fails to address the underlying problem, it entrenches them in our neighborhoods in perpetuity.

There is also an overarching legal consideration: Metro has just been sued over the prohibition of customers or clients of a home-based business coming to the property. The argument being that because Metro allows bed 'n breakfasts, historic event homes, and STRs, all commercial activities, in residential neighborhoods, this restriction on other home-businesses lack any rational basis. Approving and enacting BL2017-937, which expressly defines Type-2 STRs as commercial activity allowed in residential neighborhoods, will only feed and support the plaintiff's argument in that case. Passing BL2017-937 just further erodes what it is to be a residential neighborhood.

One resident of the 12-South neighborhood was reported last night that he and his family sold their house and moved because of the behavior of Type-2 STRs next door and across the street. Our oldest son graduates from Hume-Fogg this year, and our youngest in 2020. I can guarantee you, if Metro allows these types of uses to continue in our neighborhood, and one pops up on our street, we'll be selling and moving to an adjacent county where they are not allowed. This Commission exists to protect our zoning interests, not to proliferate the commercial interests of absentee landlords.

Again, I request you oppose BL2017-937. Thank you.

Jeffrey J. Miller

4216 Brush Hill Road (Inglewood Neighborhood)

Nashville, Tennessee 37216

615-533-3957

jeff@jjmillerlaw.com

From: Catherine Hayden [mailto:catherineohayden@comcast.net]

Sent: Thursday, December 14, 2017 11:23 AM

To: Planning Commissioners

Subject: Letter in Opposition to BL2017-937

Importance: High

Please find my attached letter from Historic Sylvan Park, Inc. in opposition to BL2017-937.

Catherine Hayden

President

Historic Sylvan Park, Inc.

P.O. Box 90526

Nashville, TN 37209

(attachment follows)

Historic Sylan Park

Inc.

...a neighborhood association with a *purpose*.

November 14, 2017

Metropolitan Planning Commission
Howard Office Complex
700 2nd Ave S.
Nashville, TN 37210

RE: Opposition to BL2017-937

Dear Commissioners,

On behalf of the Board of Directors and membership of Historic Sylan Park, Inc., I wish to express our opposition to BL2017-937.

Commercial non-owner occupied short-term rentals are having a negative impact on our neighborhoods, particularly our historic inner city neighborhoods where they are so highly concentrated.

For years residents of our historic neighborhoods have worked to stabilize the residential viability and character of our communities. Now, these “mini-hotels” are undermining all of that effort.

More than 50% of all STRs are non-owner occupied. This is not “home sharing”; it is simply a commercial activity. Neighborhoods have found to keep commercialization out of our neighborhoods; whereas -937 formalities it.

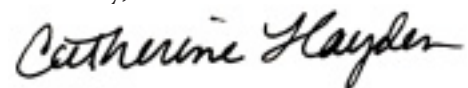
Furthermore,-937 adds no additional enforcement resources. It is meaningless.

This proposal is not a “compromise” as has been represented. It is an appeasement of the STR industry which has been threatening our community.

BL2017-937 is inconsistent with NashvilleNext and with your unanimous support of BL2017-608 in April. They are diametrically opposite proposals.

Please support our neighborhoods by disapproving -937.

Sincerely,



Catherine O. Hayden
President
catherincohayden@comcast.net

P.O. Box 90526 • Nashville, TN 37209

From: Alice Forrester [mailto:agforrester56@gmail.com]
Sent: Thursday, December 14, 2017 11:15 AM
To: Planning Commissioners; Barry, Megan (Mayor)
Subject: Keep Short Term Rentals Legal - I Support BL2017-937

Dear Planning Commission Members;

We appreciate your care and consideration as you review and decide to approve the ordinances concerning the regulation of Short Term Rentals (STR) in Nashville.

As owners of one Type 2 STR we would like to request that you consider the full spectrum of STR owners- including my husband and I who run a legal, no- complaint, STR in an East Nashville neighborhood we have lived in, help revitalize and supported for more than 30 years.. We are dependent on it to supplement our retirement as self employed we have no "retirement".

Please approve Ordinance 937.

We would urgently request that you amend the following provisions in the ordinance:

1. Making all STRs Commercial: This is very destructive and punitive for all us small owners trying to add some income to pay our bills. This would raise our property taxes significantly 40%+ and force us to increase our occupancy rate to more than we have now which is off and on... we use our STR house for family and friends and often do not rent it.

2. Punishing STR owners- (Strike) for any code violation on the property even if it has nothing to do with the STR. This holds STR owners to standards no other property owner is held to. Punitive and discriminatory. Impossible to do? To be perfect??

The Nashville Codes study revealed that STRs are less than 1% of all Code's problem property calls.

3. Lowering the number of "Strikes" per year to 2. Please keep it at 3.

Please protect our rights to make needed income from our property. Hotels and Motels get numerous tax incentives and financial help. We STR owners get no incentives and pay 100% of or taxes- 15.25% plus!!

The STR integration is a growth learning curve for Nashville with its "new" popularity. It will settle down and Nashville's popularity will fade a bit.

We need good regulation of existing laws- applicable to ALL PROBLEM PROPERTIES whether STRs or not!

I grew up in a popular vacation/tourist area (Cape Cod) where STRs have existed for 150 years and operate side by side with extremely high value owner occupied real estate. The only changes have been the rental access platform phone and mail has been replaced with the internet.

Also most Nashvillians have rented a vacation house or condo in Florida by the week- the same as STRs!!

Thank you for your consideration.

Alice Forrester

Bob Campbell-Smith

From: Johnson, Mina (Council Member)
Sent: Thursday, December 14, 2017 10:33 AM
To: Planning Commissioners; Owensby, Craig (Planning)
Subject: Item #24: Short Term Rental Properties and Hotels

Dear Commissioners,

It is my great regret that due to a previous commitment I won't be able to attend today's public hearing to share my thoughts on the items related to Short Term Rental Properties affecting every single residential neighborhood across Nashville.

I am one of the co-sponsors of BL2017-608 that was approved by the Planning Commission on April 27, 2017. I believe BL2017-608 is the perfect solution to restore/preserve our neighborhoods' character, while allowing home-based businesses where appropriate.

What I would like you to consider today is the intent of Residential Zoning land use policy. We have zoning categories such as Agriculture, Residential, Mixed Use, Office, Commercial, Downtown, Shopping Center and Industrial.

Why do we have different zoning categories? What is the difference between Residential Uses and Commercial Uses?

If you think BL2017-1005, adding "Hotel/Motel" as Commercial in all zoning districts, is not appropriate, you can surely find BL2017-937 which allows the same uses in all zoning district inappropriate as well.

As you are aware, no matter how well written our regulations may be, the enforcement is always a challenge. STRP regulations are no exception. For that reason, I believe it is premature to approve any of these ordinances (BL2017-937, 981, 982 and 1005) that Grandfathers current not owner-occupied STRs in R and RS districts at this time.

Thank you for your consideration and your service to Nashville and Davidson County.

Mina Johnson

Councilmember, District 23

(615) 429-7857

[Sign up for District 23 Update](#)

From: Francisco Arango [mailto:farango@gmail.com]

Sent: Thursday, December 14, 2017 10:26 AM

To: Planning Commissioners

Subject: Fwd: Democratize hosting

Hello planning team.

1. The country was founded on people traversing the country staying in homes that people of that community offered.
2. As long as a home is being used as a home is doesn't matter how long people stay there.
3. We rent from our neighbors Airbnb to expand our housing needs when family come to to town. The place is right next door to our house. It's awesome to expand and contract our housing needs on demand.

4. If there was ever a serious problem then we would just call police to have them enforce some type of quiet hours but that has never even been an issue.

Francisco

[808-216-8676](tel:808-216-8676)

From: Katherine Dix [mailto:katherine.marie.dix@gmail.com]

Sent: Thursday, December 14, 2017 10:08 AM

To: Planning Commissioners; Edgehill Village Neighborhood Group

Subject: Fwd: STRs surround me in Edgehill

Dear Members of the Metro Planning Commission,

I moved into my house at 1409 South Street three years ago in the fall of 2014. South Street runs perpendicular between 12 South and Music Row, almost to the Musica Statute as you head north on Music Row toward downtown, and almost to the Gulch, as you head up 12th South in the same direction. It is a boulevard, with a lovely tree-lined median running down the middle of the street. My neighbors actually worked last year to raise funds to add trees where there were gaps between them in the median, and nice people who live on my street work hard to keep them watered and even to mow the median every weekend in the summers because the city fails to do so. The neighborhood association also raised money to put up signs with the word "Edgehill" and a picture of our polar bear neighborhood mascot to mark the edges of the neighborhood. The point is, my neighbors take pride in the neighborhood.

Properties values were already going through the roof in Edgehill when I moved here, but I was just starting my life (unexpectedly) as a single mother, and desperately needed to be close to my kids' school (which they can walk to from my house), our church (in Hillsboro Village) and my work (in downtown Nashville) in order to juggle all their school and church activities. Though I had to really stretch my finances to buy in the neighborhood, it seemed like a good place to raise my kids. There's a little park down the alley from my house where my kids, who are now in 5th, 7th, and 10th grades, can play. There is a vibrant neighborhood association and many lovely neighbors.

When I moved to this neighborhood (from the Belmont-Hillsboro neighborhood), I was surrounded by regular houses. My kids desperately hoped that there would be some kids in the neighborhood to play with. There aren't many their age, unfortunately. My neighbors explained that there used to be more older kids, like mine, before the housing market problems a few years ago, at which times lots of families had to move out of the neighborhood.

Soon after we moved in, several huge duplexes were built next door and across the alley, and we are now almost surrounded by huge, abnormally tall duplexes, several of which have party roofs or a party deck in the back. When the houses were being built, my kids anxiously hoped families would move into them. They are certainly big enough to hold a family. They are also very upscale and beautiful inside. But instead of housing families, the houses are used every weekend, and sometimes during the week too, as party houses. Our lots are very small. The party house behind me is not much more than ten or fifteen feet from my house. Party houses now line the alley by my house (facing 14th and 15th). The parties for both sets of houses happen in the back yards, back decks, or roofs of the houses, so when my kids and I are behind our house in the alley, where we have our garden, where they walk to get to the park, and where we and play ball and frisbee, there are often parties going on. I wish I could find all the pictures I have taken of them, but I am attaching a few I took one afternoon so you can hopefully get the sense of what my kids encounter when we play outside. The last picture is my youngest child, next to the garden we create every year behind our house, facing the alley and the party house you see in these pictures.

I could deal with occasional parties at my neighbors' houses, but these party houses operate virtually every weekend, and sometimes people are loud morning and night for days on end. We find confetti in our driveway-- large quantities of pink and silver dildo confetti one morning as we got in the car for school. Another afternoon, my youngest son and his friend--fourth graders at the time--had to retrieve their ball from near the fence of the party house you can see in these pictures. The guys were playing ping pong in the yard. When my son's friend asked what they were doing, the young man, with beer in hand, explained to the boys how to play beer pong. The parties are often loud, with loud music playing and sometimes with profanity-laced conversation that you can hear clearly inside my house. My kids and I sometimes have trouble getting to sleep at night because of the noise. We are also awakened fairly often in the middle of the night or early in the morning because of the noise. I have called the police at times. My next door neighbor whose house faces South Street like mine, and I have both gone to the parties at various times to ask them to quiet down.

This is not what I hoped for my children when I chose to move to this neighborhood. Please stop allowing the houses in my neighborhood and others around the city from being used as short-term rental property. I don't want to raise my children next to these party houses. I want to have neighbors who live in the house and contribute to the fabric of the community.

Thank you for your time and consideration.

Sincerely,

Katherine Dix

1409 South Street











From: Naomi Goodin [mailto:intp.125@gmail.com]
Sent: Thursday, December 14, 2017 9:59 AM
To: Planning Commissioners; Barry, Megan (Mayor)
Subject: Keep Short Term Rentals Legal - I Support BL2017-937

Hello to all,

I'm the owner of a house for which I have a Type 2 permit. This is important income to me, and the only way in which I might be able to retire. I've always limited the number of my guests to fewer than legally allowed and stressed that guests are quiet and respect the neighbors, and I've never had any problems.

I support -937, with the following concerns:

- Receiving a strike for something that is not related to the use of the property as an STRP would not be fair

- The Council should enforce the rules already on the books
- Restricting permits to non-LLCs may not be fair. I only own this one rental property, but I've been considering setting up an LLC for my protection and don't think I should be denied using it as an STRP for that reason.

Thanks for listening,

Naomi Goodin

4487 Post PL #178

Nashville 37205

615-891-3260

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

From: Sam Reed [mailto:sam@ingramgroup.com]

Sent: Thursday, December 14, 2017 9:39 AM

To: Adams, Kelly (Planning)

Cc: greg@tnhta.net

Subject: Ryman Letter On STRPs

Hi Kelly,

Can you please distribute the attached letter from Ryman Hospitality CEO, Colin Reed, to Planning Commission members in advance of the meeting later today?

Many thanks!!!

Sam

(attachment follows)

COLIN V. REED
CHAIRMAN & CEO

December 13, 2017

Members of the Planning Commission
Metropolitan Planning Commission
800 2nd Avenue South
P.O. Box 196300
Nashville, TN 37219

Re: Letter to Planning Committee, RE: STRP POLICY 12/13/17

Thank you for your service and time in considering Substitute Ordinance 937 from the Ad Hoc Committee on short-term rentals, commissioned by Vice Mayor Briley and led by Councilman Shulman. We want to applaud the Committee for their work on this legislation aimed at keeping our neighborhoods safe and our tourism industry thriving, and we urge the Planning commission to support this legislation and move it forward for full Metro Council consideration.

As you know, Ryman Hospitality is heavily invested in tourism and is the state's largest hotel taxpayer. It's safe to say that no other company is singularly more committed to the continued strength of Nashville's tourism industry, with our investments in the Nashville TV show, the Opry City Stage in Times Square and our Nashville attractions including the Opryland Hotel, Grand Ole Opry, Ryman Auditorium, Wildhorse Saloon, and the Ole Red.

Our attractions rely on sustained visitation growth to Nashville, and we believe that a sound policy towards STRP policy is vital to tourism's success. STRP's create additional tax revenue for the city that can be used to fund essential services – without a sound policy, the city could be losing hundreds of thousands of dollars while neighbors deal with noise complaints and disturbances every weekend.

Nashville's tourism eco-system requires a well-monitored and administered short-term rental policy to provide visitors affordable lodging alternatives during peak visitation periods. At the same time, enforcement policies need to be in place that reduces and limits the number of "bad actors" trying to take advantage of the system, and consequently, the quality of life in our neighborhoods.

Both issues clearly need to be addressed, and I commend the ad hoc committee for their time and consideration in delivering a 'compromise' bill that effectively addresses these concerns. By working with these online platforms such as Air B&B and VRBO, we can continue to craft an effective system that can serve as an example for other communities grappling with this issue.

We believe that 937 is an appropriate, productive approach for the City of Nashville and meets the needs of both our citizens and the tourism industry. We encourage Members of the Planning Committee to move this legislation for full Metro Council consideration in the coming weeks.

Best regards,



Colin V. Reed

Copy: Vice Mayor Briley
Councilman Shulman
Jessica Farr
Lillian Blackshear
Ron Gobbell
J. Douglas Sloan, III
Terry Jo Bichell, representing Mayor Megan Barry

Greg Adkins
Daveisha Moore
Dr. Pearl Sims
Brian Tibbs
Councilmember Fabian Bedne
Jeff Haynes

From: Michael Deurlein [mailto:mdeurlein@gmail.com]
Sent: Thursday, December 14, 2017 9:34 AM
To: Planning Commissioners
Cc: Withers, Brett (Council Member)
Subject: Bring zoning clarity back to our neighborhoods

Commissioners,

First of all, thank you for the work you do. I recognize it's significance in shaping our city and setting standards that impact us all.

This is why I plead to you to please vote no on bills 937, 981, 982, and 1005. These bills continue to perpetuate the existence of commercial, non-owner occupied lodging facilities in our residential neighborhoods. The commission's support for and commentary surrounding BL-608 made it clear that Type II STRs do not fit within the context of a residential-zoned neighborhood. Without on-site management of these hotels, neighbors are left to serve as security guards every weekend, an unpaid job I know I didn't sign up for when I made the decision to move to Nashville, buy a home in East Nashville and raise a family there. Our quality of life has diminished significantly as a result of living next door to an STR, despite having the owner of the home on the same block.

The slippery slope of continuing to let non-owner occupied hotels operate on residential blocks is fairly obvious. I trust that your vote will remain consistent with the vote of the commission last spring on 608, which was unanimous.

Thank you,
Michael Deurlein
District 6

From: Rost, Laura [mailto:laurarost@comcast.net]
Sent: Thursday, December 14, 2017 9:29 AM
To: Planning Commissioners
Subject: Please vote no 937

Dear Planning Commissioners,

I urge you to vote against BL2017-937 as written, as well as -981, -982, and -1005. These bills, by solidifying commercial enterprises in residential neighborhoods, erode long-standing Nashville zoning laws.

I was a proud member of the NashvilleNext Community Engagement Committee and urge you to think about the words NashvilleNext uses. As the staff report describes, NashvilleNext discusses the possibility of creating "rules for home-based businesses in existing neighborhoods without disrupting the character and enjoyment of those neighborhoods."

Let's take those two clauses separately.

A building that has been bought by an investor, whether they live down the street, in a neighboring satellite city, across the country, or across the globe, to be operated as a hotel for other people, **is not a home-based business**. It's missing the crucial part of that phrase -- the home bit. These buildings are no one's home (and that's another sad aspect to this whole matter, but not one I'm going to get into here.) Home is where someone resides. A building that COULD be a home isn't automatically a home if it is being used as a hotel. It simply doesn't come under that definition.

As someone who lives near only a handful of type 2 STRs in my neighborhood, SO FAR, I have only occasionally had my personal enjoyment interfered with, when the sound from the Type 2 on Shy's Hill carries across the valley to my hill. But ask the homeowners -- of the actual, lived-in homes -- nearby, and they will tell you that absolutely without a doubt **the character and their enjoyment of the neighborhood has been disrupted**.

As someone who has worked for decades to preserve Nashville's neighborhoods as an Architectural Historian, lawyer, and former member and staffer of the Metro Historical Commission and the Historic Zoning Commission, I assert that type 2 STRs, which are hotels operating in residential districts, are the biggest threat to Nashville's neighborhoods those of us WORKING FOR Nashville neighborhoods have ever seen.

Last Spring, this body voted unanimously to support BL2017-608, the neighborhood friendly bill. Please continue to throw your support behind that bill, 608, and vote against BL2017-937 as written, as well as -981, -982, and -1005.

Thank you for your time and service.

Laura Alderman Rost

4604 Villa Green Dr.

Nashville, TN 37215

Laura Rost

laurarost@comcast.net

From: Nathan Pyle [mailto:nathan.s.pyle@gmail.com]
Sent: Thursday, December 14, 2017 9:22 AM
To: Davis, Scott (Council Member)
Cc: Council Members; Planning Commissioners; Barry, Megan (Mayor)
Subject: Re: District 5 Constituent Concerns and Recommendation

Hello Councilman Davis,

Since I will be unable to attend this evening's planning commission meeting due to my work obligations I wanted to send a follow up email to reiterate my support for Ordinance 937. While there are a couple concerns still within the fine print of Ordinance 937, I know my fellow neighbors will be in attendance voicing these concerns and will spare you a lengthy email outlining them all.

If you have any questions, please reach out as I'm more than willing to discuss my support and concerns.

Thank you,

Nathan Pyle

On Wed, Nov 8, 2017 at 1:49 PM, Nathan Pyle <nathan.s.pyle@gmail.com> wrote:

Councilman Davis,

As a Nashville resident since 2012 and a current constituent of District 5 I am asking for your support. In October of 2016 at the age of 27, I made an investment into my future by purchasing a property in East Nashville. Now in 2017 and only one year later I'm in fear that my city government is going to take that investment away. As a property owner I realize I have a responsibility to adhere to the City ordinances and be a good neighbor to others who have invested in the neighborhoods where we make our homes. However I also believe a property owner should have the right to invest in properties using limited liability companies in compliance with existing Tennessee statutes and manage their property in a way that is most economical for the owner. What I feel is happening though, is that proposed amendments will violate the balance between property owners rights and the City's responsibility for assuring others property rights are protected.

Currently proposed BL2017-608 would not resolve the current issues between STRPs and fellow home owners and only create a greater divide. It does address many of the issues that both sides agree need to change through increased regulation (addition of Host Compliance is a great step forward). However it still includes legislation that harms home owners like myself who have invested in property using an LLC and hold a Type II STRP. Even BL2017-981 and BL2017-982 have elements that are unfriendly to Type II STRPs.

Therefore, I ask for your support and the Planning Commission to vote YES on Substitute Ordinance 937. The bill includes all the regulations to ensure all types of STRs are operating in a manner that protects the neighborhoods but that also does not violate any home owners property rights.

From your fellow District 5 resident,

Nathan Pyle

--

Nathan Pyle
nathan.s.pyle@gmail.com

--

Nathan Pyle
(614) 517-7701
nathan.s.pyle@gmail.com

From: Erin Evans [mailto:erinlucasevans@gmail.com]
Sent: Thursday, December 14, 2017 9:13 AM
To: Planning Commissioners
Subject: Preserve Nashville's Neighborhoods - Please vote NO on 937

Dear Planning Commissioners:

I'm emailing you to ask for your NO vote on 937 this evening.

Our neighborhoods are officially under attack from business enterprises who want to set up shop next door, under the guise of a friendly message - "We just want to give tourists a place to stay!"

937 is inconsistent with NashvilleNext, and opens the floodgates of possibility for commercial entities to move in.

As a city we need to be diligent in keeping our neighborhoods safe for the residents who are not only buying houses here, but building a life here.

Please, do not encourage commercial activity to take root in our neighborhoods. I would appreciate your vote in favor of preserving our city.

Thank you for your consideration.

Erin Evans

Erin Evans

615-473-3076 | erinlucasevans@gmail.com | 5109 Vineyard Point Hermitage, TN
37076



From: Karin Kalodimos [mailto:kkalodimos@gmail.com]
Sent: Thursday, December 14, 2017 9:00 AM
To: Planning Commissioners
Subject: AirBnbs

Attached are my thoughts on AirBnbs. Councilman Freddie O'Connel asked that I send you a copy as well. Please let me know if you need anything else.

--

[Karin Kalodimos](#)

615-260-5258

(attachment follows)

Karin Kalodimos
907 Villa Place
Nashville, TN 37212
December 12, 2017

Mr. Freddie O'Connell
Council Representative

Dear Mr. Freddie O'Connell:

I am writing to express my opinion about Airbnb's in Nashville. As a homeowner who has lived in the Edgehill community since 2001, I know how close our community is. We are more than neighbors we look out for each other and help each other. This sense of community that makes Edgehill so great is threatened by the use of Airbnb's in our community.

While the sense of community is one of the reasons for my opposition to these businesses, other concerns are highlighted below.

- Residential Zoning – Our zoning is currently residential - not busines. It is not zoned for hotels and it is not appropriate for those who own our property to be forced to live across from a hotel
- Taxes – Our property taxes have gone up significantly and this is primarily due to the building of structures that will be used as Airbnb's.
- Resources – The police and fire have more to modify, as the community is less able to ascertain who is frequenting a house.
- Safety – While there is no guarantee that a resident will not commit criminal activity. Neighbors have no knowledge who is staying in the house next door and what their purpose is.
- Voting – These facilities lessen our ability to enact laws, policies, representatives, etc. that will help improve our community. The less people who can vote reduces our voices and the ability to determine the policies of and for our community,
- Low-income housing - The existence of Airbnb's reduces the availability of affordable housing in the area.

Please consider these factors and work toward prohibiting the use of Airbnb's with Nashville.

Thank you for your time and representation.

Sincerely,

Karin Kalodimos

Karin Kalodimos

From: Matthew Bond [mailto:matthewjbond@hotmail.com]
Sent: Thursday, December 14, 2017 8:59 AM
To: Planning Commissioners
Subject: Vote NO on BL2017-937

The Planning Department's recommended approval of BL2017-937 hinges on these criteria:

1. Metro's levying substantial fines for violations, beyond "the judicial fine limitation of \$50"
2. "Co-ordinating with the Department of Codes Administration and the Police Department" for enforcing the short-term rental property standards and discovering the violations

However:

1. Fines above fifty dollars are explicitly forbidden in Article VI, section 14 of the Tennessee Constitution, and
2. The proposed substitute ordinance does not contain nor describe a system of co-ordination with the Department of Codes and the Police to enforce strictly these non-owner-occupied short-term rentals. The Planning Department states that this co-ordination and enforcement are essential for approval of BL2017-937. The police, however, already have enough to do, and the Department of Codes is hardly the number to call on a Saturday night when twenty people pile into the Type 2 S.T.R. next door.

Further, Planning's substitute ordinance still permits S.T.R. violations to be appealed to the Board of Zoning Appeals, which, as every blow-up doll in Davidson County can attest, is where violations are forgiven, not punished.

Since these criteria are essential to any approval of 937, I suggest that the Planning Department's recommendation of "Approval" is hollow and must be disapproved by the Metro Planning Commission until a better version of 937 can work out these matters.

These, however, are not the only reasons to disapprove BL2017-937. The Planning Department also tries to label Type 2 S.T.R.s as home-based businesses within the broad outlines of NashvilleNext, but Type 2s are not home-based businesses because, simply speaking, they are not businesses in anyone's homes. A home-based business must be a business that exists in a home.

A Type 1 S.T.R.s is an example of such a business; the building is someone's home, and this is what our S.T.R. ordinances were intended for, as the Planning Department says: "When Title 17 was first amended to define STRPs and permit them as a use accessory to residential uses, the information presented to staff reflected a home-sharing model, where home owners were frequently present when transient guests were present."

When house after house is owned by LLCs from New York, then these are not home-based businesses. These anonymous owners have their homes in New York or California or Texas—not here. They are not living here. They are not greeting guests. They—or their management companies—are sending customers lock-box combinations to empty houses—not homes.

Planning's own recommendation falls by its own words. The essential criteria are neither met nor addressed by BL2017-937 or by the Substitute Ordinance, and Type 2 short-term rentals do not meet any definition of a home-based business and thus, do not belong in Residential neighborhoods under Zoning's guidelines or under the guidelines of NashvilleNext.

Please vote to disapprove BL2017-937.

Matthew Bond

3519 Golf Street

Nashville

37216

From: Stephanos Stroop [mailto:stephanos.stroop@gmail.com]
Sent: Thursday, December 14, 2017 8:43 AM
To: Planning Commissioners
Subject: Oppose 937

Dear Commissioners,

Please disapprove 937 as it is inconsistent with Nashville Next. It is also opposite of 608 which you have unanimously approved and is pending legislation.

There is no enforcement that protects neighborhoods from this commercial activity.

Thank you for putting neighborhoods first!

Stephanos Stroop
2721 Ennis Road
Woodbine

From: mi37209615 [mailto:mikeirwin0201@gmail.com]
Sent: Thursday, December 14, 2017 12:11 AM
To: Planning Commissioners
Cc: John Summers
Subject: Please oppose BL2017-937

Members of the Metro Planning Commission:

I hope this find you all well and enjoying the Holidays! I am writing this to strongly oppose BL2017-937 which allows non-owner occupied STRs also commonly known as AirBNB. I have lived across the street from one such STR and it is not a pleasant experience for the neighborhood and community in general. Our Sylvan Park neighborhood (like many in Nashville) is predominantly residential in nature and is a commutable distance from downtown and the tumultuous growth that our city been experiencing. To allow STRs and non-owner occupied AirBNBs is a serious degradation of our quality of life and an affront to residents and visitors to Nashville.

Our family lives across the street from a former AirBNB and I can't recount the number of disruptions, calls to police, etc.. that we have experienced.

Thank you for your consideration and please do not hesitate to contact me for more information.

Best Regards,

Mike Irwin
615-289-7015
mikeirwin0201@gmail.com

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

From: Betty Blackwell [mailto:betty.blackwell25@gmail.com]
Sent: Wednesday, December 13, 2017 11:02 PM
To: Planning Commissioners
Subject: STRP

Dear Planning Commission,
Thank them for passing 608 to protect our neighborhood. Please, I ask you to oppose the four other proposed bills. The bills being voted on conflict with 608 and do nothing to protect our homes from further commercial activity and turmoil.

My beautiful neighborhood is under siege from outsiders who care nothing of the long term love and care we have put into. Please

help us.

Betty Blackwell
2517 Miami Avenue
Nashville, TN 37214
rivermile200@aol.com.

From: Bernard Pickney [mailto:bpickney@comcast.net]
Sent: Wednesday, December 13, 2017 10:22 PM
To: Planning Commissioners
Subject: BL2017-937

Dear Commissioners,

Please do not recommend approval of this bill.

It destroys the basis of city planning that is based on the
concept of keeping incompatible activities in separate zones.

If this concept is violated by mixing commercial (investor owned short term hotel / motel)
with residential zones, there is no reason left to have planning and zoning for Metro
Nashville.

Please preserve our long held concept of defined zoning districts.

Thank you for your service,

Bernard Pickney

4604 Dakota Ave.

Nashville TN 37209

bpickney@comcast.net

615-491-8709

From: Lea Schweitzer [mailto:schweitzer.lea@gmail.com]

Sent: Wednesday, December 13, 2017 9:43 PM

To: Planning Commissioners

Subject: Oppose 937

Hello,

I will be unable to attend the meeting on this issue, however I wish to state my opposition to the current 937 proposition.

I feel there are too many investor owned rentals (that they don't live in) in Nashville, it is hurting our communities.

Thank you,

Lea

From: Jeff and Donna Sexton [mailto:djsexton@bellsouth.net]

Sent: Wednesday, December 13, 2017 7:29 PM

To: Planning Commissioners

Subject: Please Vote Against BL2017-937

Dear Planning Commissioners,

I would urge you to please vote against BL2017-937. This will allow for the protection of Nashville's Neighborhood Community's from the ongoing STR invasion.

There's no other way to describe it but a complete destruction of Neighborhoods and the continuing commercial infiltration destroying property values as well as creating safety issues for community's and it's residence.

I have personally been involved in our community with an STR where we have witnessed drug use, potential criminal activity's where the MNPD have come out undercover (CSU Crime Suppression Unit) loud music at all hours ,party's and the suspect behavior after alcohol consumption at these party's and the list goes on.

Nashville has long been a welcoming city and that won't change and neither should the very laws that have been in place be changed either. We are slowly mortgaging our future and our Neighborhoods are currently paying the consequences with nowhere left to turn.

937 would if allowed broaden an already broad and disastrous Short Term Rental ordinance stating that non-owner occupied rentals are "commercially operated" now permitted in our residential community's.

This was certainly not what Nashville Next was supposed to be and in fact goes directly against it.

Now is the time to preserve Nashville's wonderful Neighborhoods from North, South, East and West .

Compromise is not the answer as the STR sponsors want us to believe one thing and say another ..smoke and mirrors.

AirBnb and other STR operators have already got their compromise. The simple philosophy to keep the organic and homegrown Neighborhood spirit be kept alive and well for the future of Nashville's Neighborhoods and make it a place we are all proud to call home.

We need Neighborhoods with thriving homes Not HOTELS and MOTELS in our

Neighborhoods..whats next if you allow this where will it stop.

I respectfully ask and urge you to please Vote against recommending BL2017-937 when you vote no its a vote for all of Nashville's Neighborhoods to continue their opportunity to grow and thrive for generations to come.

In closing I want to say thank you for taking the time to read and understand why its so important to not just me but all who own our homes and have worked for decades to realize our dreams.

Jeff Sexton

Fairlane Park Community

From: Melissa Bond [mailto:mdawnsmls@gmail.com]
Sent: Wednesday, December 13, 2017 6:43 PM
To: Planning Commissioners
Subject: Please Vote AGAINST BL2017-937

Dear Commissioner,

I am writing in opposition to BL2017-937, which will allow non-owner-occupied short-term rental businesses to operate in residentially zoned areas. As a resident who cares about the future of Nashville, I urge you to do what is right to preserve our neighborhoods. We need to insure that the popularity of our city is not only because it is enjoyable to visit, but also due to its being a vibrant community in which people can feel safe and enjoy a decent quality of life.

The tourism industry in Nashville will survive without putting the fabric of our residential neighborhoods at risk of falling apart. BL2017-608, which was unanimously approved by the Planning Commission in April, would continue to allow short-term rentals in mixed-use areas of the city in addition to giving owners and employees of currently operating short-term rentals adequate time to profit from the sale of their investments and to prepare for finding another source of income.

My husband and I have been frequent Airbnb users over the last five years and have seen how the industry has changed in that short time. We find that it is becoming difficult to find lodging in commercial areas of cities that are single units owned by one family rather than one of several rentals run by a company with many properties. Owners do not live nearby and are less frequently there to greet guests, often meaning that there is nobody to verify the identity of those checking in and to insure that the safety and peace of neighbors will not be put at risk. Staying in such places is becoming no different than going to a hotel, except that there is nobody present to help either the guests or those living nearby.

Let's let the hotels do what they are good at and stop using our city resources to regulate and police the activities of a few individuals who make their income from commercializing our neighborhoods. The population of Nashville continues to grow and is already creating problems for our underfunded law enforcement and codes departments. Bill 937 does not solve the problem of regulating short term rentals, it simply adds to it.

I request that you respect those who have chosen to live in and contribute to the residential neighborhoods in which they live by voting against recommending BL2017-937 when it is put before the Commission.

Thank you for your time and consideration,

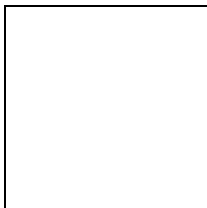
Melissa D. Bond

3519 Golf Street

Nashville, TN 37216

mdawnsmiles@gmail.com

(615) 269-3905



From: Nell Levin [mailto:bernellalevin@gmail.com]

Sent: Wednesday, December 13, 2017 6:22 PM

To: Planning Commissioners

Subject: Re-sending: VOTE NO ON BILL 937

Dear Planning Commission,

I have lived on Forrest Avenue in District 6 for twenty years. Because of our proximity to downtown, our district is the epicenter of the explosion of non-owner occupied short term rentals in the Nashville. I am also on the Affordable Housing Task Force of Nashville Organized for Action and Hope (NOAH). This explosion is having an effect on housing costs and availability in Nashville.

I am an owner-occupied, type 1 Airbnb "Superhost." I have rented out one bedroom in my house on Airbnb since 2010, a practice that is in keeping with the stated intent of Airbnb's "homesharing" concept. We are always at home when we have guests. So I am not anti Airbnb per se.

I was recently interviewed for an online article on The Ringer called ***Not in My Neighbor's Backyard: Airbnb has taken over Nashville and the city is reaching its boiling point.*** Dr. Jim Fraser, associate professor specializing in urban and environmental geography at Vanderbilt, was also interviewed for this article. He is conducting a study commissioned by Airbnb on the company's influence on long-term rental pricing in Nashville.

Commenting on the prevalence of short-term rentals in wealthy parts of East Nashville, he said "If these investor-owned short-term rentals were not in East Nashville, would those units of housing then be affordable for people with low and moderate incomes? I don't think they would. But if the amount of units for rent for more affluent populations is decreased by short-term rental, then it's very possible that they're going to go down a rung and start renting units that could be affordable to people at lower income points.....*there's going to be a filtering effect.*"

A duplex on my block was converted to a Type 2 STR several years ago. It was previously a Section 8 rental occupied by two black families who were displaced to outlying areas like Whites Creek. I walk by this duplex almost every day and it is empty 80% of the time. I also believe it is being operated without a legal permit. It is an example of housing that could be on the long term rental market.

The proliferation of outside investors buying up houses has driven up the price of housing, making it difficult for many families to buy a house in my neighborhood. Yes, my property value has gone up but often at the expense of the character of the neighborhood. I moved to East Nashville in 1996 because I wanted to live in a diverse neighborhood. I wanted to know my neighbors. I wanted to be part of a community. I did not move here to have tourists, who have no connection to me or my neighbors, coming and going every weekend.

I urge you to vote against 937 and the other bills that commercialize our neighborhoods. The investor owners can sell their properties at a handsome profit or rent them out long term. They are not going to go bankrupt as some of them would like you to believe. The property rights that should be upheld are those of residents who moved into residential neighborhoods expecting a quality of life that is rapidly disappearing.

Thank you for your service to Nashville.

Nell Levin

1611 Forrest Avenue

From: NashvilleArea STRA [mailto:nashvilleareastra@gmail.com]
Sent: Wednesday, December 13, 2017 6:05 PM
To: Planning Commissioners
Subject: -937, request to speak for 5 minutes on behalf of an association

Good evening,

I am writing today to request 5-minutes on behalf of the Nashville Area Short Term Rental Association at tomorrow's public hearing in support of -937.

Thank you,

Megan McCrea

On Behalf of NASTRA

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[Facebook](#)

[Twitter](#)

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From: Nora Liggett [mailto:Nora.Liggett@wallerlaw.com]
Sent: Wednesday, December 13, 2017 5:38 PM

To: Planning Commissioners
Subject: Please oppose 937

Dear Planning Commission:

Please vote no on 937. I am opposed to it because it does not adequately address the short term rental problems. Short term rentals where the owner does not live on site should not be allowed in residential neighborhoods at all. I live at 2805 Belcourt Ave in the Hillsboro West End neighborhood. There are two large short term rentals at the top of the street, generally renting to large groups of bachelor and bachelorette party people, with all of the problems those commonly bring.

Even when they are rented to more sedate groups, however, the very nature of a short term rental is inconsistent with a residential neighborhood. I have two elementary age children, and I do not let them play in the front yard by themselves or visit neighborhood friends unaccompanied because I have no idea who is staying in the short term rentals on the street. I want neighbors in my neighborhood, not tourists.

I urge you to please vote for neighborhoods and neighborhood residents when 937 comes up for vote tomorrow.

Thank you.

Nora L. Liggett

2805 Belcourt Ave

Nashville, TN 37212

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From: Tom Hardin [mailto:hassell3@gmail.com]
Sent: Wednesday, December 13, 2017 5:31 PM
To: Planning Commissioners
Subject: Oppose 937

Dear Planning Commissioners,

Please vote against recommending BL2017-937. Your stand will strike a blow against commercial activity in Nashville's neighborhoods. Neighborhoods are experiencing an onslaught of commercial invasion. They need protection.

The 937 bill broadens an already disastrous, Short Term Rental ordinance by allowing them to operate as "commercial uses" in our residential neighborhoods. This goes against the intent of residential zoning and the explicit, well-researched goals of Nashville Next. It sets a bad precedent; other industries are watching and will line up to take the next step in dismantling residential zoning. It is a slippery slope.

937 also "grandfathers" the existing short term rentals which are threatening the quality of life in residentially zoned neighborhoods. These STR properties empty out neighbors from the hood. It leaves a once thriving neighborhood scene to weekend tourists. I believe this also drives up the cost of housing. This commercial invasion needs to stop or we risk losing urban neighborhoods which are so vital to the fabric of urban life.

Sponsors may claim this bill is a "compromise". But it is not if we allow short term rental properties to operate like mini hotels in residential areas.

You voted unanimously to recommend 608 because commercial businesses had no place in our neighborhoods. 937 approval would be a complete flip from your earlier decision. I urge you to vote against recommending it.

Tom Hardin

Historic Edgefield

519 Fatherland

615/598/5313

THH

Sent from my iPhone

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

From: Ann Piarrot [mailto:annpiarrot@yahoo.com]
Sent: Wednesday, December 13, 2017 4:45 PM
To: Planning Commissioners; Barry, Megan (Mayor)
Subject: Keep Short Term Rentals Legal - I Support BL2017-937

Dear Council Members,
Please pass BL2017-937.
Thank you,
Ann Piarrot
921 Moleah court
Hermitage, TN 37076
615-364-2527
Annpiarrot@yahoo.com

Sent from my iPhone