

Comments on May 9 MPC agenda items, received through May 3

Item 13: 2019Z-070PR-001 – 329 Gatewood Avenue

From: Jeff Kendig [mailto:jkendig@outlook.com]

Sent: Thursday, May 02, 2019 9:41 PM

To: Planning Commissioners

Subject: 329 Gatewood Rezone

I am writing asking that you support the rezone at 329 Gatewood Ave. The individual has presented plans at the neighborhood association and fielded questions on the neighborhood associations facebook page. The owner is a house designer and has presented plans that compliment the neighborhood in an attempt to alleviate concerns from neighbors that "tall and skinny" houses will be built on the lot. Several streets that have numerous tall and skinny houses end on Gatewood Ave. so this style of house would not be out of context with the neighborhood. However, the owner knows neighbors do not want more of this style of house built in the neighborhood and he has gone to great lengths to engage the neighbors and alleviate their fears (including presenting plans of potential houses). Please support Mr. Feller in this rezone as it will positively contribute to the neighborhood and surrounding community and the increase in density will be negligible.

Thank you for your consideration, Sincerely,

Jeff Kendig

(615) 474-1631

jkendig@hotmail.com

Item 14a: 2019CP-008-001 – Heiman Street and Item 14b: 2019SP-035-001

From: Sewell, Marty (Planning)
Sent: Wednesday, April 24, 2019 1:44 PM
To: Claxton, Gregory (Planning)
Cc: McCaig, Anita D. (Planning)
Subject: FW: 2400 Heiman St. project - NNOCI public comment

North Nashville Organization for Community Improvement has submitted their official opposition to the plan amendment/zoning. See attached. They represent Jefferson St north to Buchanan St and from the RR tracks at 24th Ave east to I-40.

From: North Nashville Org. for Community Improvement [mailto:nnoci1@gmail.com]
Sent: Wednesday, April 24, 2019 12:26 PM
To: Sewell, Marty (Planning)
Subject: 2400 Heiman St. project - NNOCI public comment

Also sent today by U.S. Mail.

Please see letter on following page.

**NORTH NASHVILLE ORGANIZATION FOR COMMUNITY IMPROVEMENT
P.O. BOX 22466
NASHVILLE, TENNESSEE 37202-2466**

March 24, 2019

TO: Metro Planning Department Staff and Planning Commission (Attn: Marty Sewell)

RE: **Case Number 2019SP-035-001 / 2019CP-008-001 2400 Heiman St. project**

PUBLIC COMMENT

1) The North Nashville Organization for Community Improvement (NNOCI) has been for decades a community membership organization representing the interests of residents within the boundaries from Jefferson St. north to Buchanan St., and from the railroad tracks at 24th Ave. east to the I-40 expressway. Membership is also open to interested residents and businesses in adjacent neighborhoods. Our neighborhood is located and centered directly to the east of the proposed project, and three of our active members live on Underwood St. directly across the railroad tracks from the proposed project.

2) At the April 15 monthly general membership meeting of NNOCI the 2400 Heiman St. proposal was discussed by members. A vote on our position was taken. Three members voted that we should oppose the plan and zoning change proposal under any conditions. An eleven member majority voted to support **rejection of the proposal or indefinite deferral until such time as the Applicant answers the questions posed by Nashville Greenlands, and meets with representatives of NNOCI and other interested neighborhood organizations, answers all questions about the project candidly, and reaches agreement with them on concrete, guaranteed, and verifiable benefits for our neighborhood.**

3) Members authorized our elected Recording Secretary, Karl Meyer, and other members who may attend any public hearings at the Planning Commission and Metro Council, to present NNOCI's position as stated above.

Sincerely,

Karl Meyer, Recording Secretary

615-322-9523

nnoci1@gmail.com

On behalf of North Nashville Organization for Community Improvement

Please see letters on following pages.

APR 25 2019

METROPOLITAN PLANNING DEPARTMENT

Nashville Greenlands

2407 Heiman Street

Nashville, TN 37208

615-322-9523

April 24, 2019

TO: Metro Planning Department Staff and Planning Commission (Attn: Marty Sewell)

RE: Case Number 2019SP-035-001 / 2019CP-008-001 2400 Heiman St. project

Public Comment

REQUESTED ACTION: Reject application, or defer action indefinitely until such time as Applicant responds to reasonable questions presented by neighborhood residents, meets with representatives from affected neighborhood organizations, and reaches an agreed community benefits agreement with neighborhood organizations.

FACTS:

1) Nashville Greenlands is a community with six affiliated houses in North Nashville, including houses at 2403, 2407, and 2409 Heiman St., directly across the street from the proposed project, and 2004 Heiman St., one block to the east of the project at 23rd Avenue.

2) At the District 21 Community Meeting on March 25, Nashville Greenlands presented a two-page list of very reasonable basic questions about the proposed project to Albert Lemus, the main spokesman for the applicants. (This document is included as an attachment to this comment.) These are basic questions raised in conversations with our members, and other community residents in the immediate neighborhood.

3) On March 26, we sent this document as an email attachment to David Johnson, the principal officer of the Applicant, Johnson Johnson Crabtree Architects. On March 27, Mr. Johnson replied to us as follows: "Thank you for your attendance on Monday night and your follow up email. I will follow up with Albert since we will need him to help craft the answers that we can provide. I know it is an important neighborhood to you as it would be for any of us in our neighborhood and want to have a project that is a positive for as many as possible."

4) Contrary to these reassuring words, almost a month later we have received no further contact or response from the Applicant to our reasonable questions and concerns, and to those raised verbally at the Community Meeting by many other neighborhood residents from several other neighborhood organizations.

5) The Applicant has explicitly declined to disclose to our members the name and address of the client in behalf of whom they are advancing this proposal.

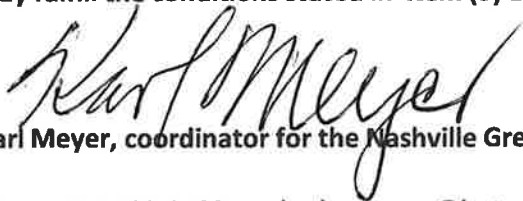
6) The Applicant has engaged in no meaningful consultation with neighborhood residents or organizations about our needs and goals for our neighborhood.

7) There is a general consensus among our neighbors and organizations that our needs related to planning and zoning are (a) the preservation and construction of adequate affordable and workforce housing for neighborhood residents, and (b) well-paid job opportunities for young residents in a neighborhood with extraordinarily high rates of youth unemployment.

8) The land in question is the property of MDHA, the principal affordable housing agency for our city, and the land is presently zoned R6, for single family residences, one of the most urgent needs in our neighborhood.

9) Before we could support or agree to the proposed changes to the planning and zoning for this parcel the Applicant would have to meet with representatives from all interested neighborhood organizations, answer all our questions candidly, and convince us of any concrete, guaranteed and verifiable benefits that their project might bring to the people of our neighborhood, and of Nashville at large. Otherwise their presence can only increase the intense gentrification pressure already being experienced in our neighborhood.

CONCLUSION: Therefore, we respectfully request that the Planning Staff disapprove this application, and the Planning Commission either reject it, or defer it indefinitely until such time as the Applicant may fulfill the conditions stated in Item (9) above.



Karl Meyer, coordinator for the Nashville Greenlands community

Phone 615-322-9523 karlmeyerng@hotmail.com

ATTACHMENT - Questions presented to Applicant at March 25 Community Meeting

2400 W. Heiman St. - Proposed Plan Amendment and Zoning Change

FACT SHEET and BASIC QUESTIONS (prepared by Karl Meyer, Nashville Greenlands, 2407 Heiman St. - 615-322-9523 karlmeyerng@hotmail.com) 3-25-2019

FACTS:

Property Parcel Number: 08100003700

Owner: MDHA , purchased 1991, \$215,000. Past Zoning: OV-FLD (flood zone) 1-1-1998

Current Zoning: R6 (as of 1990) allows 7.71 housing units per acre, at this site. Also, OV-UZO (as of 2007) means "Urban Zoning Overlay", which imposes some neighborhood character restrictions on what is built.

Property acreage size: 13.15 acres, which as presently zoned would allow up to 101 housing units.

2013 Davidson County Assessor's appraisal value: \$210,00

Our standard residential lots of 50'x 150', six lots to an acre, across the street on the south side of Heiman St., and on Scovel St. , and elsewhere nearby, are currently appraised at \$62,000 each, or \$372,000 per acre. If the above parcel of 13.5 acres were appraised for residential use at the same rate as our lots, the appraisal would be \$4,891,800 (\$ 4 million, 891 thousand, 800 hundred dollars).

BASIC QUESTIONS:

Ownership and Price:

1) Why is the property so undervalued? Do you have a contract to buy the property from MDHA? What price will you pay? Is yours the best use for publicly owned property in this residential neighborhood?

2) If your proposed Plan and Zoning changes are approved, who will pay all the costs for water lines, gas lines, sewer lines, electrical lines, phone lines, cable lines, and the proposed extended Walter Davis access roadway? Will you pay all of the needed infrastructure costs? Have you been promised any subsidy from Nashville or Tennessee governments?

Traffic and Access:

3) Do you have approval for extension of Walter Davis Blvd. through Tennessee State University property to the north of their housing complex? If so, what is the earliest reasonable date by which we could expect this roadway to be completed? Will this be the only road access to your site? Will you be dumping any truck or auto traffic onto Heiman St. to the south, in front of the existing residences? Where will your employees park? Approximately how many trucks will access your site each day? Will you guarantee us by written agreement that building construction at the site itself will not begin until adequate access from the west for construction equipment and materials is adequately built?

Community Benefits and Neighborhood Jobs:

4) Will you commit to hold well-publicized job fairs in the heart of our neighborhood (for instance, here at Hadley) to recruit current neighborhood residents for jobs at your facility, and to offer them adequate training for any of the skills required for these jobs? Will you

commit to us in writing to a minimum percentage of jobs that will be offered to current residents of the 37208 zipcode, if sufficient recruits can be found?

5) What is the minimum wage and paid healthcare benefits that you will provide for all employees at this facility? Will you commit to this in writing? Will you commit to negotiate with neighborhood organization representatives on these jobs questions, and attempt to agree on a legally binding Community Benefits Agreement on these issues?

Noise and Pollution:

6) What is the level of noise produced by your manufacturing or assembly operations?

7) What environmental pollutants are produced by your operations, and how do you assure that they are safely and legally disposed of?

Product Destination and Use:

8) Who are the corporate and government customers for the products to be produced here? What is the ultimate destination and use of the final product to which you contribute?

If you answer these questions transparently for concerned neighborhood residents and organizations, they might not oppose, and might even support your proposed Plan and Zoning changes.

PLEASE SIGN BELOW AND TELL THE METRO PLANNING COMMISSION THAT YOU SUPPORT NEIGHBORHOODS NOT FACTORIES

The Metro Planning Commission is currently considering an amendment to our NashvilleNext Community Plan that would change the policy in effect at 13.15 acres at 2400 West Heiman Street from Open Space policy to District – Employment Center policy. An undisclosed California company has requested the change so it can build a factory that would assemble the outer structure of rockets and space probes.

1. Only a very narrow slice of our community of over 7,360 residents was officially notified of the proposed amendment to our Community Plan. We feel a change of this magnitude deserves more discussion and feedback from residents before the Planning Commission makes a decision.

Only one community meeting has been held and only residents and property owners within 1300 feet of 2400 West Heiman Street were given notice of the meeting held on 25, 2019. Approximately 50 neighbors were in attendance.

2. A change in the Plan from *Open Space* to *District - Employment Center*, which could allow industrial uses, is not in the best interest of our rapidly-developing urban residential community.

The developers say their rocket factory would provide 150 jobs for North Nashville. There is real doubt that those jobs would actually be available to residents of North Nashville. Since they require trade certifications for skills such a welding or programming computer-controlled machines, these are not entry-level jobs. In exchange for a small number of jobs at best, we would be accepting a factory in our community that would be there for the long-term and affect any higher or better future use of that property and the land surrounding it.

Rather than a rocket factory, why not affordable housing at that location? The NashvilleNext plan for North Nashville says: "North Nashville should consider being a leader on affordable housing because of its location and proximity to Downtown."

3. Since the Planning Department appears to be open to making changes to the North Nashville Community Plan, we would like the opportunity to participate in a Community Planning Study (similar to ones offered to the Charlotte Pike, Wedgewood-Houston and Dickerson Road communities) that would help guide the Planning Department on future development.

The residents of our area of North Nashville participated in the NashvilleNext process that created the North Nashville Community Plan. If something as drastic as allowing factories to be built is being considered, the residents and property owners of the surrounding neighborhoods, as well as businesses on major thoroughfares, should be consulted about our community's future.

4. MDHA is the owner of the property in question. In other words, the tax payers own this property. Affordable owner-occupied and rental housing is a priority issue for the citizens of North Nashville and the citizens of Nashville in general. There are many places that are already zoned for, and suitable for, a rocket factory. Selling it to a private entity that seeks to build a rocket factory in the backyard of a residential community would be a missed opportunity for MDHA to address one of its top priorities: "Increase the number of decent, safe affordable units and help low and middle-income households access affordable housing."

Opposition to the above policy change by the Metro Planning Commission is supported by:

College Hill/Hadley Park Neighborhood Association
North Nashville Leadership Council
House of God Church

Neighborhoods not Factories PETITION

We, the undersigned, are residents, business owners or attend church or school in the area of North Nashville that would be affected by an amendment to our NashvilleNext Community Plan currently being considered by the Metro Nashville Planning Commission. The amendment would change the plan from *Open Space* policy to *District - Employment Center* policy at 13.15 acres located at 2400 West Heiman Street, Nashville, TN 27208.

We hereby request that the Planning Commission **recommend AGAINST** the proposed amendment for the following reasons:

1. Due to insufficient notice given by the Planning Department, the surrounding community has not had sufficient time to become educated, to discuss and to properly consider the proposed amendment.
2. A change from *Open Space* to *District - Employment Center* policy would allow industrial uses and is not in the best interest of our rapidly-developing urban residential community. Allowing a rocket factory to be built next to a public park (Fisk Park), residential neighborhoods and on acreage that is part of a Conservation Overlay is inconsistent with the uses and needs of the surrounding community.

	Name	Address	Zip code	Signature
1	D. Billye Sanders	3514 Geneva Circle	37209	D. Billye Sanders
2	Viola Buckley	948 35th Ave N	37209	Viola Buckley
3	Hazel Buckley	948 35th Ave N	37209	Hazel Buckley
4	Gertrude Brooks	1502 Meharry Blvd	37209	Gertrude Brooks
5	Edw. W. C. Sanders II	3514 Geneva Cir	37209	Edw. W. C. Sanders II
6	H. J. Murrell	921-34th Ave N	37209	H. J. Murrell
7	Barbara Boyd	3300 Austin Ln	37207	Barbara Boyd
8	Ellen Lane Gage	436 Creekside Dr	37218	Ellen Lane Gage
9	Willie Corsett	3207 Jovianale Dr	37207	Willie Corsett
10	Haran Perry	263 Broadwood	37216	Haran Perry
11	Joyce Stanton	3224 Mexico Dr	37218	Joyce Stanton
12	Sandra Cooper	1525 Chapel Valley Pl	37207	Sandra Cooper
13	Thomas Shaw	3916 Lloyd Rd	37189	Thomas Shaw
14	John G. Gush	1401 Russell	37208	John G. Gush
15	Delisa Byers	1804 Dahlia	37210	Delisa Byers
16	Andrew Townsend	3134 Mooreville	37207	Andrew Townsend
17	Shirley Buckner	4415 Stillland Ave	37206	Shirley Buckner
18	Wallie Covington	138 Fwing Dr.	37209	Wallie Covington
19	Joyce Walker	846 W. Trinity St	37207	Joyce Walker
20	Ellen	501 Phipps Dr.	37218	Ellen
21	Delcie Hirsch	1405 Bellavista Blvd	37207	Delcie C. Hirsch
22	Dorothy Gause	1404 Clayville Rd	37207	Dorothy Gause
23	Kathleen M. Monaghan	3407 Geneva Cir	37209	Kathleen M. Monaghan
24	Enoch Fuzz	903 33rd Ave N	37209	Enoch Fuzz
25				
26				
27				
28				
29				
30				

- Over -

31				
----	--	--	--	--

To: Metro Planning Commission

CC: Councilman Ed Kindall

From: College Hill/Hadley Park Neighborhood Association, North Nashville Leadership Council, House of God Church, Gideon's Army

Subject: Proposed Amendment to Community Plan for North Nashville affecting the property at 2400 West Heiman Street, Nashville, TN 37208 (Case #2019CP-008-001)

As representatives of the neighborhoods immediately surrounding the property at 2400 West Heiman, we wish to submit the following points of concern regarding a proposed amendment to the North Nashville Community Plan.

Neighborhoods not Factories

1. Only a very narrow slice of the affected community (Population: 7,360) was officially notified of the proposed amendment to our Community Plan. We feel a change of this magnitude deserves more discussion and feedback from residents before the Planning Department develops a recommendation on whether to amend.

Due to the insufficient notice given by the Planning Department, the surrounding community has not had sufficient time to properly consider the proposed amendment to our Community Plan.

Only residents and property owners within 1300 feet of the area under consideration were given written notice of the request for a plan amendment through a postcard mailed on March 22, 2019. However, no notice of a community meeting to be held on March 25, 2019 was given on the postcard received by those residents and property owners. Some, but not all, of those residents and owners later received a flyer sent by Metro Council announcing the March 25th meeting.

Residents of the Hadley Park neighborhood learned of the Planning Department's March 25th community meeting from an online story published by the Nashville Business Journal on the day of the meeting. The NBJ story was released at 2:00 P.M and the meeting began at 5:30 P.M.

No other public meetings have been held by the Planning Department, the District 21 Councilman, MDHA or Tennessee State University to educate the community or seek their input on the proposed Community Plan amendment.

2. A change in the Plan from Open Space to District - Employment Center, which could allow industrial uses, is not in the best interest of our rapidly-developing urban residential community.

An undisclosed California company has requested the change so it can build a factory that would assemble the outer structure of rockets and space probes. A factory with 150 employees is not an amenity sought by the surrounding neighborhoods. There is a great deal of skepticism that any of the jobs being touted as a community benefit would

actually be available to residents of North Nashville. Since they require trade certifications for skills such as welding or programming computer-controlled machines, these are not entry-level jobs. In exchange for a small number of jobs at best, we would be accepting a factory in our midst that would preclude any higher or better future use of the affected property and surrounding land in the Conservation Overlay.

Rather than a rocket factory, we would be most interested in affordable housing at that location. The NashvilleNext plan for North Nashville agrees: “North Nashville should consider being a leader on affordable housing because of its location and proximity to Downtown.”

3. Since the Planning Department appears to be open to making changes to the North Nashville Community Plan, we would like the opportunity to participate in a Community Planning Study (similar to ones offered to the Charlotte Pike, Wedgewood-Houston and Dickerson Road communities) that would help guide the Planning Department and future developments.

An amendment to the North Nashville Community Plan that would allow a rocket factory to be built next to a public park (Fisk Park), residential neighborhoods and on acreage that is part of a conservation overlay, is ill-conceived and inconsistent with the uses and needs of the surrounding community. The residents of our area of North Nashville are happy with the current North Nashville Community Plan created through the NashvilleNext process. If something as drastic as allowing factories to be built is being considered, the residents and property owners of the surrounding neighborhoods, as well as businesses on major thoroughfares, should be consulted about the future of community.

4. Although TSU’s Administration has been an early supporter of the proposed rocket factory, the University has not engaged with the surrounding neighborhoods on this and cannot adequately represent us on whether it’s what the community wants.

A benefit of an industrial use that is not part of the North Nashville Community Plan and accrues to only one stakeholder, is not a sufficient reason to change our Community Plan. TSU’s engineering students do not need close physical proximity to a factory in order to benefit from any research opportunities that an aerospace company might offer them. The concerns about the long-term transition of the character of the area are of greater significance to the community at-large inasmuch as any academic or career benefits to TSU students can be achieved regardless of the site of the plant.

5. With its plan to sell the property at 2400 West Heiman Street, MDHA appears to be unconcerned about the impact it will have on adjacent neighborhoods and the surrounding community.

MDHA is the owner of the property in question. In other words, the tax payers own this property. Selling it to a private entity seeking to build a rocket factory in the backyard of a residential community would be a missed opportunity to address Priority 1 in MDHA’s own Consolidated Plan for 2018-2023: “Increase the number of decent, safe affordable units and help low and middle-income households access affordable housing.”

Affordable owner-occupied and rental housing is a priority issue for the citizens of North Nashville and the citizens of Nashville in general. There are many places that are already zoned for, and more suitable for, a rocket factory. We expect MDHA to adhere to its stated commitment of, “serving Nashville residents effectively and responsibly in the area of affordable housing.”

Given the above concerns, we ask that the Planning Commission deny the request to change the existing Open Space policy to a District – Employment Center policy for the property at 2400 West Heiman Street.

Thank you for your consideration,

Christina Barclay, North Nashville Leadership Council
Erskine Lytle, College Hill/Hadley Park Neighborhood Association
Rev. John Beach, Cumberland Gardens Neighborhood Association
Rasheedat Fetuga, Gideon’s Army

From: M. Simone Boyd [<mailto:msimoneboyd@gmail.com>]

Sent: Friday, April 26, 2019 6:06 PM

To: Sewell, Marty (Planning)

Cc: Shulman, Jim (Vice Mayor); etkindall@aol.com; Kindall, Ed (Council Member); Mendes, Bob (Council Member); Phillip

Subject: District 21: MPC Case # 2019CP-008-001

26 APRIL 2019

Marty Sewell, Metro Planning Department
P.O. Box 196300
Nashville, TN 37219-6300

Dear Mr. Sewell,

We are writing to express strong opposition to the proposed North Nashville Community Plan Amendment (MPC Case # 2019CP-008-001). **We ask that the Planning Commission deny the request** to change the existing Open Space policy to a District – Employment Center policy for the property at 2400 West Heiman Street.

We agree with the comments submitted in opposition by College Hill/Hadley Park Neighborhood Association, North Nashville Leadership Council, House of God, Cumberland Gardens Neighborhood Association, Nashville Greenlands and North Nashville Organization for Community Improvement.

Additionally, we raise three points for consideration.

First, **we do not have adequate council representation to fully understand the implications of such a change.** Our Council Member, Ed Kindall, failed to submit items to the Capital Improvement Budget. Additionally, three local news sources recently published articles on his more than 9,000 unread emails and general lack of responsiveness to constituents. Therefore, he cannot be considered a reliable advocate for our neighborhood. Going forward, **we ask that the Planning Department work directly with neighborhood associations and groups and provide adequate time to analyze future proposed changes.**

Second, **the Applicant has failed to respond to reasonable questions from neighbors regarding traffic, access, noise, building structure, pollution, community benefits and jobs.** Mr. Karl Meyer submitted said questions in person at the required community meeting on March 25 and via email on March 26. If the Applicant chooses not to engage with us before a zoning change, how will they engage with us once they are building rockets in our backyards?

Third, **selling 13.5 acres for approximately \$2 million is a poor use of publicly owned land and affordable housing resources.** MDHA has agreed to sell the land at an undervalued price. Yet, it is seeking \$500 Million from Metro Government to support its '[Under One Roof](#)' affordable housing initiative. This is an affront to common sense and sound financial stewardship. If approved, **we request an audit of all MDHA land sales transactions to assess the actual value versus sale price for the previous 10 years.**

Sincerely,

Phillip & M. Simone Boyd, Organizers

District 21 Neighbors—a group of loving, voting North Nashvillians

Cc: Vice Mayor, Jim Shulman CM At-Large Bob Mendes & CM Ed Kindall

From: Grace Biggs [<mailto:biggsqn@gmail.com>]
Sent: Friday, March 29, 2019 10:35 AM
To: Planning Staff
Subject: Community comment, MPC Case #2019CP-008-001

Hi,

I live at 2004 Heiman Street and attended the recent District 21 community meeting on a requested plan amendment at 240 West Heiman St. My comment is that the meeting was extremely poorly facilitated, and there wasn't sufficient opportunity for residents to have their questions answered about the project. There should be a replacement meeting. Councilman Ed Kindall cut the meeting short in the middle of a resident's comments. The developer refused to disclose the name of the company that wants to operate on the property, which seems like really important information to be able to understand their track record on environmental impacts, social responsibility, job quality, etc. What are the point of these meetings if not to answer questions? How can the community offer substantial feedback if we aren't informed? Without tangible employment benefits, this project might only intensify the recent overwhelming gentrification pressure on our historic neighborhood. Affordable housing feels like a much more pressing need for our neighborhood, and this property is already zoned R6 and owned by MDHA. If there's going to be an amendment to the plan from open space, seems like it should be for affordable housing. I can't support a change to allow this kind of company when there isn't transparency about exactly what company would be operating there - insane that they are hiding this, especially when there is already a preliminary agreement signed between the company and MDHA ([article here](#)).

MPC Case #2019CP-008-001

Grace Biggs, resident at 2004 Heiman St since Jan. 2010

Item 19: 2019SP-024-001 – 523 27th Avenue

From: Joel Okaah [<mailto:jokaah6@gmail.com>]

Sent: Thursday, May 2, 2019 5:33 AM

To: Planning Staff

Subject: Rezoning Case #2019SP-024-001

Dear planning staff,

Regarding rezoning case # 2019SP-024-001 for 523 27th Ave North, I represent the owner of the property next door at 525 27th Ave North. The applicant reached out to us for discussion and was able to satisfactory answer our questions about the application. So we are supportive of approval of their rezoning application

Sincerely,

Joel Okaah, on behalf of Edna Street (owner of 525 27th Ave North)

Item 41: 2019Z-061PR-001 – McClurkan Avenue

From: Jeff Kendig [mailto:jkendig@outlook.com]

Sent: Thursday, May 02, 2019 9:55 PM

To: Planning Commissioners

Subject: 2019Z-061PR-001 McClurkan Ave Rezone Request

Dear Commissioners,

We respectfully request your support to restore the zoning for several properties on McClurkan Avenue to the zoning that was taken (RM20) when the institutional overlay was passed in 2005. The request is not based on restoring the zoning, but on the development patterns, intensity of traffic, and density of the area when accounting for school personnel and students. The information provided does refer to the NADC Master Plan as that plan outlines expected development patterns and future use of the general area around the campus. Additionally, the plan addresses issues raised (traffic, etc.) when the plan was being developed. The request is based on the following:

- The neighborhood policy is T4 Urban Neighborhood Evolving, which supports moderate to higher density development patterns.
- Development patterns in the area support the higher zoning as several moderately intense developments have been supported and approved (including one in a T4 NM policy area).
 - Chester Avenue Townhomes
 - Strouse Avenue Housing Development
 - Woodland Grove Cottage Development (Chester Ave)
- The neighborhood has always catered to the students and already includes higher density housing:
 - 974 Strouse Ave
 - 972 Strouse Ave
- The NADC Institutional Overlay shows an intent to have higher density mixed use development fronting McClurkan between Emmet and Trevecca Avenues.
 - See the NADC Master Development Plan (Land Use) attached
 - The plan shows moderately to high dense structures with significant rear loaded parking.
 - The plan indicates the buildings fronting McClurkan are designated as Mixed Use.
- The neighborhood directly adjacent to the college **does not lend itself to single family dwellings**.
 - Approximately 1200 students attend either the day or evening class schedule. Much of the original IO proposal centered around traffic and the estimated number of cars entering or leaving the main campus was approximately 976 for the daytime shift and 752 for the evening shift.
 - Traffic safety concerns and noise are the two most often cited issues when speaking with individuals that live directly across from the school.
 - The main parking area that is surrounded by Strouse, Emmet, and McClurkan exits to either Strouse or McClurkan, meaning that at least four times a day several hundred cars exit on those streets.
 - Neighbors routinely comment on the noise, traffic and safety concerns based on the number of cars entering and exiting on a daily basis when asked about living across the street from the school.
- The Master Plan identifies two parking facilities that would increase the parking capacity to support a target of 3500 students, which would significantly increase traffic along both the McClurkan and Strouse corridors. Yet the rezoned properties on McClurkan would only allow non NADC owners single family use, which does not provide appropriate flexibility considering the current and planned use by the school.
- The Master Plan indicates that there was general neighborhood support (consensus) for the plan. However, none of the property owners impacted by the plan, except NADC, supported the rezoning of their property. To

the contrary, significant opposition appeared before both the Planning Commission and Metro Council during the public hearings. The property owners went as far as retaining legal counsel to assist with opposition.

- **As part of this rezoning request, all of the property owners were contacted and all property owners within the requested rezone area have signed a petition in support of rezoning the properties to RM20** (attached).
- The rezoning of the McClurkan properties should not have been part of the original overlay. The Master Plan affirms the right of property owners to apply for a change in zoning for property identified in the overlay (i.e., designated for acquisition). The original rezoning should not have occurred as the rezone did nothing to impact the institutional overlay other than reduce the value of the property to the property owners (restricted to RS5) while providing significant flexibility in land use to the school (mixed use as designated on the Master Plan – see Master Development Plan – Land Use attached). The Master Plan also anticipates requests to rezone property in the overlay by property owners. Additionally, the plan calls for 60 to 80 additional rear loaded parking spaces for structures built on McClurkan with minimal setbacks for buildings three stories high, indicating a more dense use than RS5 would permit.
- The Master Plan addresses Expansion Property Owners’ Current Value Retention within the plan. The only two options identified are selling to NADC at an early date or selling to NADC at a later date with a current agreement on price or calculation of price at a later date. NADC did not propose any pricing or offer any options for calculating a future price even though the plan indicates this would happen.

We appreciate your consideration of this matter and would ask that you support the rezoning request. Thank you for your time and attention.

Jeff Kendig

(615) 474-1631

jkendig@hotmail.com

From: Jeff Kendig [mailto:jkendig@outlook.com]
Sent: Thursday, May 02, 2019 10:48 PM
To: Planning Commissioners
Subject: McClurkan Rezoning Request 2019Z-061PR-001

Dear Commissioners,

Please find attached the signoff sheet in support of the rezone request signed by all property owners with properties being rezoned. Thank you

Jeff Kendig

(615) 474-1631

jkendig@hotmail.com

Please see attachment on following page.

Owner Support for McClurkan Avenue Rezoning Bill (RSS to RM20)

Property	Owner	Signature	Date
1 1013 McClurkan Ave	Foster	<i>[Signature]</i>	3-26-19
2 1015 McClurkan Ave	Lancaster & Morgan	<i>[Signature]</i>	4-3-19
3 1017 McClurkan Ave	Dicker	<i>[Signature]</i>	3-26-19
4 1019 McClurkan Ave	Castillo-Kendig	<i>[Signature]</i>	3-27-19
5 1021 McClurkan Ave	Castillo-Kendig	<i>[Signature]</i>	3-27-19
6 1023 McClurkan Ave	Mullins & Knight	<i>[Signature]</i>	3-26-19
7 1025 McClurkan Ave	Bryan, Ward & Elmore	<i>[Signature]</i>	27 March 2019
8 1027 McClurkan Ave	Ronzino	<i>[Signature]</i>	3/26/19

1. Richard Lancaster njlancaster@gmail.com
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.