

Comments on March 28 MPC agenda items, received through March 28

Item 16a: 2019SP-005-001 – East Nashville Community Plan Amendment and Item 16b: 2019Z-004PR-001 North 6th Street

From: Joel Rakes [mailto:joelrakes@gmail.com]
Sent: Wednesday, March 27, 2019 3:01 PM
To: Planning Commissioners
Cc: Davis, Scott (Council Member)
Subject: Disapprove the N. 6th Street Project --- 2019Z-004PR-001/2019CP-005-001

Dear Commissioners,

I am writing in today to encourage you to vote NO on the N. 6th Street rezone and policy change request (2019Z-004PR-001/2019CP-005-001) on the agenda tomorrow, Thursday, 3/28.

I have written in a few times during the staff report phase in detail, so for the sake of your inboxes I will keep this as short as possible.

The Petition

- There has been **182** total petition signatures (as of 3/18) in opposition of this request at save6thstreet.com.
- **121** of those are located directly in the affected neighborhoods (Cleveland Park, McFerrin Park, Highland Heights).
 - And 27 of those are located on the most affected streets N. 5th and N. 6th.
 - There is immense opposition to this project from the houses that back up directly to this project at 901, 903, 911, 915 N. 5th.
- See attached digital petition signatures and a more in-depth overview of the petition data.

Citizen Comments

Looking at the citizen comments that have been submitted to Planning and posted online on 3/22 and 3/27, there is a clear sign in the data that actual neighborhood residents *do not support* these requests.

- 62% of all the comment feedback around this project is in opposition
- Most importantly – **76% of the comments from nearby affected residents oppose this project.**
- See more info on the comment data breakdown [here](#).

Concerns Around the Project:

1. The fact that this project's requested zoning (MUN-A) allows non-owner occupied STRP units *will* attract investors who will purchase these units intentionally for STRP purposes. Just take a look at the developer's real estate agent Facebook post (image attached) if there was any doubt on their intent for marketing these properties.

Our neighbors have made it clear they do not want to live next to a "mini-hotel" with a revolving door of out-of-town guests *taking* from our neighborhood and not putting anything back in. We want **neighbors**, *not tourists*.

2. The affected portion of the alley behind our house that will share access with the N. 6th Street property was designed originally to have access for 6 single family homes on each side. The proposed project will drop 30+ condo units and commercial space in the place of 6 single family homes. The parking lot (40+ spots), along with commercial space will lead to in/out traffic that will be immensely higher than the current baseline and greatly affect the residents on N. 5th street who share the alley. This is a quiet neighborhood street (hence the lot's original neighborhood policy), density and traffic of this scale will be very disruptive.
3. This project's request to change the NM/NE lots to NC objectively is a very large leap. A leap that is only happening because the developer's rezoning request was not feasible otherwise.

Why are we changing the thoughtfully created, consensus-built neighborhood policy because a developer bought 6 single-family lots and found a way to make a bigger profit? Why are one development group's needs more important than the neighborhood's wishes and established policy?

Another way to say it: what is the point of the neighborhood policy if it can be so easily amended to help a developer's project vision become a reality?

My neighbors and I implore you and the rest of MPC to think about the precedent this particular case will set in Cleveland Park. Our neighborhood was already under a deluge of rezoning requests, and a huge policy change like this won't help ease neighbor displacements, an affordable housing crisis, and the quality of life degradation.

Please follow your staff provided recommendation and vote NO to disapprove these two cases, and encourage the developer to build within the existing base zoning or pursue a SP with a 100% non-owner occupied STRP exclusion at a zoning level.

Thank you for your consideration.

-Joel Rakes
903 N. 5th Street.

Please see attachments on the following pages.

'Save 6th Street' Petition Results

As of 3/18/19

The Petition Statement Reads:

- I am asking the developers of the properties located at 906 to 916 North 6th Street to amend their request to change the community plan and rezone the property.
- I am asking the Nashville Metro Planning Commission to disapprove this rezoning request as it is contextually inappropriate for the neighborhood placement.
- I believe the proposed plan would negatively affect my neighborhood and I am requesting that any zoning changes explicitly exclude non-owner occupied short-term rental permits, and require lower building height and density.

Methodology:

- Results were collected at www.save6thstreet.com/petition and in-person by visiting neighbors or at local community meetings.
- Addresses were requested and our team has filtered the results by direct neighbors and signatures outside the core area.

Results:

- **182 total signatures (as of 3/18):**
 - **121 (66%) are located in Cleveland Park/McFerrin Park/Highland Heights area.**
 - The vast majority of these were residents in Cleveland Park.
 - Of these residents **27** signatures were located on N. 5th or N. 6th street.
 - *Including signatures from homes that back up directly to this project at 901, 903, 911, 915 N. 5th*
 - 33 (19%) are located nearby in East Nashville (37206 and 37216)
 - 16 (9%) are located outside of East Nashville.
 - 9 (5%) did not provide an address.

Comments from Participants:

- "This neighborhood is full of seniors and teachers and others who want to live in an affordable neighborhood. This plan completely disregards the wishes of the neighbors (including my best friend). They shouldn't have to put up with all the negatives that come from a high concentration of mini hotels. "
- "A policy/rezone request of a lot this absolutely should require detailed site plans. We have no insight into what is going to be built here beyond the developer's word which is non-binding. What happens if the rezone/policy request is approved and then the

developer flip the property immediately or changes course on what he sold the public on plans-wise? Bottom line: this request's scale needs a SP with plans and a non-owner occupied STRP ban as a starting point for this to be even remotely digestible for the neighborhood.

- “Short term rentals are destroying our neighborhoods. I want people living here that are invested in the community, will raise their kids here, will not leave empty structures 4 or 5 days a week. “
- “This development does not make sense in the location it is planned. This area should accommodate less dense and preferably homes. Especially across the street from a park.“
- “I’ve lived in the neighborhood for almost 12 years. I love the community and neighborly feel of the area. I am strongly against non-owner occupied short-term rentals in this area.”
- “This is an abuse of zoning laws. Neighbors want to live by neighbors, not customers. Keep hotels out of residential neighborhoods. “
- “Please no short term housing! This does not feel safe for a family neighborhood. We have small children and like to know who our neighbors are and be able to screen for sex offenders.”
- “We already have a few AirBnbs on our block and it has been frustrating when people are coming in and out of our neighborhood. In addition, I am concerned about it being across from the park and community center where we will bring our kids. “
- “As a resident of Cleveland Park for almost a decade, I am upset at the plan to create such a massive change to our neighborhood without input and consideration of the residents and community around the properties.”
- “We have developed a plan for the neighborhood. Why would we want to change that on a lot by lot basis?”

From: Jason Stalcup [mailto:jberrystalcup@gmail.com]
Sent: Wednesday, March 27, 2019 5:11 PM
To: Planning Commissioners
Cc: Bedne, Fabian (Council Member)
Subject: DISAPPROVE NORTH 6TH PROJECT - 2019Z-004PR-001/2019CP-005-001

All,

I am writing today to ask you to follow the staff recommendation and disapprove the above referenced request. This zoning allows for non-owner occupied STRP. I live 200 feet away from the proposed project. I am against up to 30 units of STRP so close to my house. We want neighbors in our neighborhood, not tourists.

I am also against changing our neighborhood policy to support this. We have asked the developer time after time to use an SP to exclude the possibility of STRP. He refuses.

We have collected over 120 signatures FROM ACUAL NEIGHBORS that are against this project. Not surprisingly, the developer is providing a list of people in support of his project. I would ask you to look and see how many of his supporters are ACTUAL NEIGHBORS (33 from Cleveland, McFerrin Park and Highland Heights). 33 vs. 121.

Please support Nashville neighborhoods.

Thank you,

Jason Stalcup
906 N. 5th Street
Cleveland Park

From: PATRICIA WILLIAMS [mailto:phwilliams2@comcast.net]
Sent: Wednesday, March 27, 2019 4:14 PM
To: Planning Commissioners
Subject: Disapprove the N. 6th Street Project --- 2019Z-004PR-001/2019CP-005-001

The requested zoning (MUN-A) allows non-owner occupied STRP units which with the density of the project would be problematic for many reasons.

The proposed density and traffic this project would create would negatively impact the neighborhood, overshadow the park, and is completely out of context (which is why the current neighborhood policy should stay and not bend to a developer's wishes).

The neighborhood is opposed to this project by a vast majority at this point. Looking at the latest comments written to Metro Planning posted online, 76% of the feedback from actual residents in Cleveland Park, McFerrin Park, and Highland Heights oppose this project. And over 121+ petition signatures came in directly from residents opposed.

At the end of the day, nearby District 5 residents voices should be listened to the most as they will be the ones who have to live with this project every day -- not someone from Antioch, Madison, or even Inglewood.

Thank you.

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

From: Kathryn Turner [mailto:kturner3@gmail.com]
Sent: Wednesday, March 27, 2019 7:57 PM
To: Planning Commissioners
Subject: Disapprove the N. 6th Street Project --- 2019Z-004PR-001/2019CP-005-001

Hello,

I'm asking you to please take the planning staff's recommendation and disapprove the N. 6th street rezoning request.

I am against it because I want neighbors, not a mini hotel for tourist - which is what this rezoning will allow. The developer has not scheduled a neighborhood meeting, like he has promised multiple times. At the planning meeting and CPNA meetings - he has also shown complete unwillingness to compromise or listen to the desires of neighbors. In my opinion, his intentions has been clear multiple times: his post on Facebook about the "highly sought after STRs" and his agent trying to pack the planning meeting because the neighborhood has not been on board with what they want.

I urge you to listen to what the actual residents of this neighborhood want...not the wishes/desires from developers and real estate agents.

Sincerely,

Kathryn Turner
1208 Meridian St, Nashville, TN 37207 .

From: Thomas Gingerich [mailto:thomasgingerich@gmail.com]
Sent: Wednesday, March 27, 2019 8:12 PM
To: Planning Commissioners
Subject: Disapprove the N. 6th Street Project --- 2019Z-004PR-001/2019CP-005-001

Metro Nashville Planning commission,

Please disapprove the N. 6th Street Project --- 2019Z-004PR-001/2019CP-005-00. While my attendance at the meeting is still in question, as I have other obligations, however I have a deep interest in what is being discussed. Please view this email as a formal statement that would be verbalized to the Planning Commission were I able to attend.

As a concerned resident of the neighborhood, 1200 block of Meridian St., this is our only opportunity to set a precedent that will hopefully lead to responsible growth and encourage long term residence to come to the neighborhood. We are already over run with non owner occupied STR's and this proposed rezoning would open the flood gates that would destroy the fabric of this truly wonderful and diverse neighborhood.

This proposed change has been thrust upon us as a neighborhood with little to no discussion from the developer. He has not held any formal meetings to try and work with, or even discuss with, the residence and has offered nothing more than an artist rendering of what his intentions are.

Further more, the rezoning is for multiple properties that are owned by separate interests yet they are seeming to act as one. The second party involved in the singular rezoning request is the Cleveland St. Baptist Church where fewer than 15% of its concerned members are residence of the neighborhood and only they would feel repercussions on a daly basis. Those repercussions would be softened, of course, by the tremendous financial windfall that would come their way should this rezoning pass, unlike the rest of the neighborhood.

Thank you for your time and I hope you give the power to the neighborhood to foster responsible long term growth in Cleveland Park.

From: stacy@easeuptravel.com [mailto:stacy@easeuptravel.com]
Sent: Thursday, March 28, 2019 9:32 AM
To: Planning Commissioners
Subject: March 28 agenda - Items 16A (2019CP-005-001) and 16B (2019Z-004PR-001)

I would like to add my voice of opposition to my neighbors' over this rezoning. I've spoken to the applicant on several occasions. I expressed similar concerns that had been expressed beforehand such as:

1. Potential for STR – while the applicant has said that he isn't specifically building units for STR potential, the first notice neighbors had about this project was a Facebook post from a realtor connected to the project. This realtor's post was celebrating the finalization of the property sale while stating that the development will offer units ideal for STR.
2. Unit count – the applicant has not committed to a unit count preferring instead to determine this as he is building. His reasoning was that should market conditions change, then he can adjust this. The lack of such a detail is of concern to the neighborhood.
3. Parking – With a proposed commercial space such as a restaurant, parking can be difficult to predict. When asked about times when parking may be heavy, the applicant replied that overflow could be handled by using the Community Center's parking. Without their permission for such a use, parking could easily become a bigger challenge than anticipated. When asked how many parking spaces the project will provide, the developer advised that he would rely on the designers and Codes to advise him how many he would need.
4. Traffic – With this development relying on the alley as the primary ingress and egress to onsite parking, the traffic in and around the development can become more challenging to both existing residents as well as new residents. While the alley will need to be widened, it's not a street, and as such, will not be designed in the same manner as a public street lacking appropriate signage, lane width, drainage, etc.

I support staff's recommendation for disapproval for this rezoning and community plan amendment. Changing the application to SP will go a long way to addressing neighborhood concerns. To date, the applicant has been reticent to even consider that option.

Gordon Stacy Harmon, CHS
Your Personal Travel Professional
Ease-Up! Travel Services
(615) JET-SAND (538-7263)

From: Matthew Robb [mailto:matthewrobb22@gmail.com]
Sent: Thursday, March 28, 2019 11:59 AM
To: Sewell, Marty (Planning); Birkeland, Latisha (Planning)
Subject: Document for Commissioners

Good Morning Planners,

Could you please pass this document along to the commissioners for tonights meeting?
Thanks!

Matthew Robb

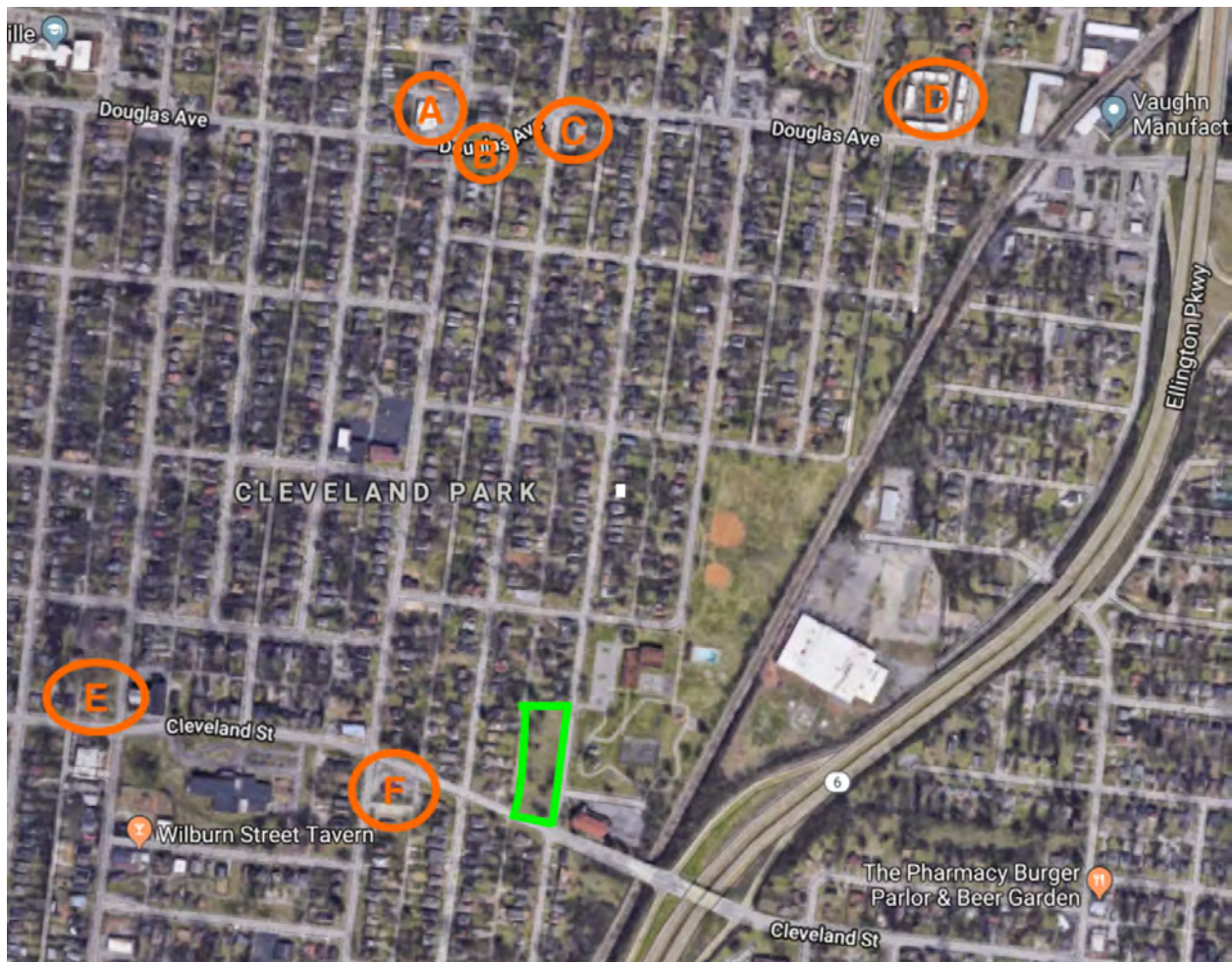
Please see attachment on the following pages.



- Highlighted In Green: The 9 Parcels being considered for the plan change.
- Highlighted In Pink: Surrounding Neighborhood Centers, all within 1/2 mile.
- Highlighted In Red: Railroad Tracks.
- The 9 parcels being considered are the southeastern most residential lots in Cleveland Park.
- Every other neighborhood center pictured is surrounded on at least 2 sides by single family residential.
- The 900 block of N 6th St. consists of a church, a park, a community center with a large public parking lot and only 7 homes.

Number of Single Family Homes Directly Adjacent to Nearby Neighborhood Centers

- Douglas and Lischey - 21
- Meridian and Wilburn - 21
- Douglas and Ellington - 15
- Meridian and Douglas - 13
- Cleveland and Meridian - 10
- Number of houses adjacent to the proposed Neighborhood Center - 9



Proposed, Permitted and Already Completed Developments Within 1/2 mile of Subject Properties.

A: SP with MUL-A Base Uses with 1.4 FAR on .69 acres allowing for 42,000 square feet of development. Lot for sale directly north zoned MUN-A is .77 acres.

B: SP Directly across from A, same base use and FAR of MUL-A and 1.4, respectively. Allows for 25,613 square feet to be built on .42 acres.

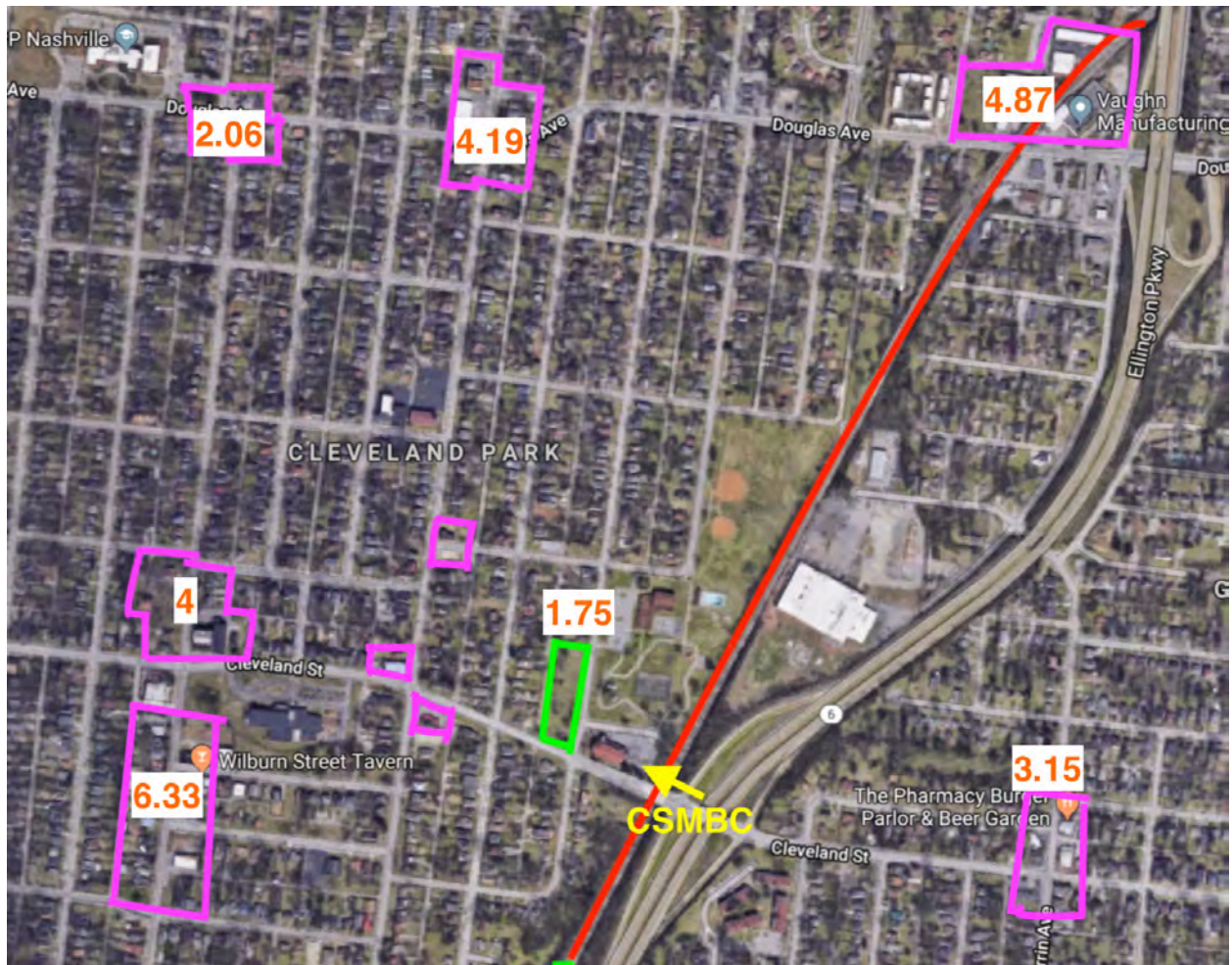
C: SP with RM20-A Base with a FAR of .9

D: SP with RM20-A Base with a FAR of .8 and office space allowances

E: SP with MUL-A Base with 20 townhomes on .86 acres and a FAR of up to 1

F: CN zoning with 8 proposed townhomes on .39 acres

Land Area of surrounding Neighborhood Centers in Acres



Average Size of All 8 (including the smaller NC's) - 3.22 Acres

Item 25: 2019NHC-001-001

See letter from Councilmember Kathleen Murphy on following page.



METROPOLITAN COUNCIL

Member of Council

March 26, 2019

Mr. Greg Adkins, Chairman and Members
of the Metro Planning Commission
Howard Office Building
Sonny West Conference Center
Nashville, TN 37210

Dear Chairman Adkins and Members:

Re: **2019NHC-001-001**

The above reference proposal is on the Planning Commission's Agenda for Thursday, March 28, 2019. This application is for a Neighborhood Conservation Zoning Overlay for various properties along Kenner Avenue.

I have not received any opposition from the residents in this area. I am in favor this zoning overlay and I would appreciate your approval. Thank you for your assistance in this matter.

Regards,

A handwritten signature in blue ink that reads "Kathleen D. Murphy".

Kathleen Murphy
Councilmember, District 24

KM/bf

Item 31: 2019Z-044PR-001 – 1315 Lischey Avenue

From: stacy@easeuptravel.com [mailto:stacy@easeuptravel.com]

Sent: Thursday, March 28, 2019 9:49 AM

To: Planning Commissioners

Subject: March 28 agenda - Item 31 (2019Z-044PR-001)

I support staff's recommendation for disapproval of this application.

While I applaud the owner's desire to redevelop the property, the idea of commercial spaces mixed with residential use is inappropriate for this location. Without a site plan to review, it is difficult to envision how this 0.37 acre property will accommodate such development.

The applicant has not approached the neighborhood leadership for an opportunity to present plans. While neighbors would like to see the property see improvements, the majority encourage changes that enhance and are appropriate to the surrounding homes.

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