

Comments on February 8, 2018 Planning Commission agenda items, received February 7-8

Item 2, 1223 Stainback Ave. (Amendment)

From: Sarah Martin [mailto:sarahmartin1026@gmail.com]
Sent: Thursday, February 08, 2018 11:23 AM
To: Planning Commissioners
Subject: Please disapprove the amendment to 2015SP-049-003

Dear Planning Commissioners,

I respectfully request that this item be pulled from the consent agenda, allowed a public hearing, and debated.

This particular Specific Plan was discussed extensively at neighborhood meetings before it was adopted. At the time, the neighborhood was particularly adamant that the zoning be SP-R, rather than RM, so that the neighborhood would have significant input on the plan. There were also concerns about the amount of parking that was required.

The developer and Planning staff have now requested that the Plan be revised to permit uses allowed in RM40-A zoning districts, which would allow non-owner occupied short term rental properties. Clearly, this will exacerbate parking issues, which were already a concern under the existing Plan. Additionally, it will contribute to the loss of housing in our area, as these houses will be snatched up by investors instead of long-term residents. Housing for long-term residents is already scarce in our community.

This amendment does not reflect what the neighborhood discussed and supported. Moreover, it does not reflect the legislative intent of the Metro Council, which just voted to phase out non-owner occupied STRPs in residential zones. Developers cannot be permitted to change the rules in the middle of the game.

I will not be present at the hearing due to a conflicting meeting. Please give considerable weight to the concerns of my neighbors, particularly the adjacent neighbors who would be directly impacted, and disapprove this amendment.

Kind regards,

Sarah Martin

1020 Stainback Ave.
615.335.3118

From: Will Tyson [mailto:willjtyson@gmail.com]
Sent: Thursday, February 08, 2018 11:10 AM
To: Planning Commissioners
Subject: Recusal Request for 2015SP-049-003 (1225 Stainback)

Planning Commissioners:

I am writing regarding the upcoming vote regarding non-owner occupied STR's at the proposed development at 1225 Stainback Ave.

Commissioner Buschell and Commissioner Simms have what I believe to be a conflict of interest. Both own and operate STRs and AirBnb's. I have included links documenting this. I have to urge you, in the interest of fairness, that both commissioners recuse themselves from the discussion and vote regarding the proposal.

I have provided links documenting the conflict of interest.

<https://www.tennessean.com/story/news/local/2016/01/28/forest-hills-residents-work-legalize-airbnb/79456226/>

<https://www.airbnb.com/rooms/8209269>

Thank you for your time,

Will Tyson

251-455-5978

From: Joey [mailto:tomatopie34@hotmail.com]
Sent: Thursday, February 08, 2018 10:52 AM
To: Planning Commissioners
Subject: Concern regarding 1225 Stainback - 2015SP-049-003

We oppose any zoning change to 1225 Stainback that would open up the possibility of the property being eligible to offer short-term rentals.

When this property was originally rezoned in 2015, those who heard their presentations at CPNA meetings were told that the reason a build this dense (4 homes on 1 single family lot) was to create more housing for the "100 people a day who are moving here" and meet demand for housing in the area.

While not happy about the idea of that many units on one lot at all, the prospect of homeowners or long-term renters is far better than that of a potential STR of that size in our neighborhood. Our Cleveland Park neighbor Alex Tyson lives mere feet from this property and will be severely negatively affected by the establishment of an STR that could house up to 48 guests per day. We support his opposition. One need look no further than this week's news of the McFerrin Park STR house being demolished by a group who managed to use stolen credit cards and fake IDs to book the space through a third-party manager (<http://www.wsmv.com/clip/14107276/renter-with-fake-id-hosts-party-trashes-short-term-rental-in-east-nashville>).

STRs have no business operating in a residential neighborhood, period.

Please vote no on any amendment to the property's existing zoning.

Thank you.

Joey and Renee Butler
1103 Lischey Ave.

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

From: Jason Stalcup [mailto:jberrystalcup@gmail.com]

Sent: Thursday, February 08, 2018 10:21 AM

To: Planning Commissioners

Subject: DO NOT APPROVE 2015SP-049-003

I am a resident, neighborhood activist and voter in Cleveland Park. I am writing to ask that you NOT approve the zoning change at 225 Stainback. I know the owners of the house directly adjacent. They also spoke at our last neighborhood association meeting. They state that they are very much against this change. A change that will allow for Type 2 STRP permits. This will in turn allow for up to 48 guests partying next door to the them every weekend. Not only are the neighbors against this, but I am against this type of zoning change merely to get around a loophole to have an STRP.

Please respect the wishes of the neighbor that lives directly next door and will be directly effected by this change.

Thank you,

Jason Stalcup
906 N. 5th Street

From: Omid Yamini [mailto:omid1130@gmail.com]

Sent: Wednesday, February 07, 2018 11:41 PM

To: Planning Commissioners

Cc: Hill, Levi (Planning)

Subject: Please OPPOSE: 2015SP-049-003 (1225 Stainback)

Planning Commissioners,

As a neighbor who lives just a few streets from this proposed development, I'm writing to ask that you please OPPOSE item 2015SP-049-003, a request to rezone at 1225 Stainback Ave to allow STRs.

Having been at the neighborhood association meetings in 2015 where this 4-on-1 build was originally pitched, I remember the developer telling us how it would "create density and more housing choices", not that it would create four mini-hotels on a single family lot to provide lodging for tourists. There's a big difference there. We didn't oppose it then because we felt that the density along the corridors

(Douglas/Cleveland) was more appropriate than on the interior of the neighborhood, and would create more housing choices for actual residents. Here we are three years later, and that plan has changed.

Attached are the MPC Staff Report pages from 2015 when this originally went through, I would ask that they be submitted for review by the Planning Commissioners too. They show that this was originally approved to meet the two following planning goals:

CRITICAL PLANNING GOALS

- *Supports a Variety of Transportation Choices*
- *Supports Infill Development*

The proposed SP creates an opportunity for infill housing in an area that is served by existing infrastructure. Locating development in areas served by existing, adequate infrastructure does not burden Metro with the cost of upgrading or building new infrastructure. In addition, the site is served by an existing transit route that runs along Douglas Avenue which will be supported by the additional density proposed by the SP.

It doesn't appear that there is anything in the Critical Planning Goals about providing lodging for tourists by making these into STRs.

Please support zoning changes that create housing for actual residents in our neighborhood and Nashville in general.

Please oppose this request.

Thank you,
Omid

Omid Yamini

1204 N. 2nd St.

Nashville, TN. 37207

(attachment follows)



Metro Planning Commission Meeting of 05/14/2015



2015SP-049-001

1225 STAINBACK AVENUE
Map 071-15, Parcel(s) 445
05, East Nashville
05 (Scott Davis)



Project No.	2015SP-049-001
Project Name	1225 Stainback Avenue
Council District	5 – Davis
School District	5 – Kim
Requested by	Smith Gee Studio, applicant; Strategic Options International, owner.
Staff Reviewer	Sajid
Staff Recommendation	<i>Approve with conditions and disapprove without all conditions.</i>

APPLICANT REQUEST

Preliminary SP to permit up to 4 attached residential units.

Preliminary SP

A request to rezone from Specific Plan-Residential (SP-R) to Specific Plan-Residential (SP-R) zoning for property located at 1225 Stainback Avenue, at the southeast corner of Douglas Avenue and Stainback Avenue, (0.14 acres), to permit up to four attached residential units.

Existing Zoning

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type.

Proposed Zoning

Specific Plan-Residential (SP-R) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type.

CRITICAL PLANNING GOALS

- Supports a Variety of Transportation Choices
- Supports Infill Development

The proposed SP creates an opportunity for infill housing in an area that is served by existing infrastructure. Locating development in areas served by existing, adequate infrastructure does not burden Metro with the cost of upgrading or building new infrastructure. In addition, the site is served by an existing transit route that runs along Douglas Avenue which will be supported by the additional density proposed by the SP.

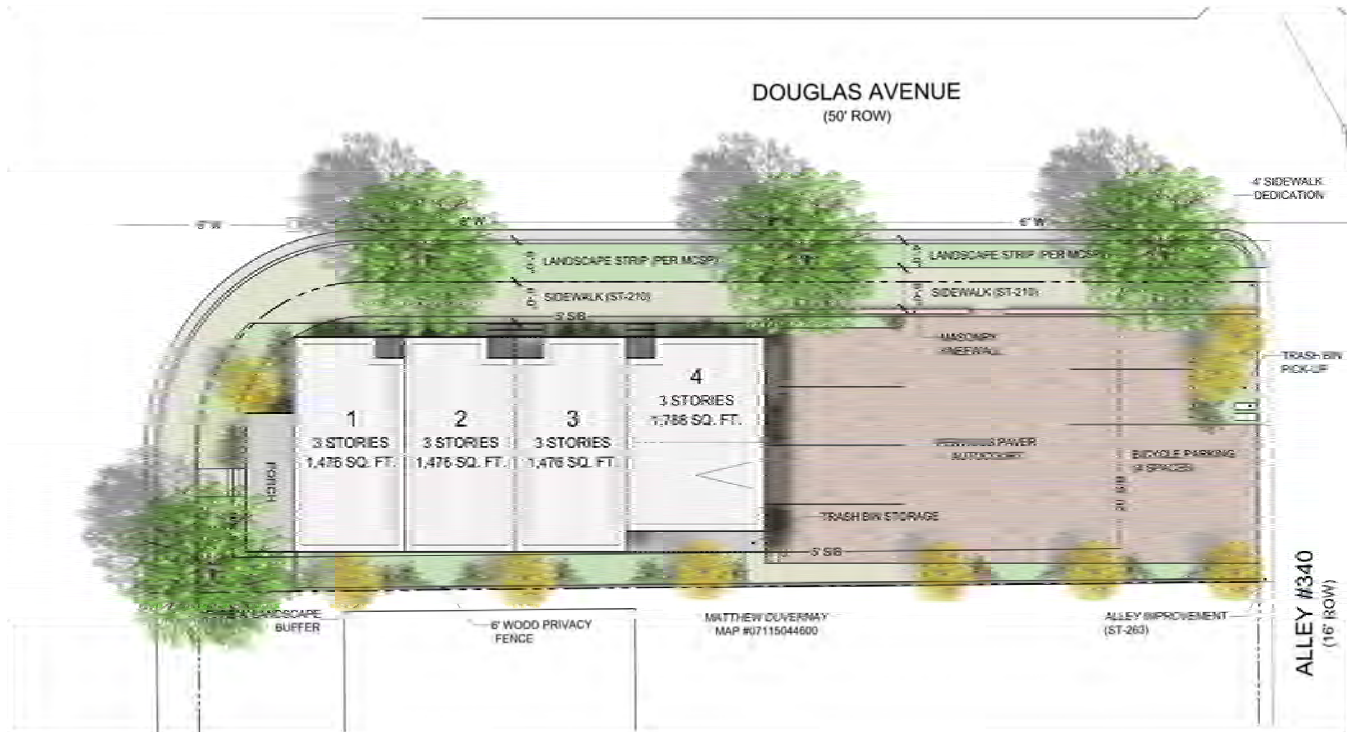
EAST NASHVILLE COMMUNITY PLAN

Existing Policy

Urban Neighborhood Evolving (T4 NE) policy is intended to create and enhance urban neighborhoods that are compatible with the general character of existing urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller lots sizes, with a broader range of housing types providing housing choice. This



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Proposed Site Plan



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reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing.

Cleveland Park, McFerrin Park, and Greenwood Detailed Neighborhood Design Plan (DNDP)

Mixed Housing (MH) is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

Growth and Preservation Concept Map

T4 NE policy is proposed to remain, but the special policy is not proposed to be carried forward with the Growth and Preservation Concept Map.

Consistent with Policy?

Yes, the proposed SP is consistent with the existing structure plan policy and the detailed policy of the DNDP which both encourage a mixture of housing types. The existing SP limits the uses to single-family residential and permits detached accessory dwelling units with conditions.

PLAN DETAILS

The site is located at the southwest corner of the intersection of Douglas Avenue and Stainback Avenue. Surrounding zoning includes SP, RS5 and CN, and the area is characterized by a mixture of one and two family residential as well as commercial uses. Access to the property is from the existing improved alley that abuts the site to the east.

Site Plan

The plan proposes four attached residential units with all units fronting Douglas Avenue. Unit 1 includes a side façade oriented toward Stainback Avenue and incorporates a side porch so that the building addresses both street frontages. Architectural images have not been included with the preliminary SP. The SP, however, includes notes that address design considerations for the SP. The design conditions address doorway placement, glazing, window orientation and breaks in the façade plane. The maximum height for all units is 3 stories in 40' to the roofline. The plan incorporates a Type A-3 landscape buffer yard between the site and the existing single-family residential to the south that includes an opaque fence. A masonry knee wall has been provided to screen the parking area from Douglas Avenue.

Parking for the units is provided in garages and surface parking and includes guest parking. The SP proposes to dedicate right-of-way along Douglas Avenue and the alley and to install a 6 foot wide sidewalk and 6 foot wide planting strip along the Stainback Avenue frontage and the majority of the Douglas Avenue frontage. The plan provides a 6 foot wide sidewalk and 4 foot wide planting strip along Douglas Avenue near the alley where the street is identified as constrained in the Major and Collector Street Plan.

ANALYSIS

The proposed SP is consistent with both the Urban Neighborhood Evolving policy and the Mixed Housing special policy and supports two critical planning goals. Staff recommends approval with conditions and disapproval without all conditions.



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FIRE MARSHAL RECOMMENDATION

Approved with conditions

- Fire Code issues for the structures will be addressed at permit application review.

STORMWATER RECOMMENDATION

Approved

TRAFFIC & PARKING RECOMMENDATION

Conditional if approved

- See roads comments

WATER SERVICES RECOMMENDATION

Approve with conditions

- Shared private sanitary sewer service lines will not be allowed between these units. Individual sewer services lines must be installed for each unit.
- Public sewer construction plans must be approved before the Final SP can be approved.
- The required capacity fees must be paid before the Final SP is approved.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- All ROW dedications are to be recorded prior to the building permit approval.
- The concept of the proposed plan appears to work but minor revisions to the layout may be requested, specifically as it relates to the parking bay and its accessibility.

Maximum Uses in Existing Zoning District: RS5

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.14	8.71 D	1 U	10	1	2

Maximum Uses in Proposed Zoning District: SP-R

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (230)	0.14	-	4 U	32	3	4



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Traffic changes between maximum: RS5 and SP-R

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 3 U	+22	+2	+2

METRO SCHOOL BOARD REPORT

Projected student generation existing SP-R district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-R district: 0 Elementary 0 Middle 0 High

The proposed SP-R zoning district would not generate any more students than what is typically generated under the existing SP-R zoning district. Students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood High School. Shwab Elementary School has been identified as over capacity. There is capacity within the cluster for additional elementary school students. This information is based upon data from the school board last updated October 2014.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses within the SP shall be limited to 4 attached residential units.
2. The masonry wall shown on the plan shall be made of materials similar to those used for the units, at a height of 30-36”
3. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
4. The final site plan shall include architectural elevations showing raised foundations of 18-36” for residential buildings.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

From: Brandon Wood [mailto:brndnwood@gmail.com]

Sent: Wednesday, February 07, 2018 7:55 PM

To: Planning Commissioners

Subject: 2015SP-049-003

Metro Planning Commission,

I am writing to oppose the rezoning of 1225 Stainback in Cleveland Park. I am a resident of CP and live on Meridian St. Rezoning this property is not in the best interest of the neighborhood and only serves the financial interests of the developer. Rezoning has no effect families buying these homes as permanent residences and living there. It's only purpose is to allow these to become non-owner occupied hotels. I live next door to a non-owner occupied AirBnB and the experience is terrible. I do not wish this on my neighbors who are next door to this.

Thank you for your time.

Brandon Wood