

Comments on December 12, 2019 MPC Agenda Items
Received through December 12, 2019

Item 1: 2019CP-005-002 – East Nashville Plan Amendment

From: Lichstein, Kenny <lichstein@ua.edu>
Sent: Monday, November 18, 2019 7:33 PM
To: Parker, Sean (Council Member) <Sean.Parker@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>; staff (planning.staff@nashville.gov) <planning.staff@nashville.gov>; Allen, Burkley (Council Member) <Burkley.Allen@nashville.gov>; Glover, Steve (Council Member) <Steve.Glover@nashville.gov>; Hurt, Sharon (Council Member) <Sharon.Hurt@nashville.gov>; Mendes, Bob (Council Member) <Bob.Mendes@nashville.gov>; Suara, Zulfat (Council Member) <Zulfat.Suara@nashville.gov>
Cc: Lichstein, Kenny <lichstein@ua.edu>
Subject: current Riverchase residents

200 families who live in the proposed Riverchase project desperately need your help. In the booming Nashville economy, both housing costs and homelessness are rising. Adding affordable housing units is critically needed. At such a time, losing 200 units and adding to the displaced/homeless population has Nashville going in the wrong direction. Please help.

Ken
(member of NOAH)

~~~~~  
Betty & Kenny Lichstein  
1001 4<sup>th</sup> ave N  
apt 412  
Nashville, TN 37219-1147  
Ken cell: 629 867-1707

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

### **Item 6: 2019Z-020TX-001 BL2019-48**

**From:** John Summers <johnsummers@comcast.net>  
**Sent:** Wednesday, December 11, 2019 10:14 AM  
**To:** Rosenberg, Dave (Council Member) <Dave.Rosenberg@nashville.gov>  
**Cc:** Council Members <CouncilMembers@nashville.gov>; Planning Commissioners <Planning.Commissioners@nashville.gov>; Mayor (Mayor's Office) <mayor@nashville.gov>  
**Subject:** BL2019-48  
**Importance:** High

**SEE ATTACHMENTS ON FOLLOWING PAGE**

John Summers  
5000 Wyoming Ave.  
Nashville, TN 37209  
615-415-3016

**From:** Billy Nobel <billynobel@gmail.com>  
**Sent:** Wednesday, December 11, 2019 11:18 AM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Cc:** Council Members <CouncilMembers@nashville.gov>  
**Subject:** Oppose BL2019-48

Dear planning commission and council members,

Please oppose BL2019-48. I do not want to live next to home-based businesses and feel as though residentially zoned neighborhoods should be solely for residents and not businesses. Thank you.

Billy Nobel  
West Meade

**From:** Tom Hardin <hassell3@icloud.com>  
**Sent:** Wednesday, December 11, 2019 1:08 PM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Cc:** Council Members <CouncilMembers@nashville.gov>  
**Subject:** Opposition to Rosenberg proposal for businesses in residential neighborhoods

Thank you. For your public service

It can be a thankless job and I appreciate your attention to the public's business

The proposal for allowing customers come to residences to conduct on site business in homes is not a good idea in my opinion. It is easy to think, oh well, this is a way for mom to make extra money teaching piano. But it is a doorway to a broad spectrum businesses in residential neighborhoods. This would create traffic and noise issues for homes in residential areas. I think it a mistake to go down this road.



*...advocates for our neighborhoods.*



December 10, 2019

Councilman Dave Rosenberg  
1 Public Square, Suite 204  
Nashville, TN 37201

RE: BL2019-48

Dear Councilman Rosenberg,

On behalf of the members of the Coalition FOR Nashville Neighborhoods, we would like to thank you for attending our meeting on November 21. We truly appreciate you taking your time to discuss your proposed ordinance, BL2019-48, with us. We look forward to continuing these discussions with you at future meetings.

Some of our members have been involved for more than thirty years in opposition to previous ordinances that have advocated allowing clients to come to home businesses in residential neighborhoods. These previous proposals have repeatedly been rejected by various Councils.

The number one concern is that our neighborhoods are residential, not intended for commercial business. Arguments then, as now, against home businesses are that most homeowners select residential areas for peace and quiet, and do not want commercial businesses near their homes.

Mixed-use and commercially zoned areas were created to accommodate different types of businesses, including home businesses. We find it difficult to understand how a "one-size fits all" approach is appropriate; after all each residential neighborhood is unique.

One thing we certainly want to hear more about is how you believe this ordinance, if approved, could be effectively enforced. Metro's recent experience with STRs should serve as a guide.




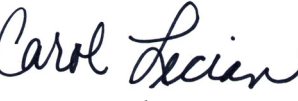

Our city has had to spend millions of dollars on enforcement efforts, yet we still have thousands of illegal STRs operating today. We know good intentions do not always lead to good legislation, and without effective enforcement, restrictions in any ordinance are meaningless– again, short-term rentals are an excellent example.

Again, we look forward to continuing to meet with you and understand better your reasons for sponsoring this ordinance and your suggestions. But for now, our members remain firmly against allowing commercial businesses with on-site customers to operate in our residentially zoned neighborhoods.

We want to see our residential neighborhoods remain residential. We believe the overwhelming majority of Nashvillians do as well.

Again, thank you for meeting with the Coalition FOR Nashville Neighborhoods to discuss this important issue.

Sincerely,

|                                                                                  |                                                                                   |                                                                                   |                                                                                    |                                                                                     |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
|  |  |  |  |  |
| John Summers<br>Chair<br>Sylvan Park                                             | Logan Key<br>Vice Chair<br>Lockeland Springs                                      | Charlotte Cooper<br>Secretary<br>Green Hills                                      | Carol Lecian<br>Recording Sec.<br>Old Hickory                                      | Bernard Pickney<br>Treasurer<br>Sylvan Park                                         |

cc: Members of the Metropolitan Council  
Members of the Metropolitan Planning Commission  
Mayor John Cooper

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

Please vote no on this bill. Thank you

Tom Hardin  
615-598-5313  
[Hassell3@gmail.com](mailto:Hassell3@gmail.com)

**From:** Ann Roberts <avroberts210@comcast.net>  
**Sent:** Wednesday, December 11, 2019 1:49 PM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Cc:** Kempf, Lucy (Planning) <Lucy.Kempf@nashville.gov>; Leeman, Bob (Planning) <Bob.Leeman@nashville.gov>  
**Subject:** Please -- NO on BL2019-48

Dear Commissioners,

Council Bill 2019-48 is on your agenda tomorrow. I am writing to ask that you vote NO. Allowing homes in residential zoning districts to become businesses is a slippery slope. Where does it stop? How is a line drawn? And once allowed, reversal is impossible.

My involvement with neighborhoods began in 1976, when the office where I worked, the Metro Historical Commission, began working with homeowners to revitalize the inner-city and midtown neighborhoods. At that time, neighborhoods had little voice in their futures. While there were many issues that weakened them, the lack of enforcement by the Codes Department was a major factor in their downturn. **When our office did a survey in 1984, of the issues facing neighbors, the #1 issue by far was Codes enforcement and the lack thereof.** It has taken decades and battles by neighbors to bring neighborhoods back to health and economic stability.

**The preservation of residential integrity is a key component of neighborhood health.** The unfortunate invasion of short-term rentals into neighborhoods has already done significant damage to stability and health. Opening the door to more commercial uses, as this bill does, has the potential to reverse the upward trend of our neighborhoods. While the bill sets limits, you can be assured that the enforcement of limits is doomed to failure. Just look at the the STR damage as evidence.

**Please keep residential zones residential and free of commercial enterprises.**

Thank you very much.  
Ann Roberts  
District 23

**From:** Charlotte Cooper <cscoopernash@gmail.com>  
**Sent:** Wednesday, December 11, 2019 2:17 PM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Cc:** Henderson, Angie (Council Member) <Angie.Henderson@nashville.gov>; Rosenberg, Dave (Council Member) <Dave.Rosenberg@nashville.gov>  
**Subject:** Please vote NO on Text Amendment 2019Z-020TX-001 Home Occupations

Item 6: 2019Z-020TX-001 BL2019-48

## **Comments on December 12, 2019 MPC Agenda Items** **Received through December 12, 2019**

Good Afternoon Commissioners:

I am writing regarding item 6 on the December 12 agenda, Text Amendment 2019Z-020TX-001 Home Occupations. For many years I have followed the various bills that attempted to change home occupation businesses to allow clients/customers. I am strongly opposed for several reasons:

- Neighborhoods zoned R and RS are residential. The main reasons families want to live in residential neighborhoods are for a safe place to raise children, enjoy peace and quiet and not have businesses near-by.
- Businesses belong in commercial or mixed-use zoned neighborhoods. Since a home business would be an accessory use to residential zoning, home businesses would not be taxed at a commercial rate. Commercial electric, water and stormwater rates are also different from residential. This creates an unfair advantage to businesses that must own or rent space in commercial areas.
- Our neighborhood streets are generally narrower. They should be safe for walking and riding bikes. Bringing clients and customers into our residential neighborhoods will likely increase traffic, as well as create potential parking concerns.
- Enforcement is impossible, no matter how strict the language might be. Monitoring must be accomplished by neighbors, and any enforcement is complaint driven. Our police department does not have the resources for non-criminal related disputes. When there are problems, it creates pitting neighbor against neighbor.

I am well aware there are currently illegal home businesses operating throughout Nashville. Some owners know their business is illegal and most likely try to operate under the radar, but some do not. I am aware piano lessons and tutoring, mainly for children, take place in private homes; however, those appear to be consistent with raising children and residential neighborhood activities. As long as they do not negatively impact neighbors and our neighborhoods, neighbors appear to be okay with that type of business operating without regulations. What I don't want to see are the more traditional commercial type businesses, including new creative businesses popping up every day, invade our residential neighborhoods.

If approved, this text amendment will negatively impact residential neighborhoods, just like the uncontrollable short-term rentals. Although the text amendment says if the Zoning Administrator determines three verified complaints are valid, he may revoke a permit, but the permit holder also may appeal to the BZA. Unfortunately, most appeals are approved and the offender is given more chances to violate the rules. Please consider the thousands of families who relied on residential zoning when they purchased their home.

Businesses do not belong in residential neighborhoods. I urge you to vote NO on this text amendment.

## **Comments on December 12, 2019 MPC Agenda Items** **Received through December 12, 2019**

Charlotte S. Cooper  
3409 Trimble Road  
Nashville TN 37215  
District 34

**From:** Layne, Lois <lois.layne@wku.edu>  
**Sent:** Wednesday, December 11, 2019 3:20 PM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Subject:** Oppose Item 6, BL2019-48

Dear planners,

It's not clear what this bill is supposed to do—allow small ongoing home businesses like tutoring or enable short term incubator start ups. What it would probably do is open up Pandora's Box to a nightmare of commercial exploitation of our neighborhood. There are too many glaring loop holes in the regulations and the enforcement would be a nightmare (think Airbnb). Unless we are going to have a satellite surveillance program, I don't know how it would be possible to monitor home business activity. It would be up to neighbors and there is not even a definition of what a verified complaint would be.

My neighborhood, Historic Edgefield is already fighting to preserve the residential character of the neighborhood. Opening the door to more commercial uses would doom us. In our small neighborhood we already have 40 Airbnb's at my last count (10% of properties.) we have spillover parking and traffic from the mixed use and commercial development on Woodland and Fatherland. So enough!

Please don't support Item 6

Thank you,  
Lois Layne  
817 Russell Street.

**From:** Peter D Greaves <peter.greaves@gmail.com>  
**Sent:** Wednesday, December 11, 2019 4:12 PM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Subject:** Comments on BL2019-48

I would like to submit to the commission the following thoughts for consideration regarding BL2019-48

As someone who has previously owned a small business I am in support of changes that would allow individuals to run small businesses with limited clientele and visitors. I believe doing so would promote small business while (if done properly) provide protection to residents they do not currently have from informal businesses.

The issue residents have with the concept can be laid out very simply in one example: some one sets up a home recording studio and everyday carloads of musicians are arriving and leaving loads of equipment, causing noise and disrupting the neighborhood.

Item 6: 2019Z-020TX-001 BL2019-48

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

That is very different to a studio photographer who may have 6 clients a day arriving in single vehicles either singly or in small groups.

While I support the concept, I would like the planning commission to give consideration to the following changes:

### Section 1

c) The home occupation may only be by the owner of a dwelling. Renters or sub-renters may not run businesses under the ordinance.

### For Section 2

c) No more than 1 vehicle for visitors will be allowed either on public or private at any one time.

### Section 3

b. Customer visits must occur by scheduled appointment and only between the hours of 8 a.m. and 6 p.m., Monday through Friday, and 9am and 2pm on Saturday. Customer visits will not occur on any of New Year's Day, Labor Day, Memorial Day, July 4<sup>th</sup>, the Thanksgiving Weekend, and from December 24<sup>th</sup> to December 28<sup>th</sup>.

c. Customer visits shall be limited to no more than two visits per hour and a maximum of ten total **visitors** per day; however, for group instruction a maximum of four students shall be allowed for one lesson provided the maximum number of **visitors** per day is not exceed. No group visit will exceed 4 visitors, and the limitation of 1 vehicle remains in force for groups.

d) Visits will not allow the loading and unloading equipment such as musical equipment.

### Section 5 d

Xxix Areas rented out as music event or practice areas

I hope some of these changes would be considered, I believe doing so could help relieve some of the concerns I have heard expressed by residents.

Regards

Peter Greaves  
913 Fatherland Stree  
Nashville TN 37206  
615 354-3536

**From: Carol W. Williams <wachtel@bellsouth.net>**  
**Sent: Wednesday, December 11, 2019 4:49 PM**  
**To: Planning Commissioners <Planning.Commissioners@nashville.gov>**



## **Comments on December 12, 2019 MPC Agenda Items** **Received through December 12, 2019**

**Cc: Council Members <CouncilMembers@nashville.gov>**

**Subject: BL 2019-48**

Planning Commissioners:

Once again residential neighborhoods are being threatened by commercial invasion. Please remember whether commercial STRs running an assortment of additional businesses within the STR or BL 2019-48, the onus is on neighborhoods to report violations knowing Nashville has no way to enforce such violations.

If you support this bill, urban residential neighborhoods will soon be overtaken by commercial use.

Rules and boundaries sound good but are unenforceable.

Help us save what is left of the stability of Nashville's neighborhoods.

Carol Williams  
800 Russell Street  
Nashville, TN 37206  
615-227-4197

**From: Omid Yamini <omid1130@gmail.com>**

**Sent: Thursday, December 12, 2019 7:25 AM**

**To: Planning Commissioners <Planning.Commissioners@nashville.gov>**

**Cc: Kempf, Lucy (Planning) <Lucy.Kempf@nashville.gov>; Council Members <CouncilMembers@nashville.gov>; Mayor (Mayor's Office) <mayor@nashville.gov>; Herbert, Bill (Codes) <Bill.Herbert@nashville.gov>; Penn, Bill (Codes) <Bill.Penn@nashville.gov>; Harper, Clint (Codes) <clint.harper@nashville.gov>; Osborn, Robert (Codes) <Robert.Osborn@nashville.gov>**

**Subject: Please OPPOSE ordinance 2019Z-020TX-001**

Planning Commissioners,

Please OPPOSE ordinance 2019Z-020TX-001 to allow home occupancy businesses.

We have seen how difficult it has been to enforce these sorts of ordinances with the STR situation that we are still working to figure out, and this one seems even more complicated. Only "three customers per day" can visit the residential houses where these businesses will be allowed to operate from, who/how will we ever enforce that?

Again, please OPPOSE ordinance 2019Z-020TX-001.

Thank you,

Omid Yamini  
Nashville, TN 37207

## **Comments on December 12, 2019 MPC Agenda Items**

### **Received through December 12, 2019**

**From:** Plummer, Kathryn C <kathryn.plummer@Vanderbilt.Edu>  
**Sent:** Thursday, December 12, 2019 10:31 AM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Cc:** Council Members <CouncilMembers@nashville.gov>  
**Subject:** A musician's perspective to BI2019-48

Dear Metro Planning Commission,

Please oppose BI2019-48; do not allow a home occupation to be considered an accessory use to a residence.

If this bill passes, the flood gates will open for businesses to operate in our neighborhoods. The mentality "I've got a permit; catch me if you can as I push the limits of the law" will prevail. I do not trust that many permit holders will ensure that their cumulative activity does not exceed the thresholds for business activity (number of employees, number of associated vehicles, and number of vehicle trips per day). It will be left to affected neighbors to report verifiable misuse to Codes. Reporting will require time and resources for surveillance further turning neighbors into watchdogs, a position we already have regarding the short term rental industry. Knowing how unsuccessful enforcement is in the short term rental industry (despite considerable energies and costs of Codes, Host Compliance and neighbors), how can we expect the home businesses to be successfully monitored and kept in compliance?

Pass BI2019-48 and we will see a proliferation of home studios popping up in Music City residential neighborhoods. Years ago as young session player (violin and viola) in Nashville, I sometimes played in home recording studios. I didn't know they were illegal in residential neighborhoods, but I remember feeling so very glad I did not live near any of them. Even with sound proofing, the large sound systems blasted out pulsating drum and brass tracks that would carry throughout the neighborhoods. I witnessed the busy traffic as we all fought for a coveted parking spot on the narrow residential streets. We took hourly breaks spilling out onto the lawns to smoke, talk and laugh. Since many of us had day jobs, our recording work was mostly scheduled on weekends and nights. These events had to have disturbed neighbors and I regret I was part of them.

I also predict this bill will prompt some music teachers to open up "mini academies" out of their homes. I personally know a musician already envisioning renting out spare rooms in her home to several other teachers to use for their teaching space (based on the WeWork model). Neighbors will need to surveil properties, tediously documenting the number of students, employees, associated vehicles and number of vehicle trips per day.

This legislative effort to allow commercial use in our residential neighborhoods reminds me of the legislative battles we continually fight regarding the short term rental proliferation. In the July 30<sup>th</sup>, 2017 *Tennessean* article by David Plazas, Cleveland Park resident and neighborhood advocate, Sam McCullough, is quoted: "Nashville has lost Nashville," he said. "All this madness of the party town — we have lost our city." Yes, I, too, believe the city (downtown) is lost and if you pass BI2019-48, our already threatened neighborhoods will become the final victim of commercial erosion.

## **Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019**

Please be the stewards of our city by keeping long held zoning regulations intact.

Thank you for your service, Kathryn Plummer  
3416 Benham Ave.  
Nashville, TN 37215

**From: Eric Meadows <eric.meadows2@gmail.com>**  
**Sent: Thursday, December 12, 2019 11:23 AM**  
**To: Planning Commissioners <Planning.Commissioners@nashville.gov>**  
**Subject: Item 6, BL2019-48 Oppose**

I oppose Item 6, BL2019-48 as there seems to be too many loopholes and doesn't appear there are good identified resources to enforce the rules.

Thanks,

Eric Meadows  
801 Shelby Ave, Nashville, TN 37206

**Comments on December 12, 2019 MPC Agenda Items**  
**Received through December 12, 2019**

**Item 9: 2019SP-015-001—538 Rosedale Ave SP**

From: Clinton, Ashley <[Ashley.Clinton@mnps.org](mailto:Ashley.Clinton@mnps.org)>  
Sent: Wednesday, December 11, 2019 9:44 PM  
To: Planning Staff <[planningstaff@nashville.gov](mailto:planningstaff@nashville.gov)>  
Subject: Case 2019SP-015-001

To whom it may concern,

I am emailing in regards to the changing of zoning at 538 Rosedale Ave. I also live on Rosedale Avenue, and have for the last eight years. In those years there has been an increase and traffic that infrastructure of the area has a difficult time maintaining. If this land is changed zoning, it will have a serious detrimental impact on the Quality of life in this community. I am vehemently opposed to the change in zoning. It will negatively impact wildlife and landscape as multiple trees would need to be taken down to accommodate the proposed dwellings. Also, removing the large area of land would have a negative impact on water run off in the area as well.

Thank you for your consideration in this matter.

Ashley Clinton

Resident at 553 Rosedale Avenue

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

### **Item 12: 2019SP-065-001 – 1400 Arthur Ave. and Item 23: 2019NHL-002-001 – 1006 Monroe St.**

From: Jennifer Coffin <[jnilescoffin@gmail.com](mailto:jnilescoffin@gmail.com)>

Sent: Wednesday, November 13, 2019 8:18 PM

To: Napier, Patrick (Planning) <[Patrick.Napier@nashville.gov](mailto:Patrick.Napier@nashville.gov)>; Planning Staff <[planningstaff@nashville.gov](mailto:planningstaff@nashville.gov)>; O'Connell, Freddie (Council Member) <[Freddie.OConnell@nashville.gov](mailto:Freddie.OConnell@nashville.gov)>; Planning Commissioners <[Planning.Commissioners@nashville.gov](mailto:Planning.Commissioners@nashville.gov)>

Subject: Letter of support - Case #2019NHL-002-001and Case #2019SP-065-001

Dear Planning Commission,

Please find attached a letter from the Historic Buena Vista Community Association regarding the case numbers referenced above, on the agenda for November 14.

Regards,

Jennifer Niles Coffin

President

Historic Buena Vista Community Association

**SEE ATTACHMENT ON FOLLOWING PAGE**



November 13, 2019

Metro Planning Commission  
Howard Office Building  
700 2nd Avenue South  
Sonny West Conference Center  
Nashville, TN, TN 37201

**Re:** Case #2019NHL-002-001 - *1006 Monroe St - Neighborhood Landmark Zoning to provide historic protection and commercial uses.*  
Case #2019SP-065-001 - *1400 Arthur Ave - Specific Plan zoning to allow for the construction of 6 detached homes.*

Dear Planning Commission:

I am writing on behalf of the Historic Buena Vista Community Association to convey our support of the plans presented for the two cases identified above.

The properties involved above are in our neighborhood. By agreement, our development committee has been working with Derek Lisle over the past many months as these plans have developed. We have regularly reported on our progress at our community-wide quarterly meetings, and we have seen and approve of the plans now presented to you for approval.

The current plans reflect our interests and input, and a positive relationship between the community and Mr. Lisle. We hope you will approve them.

Sincerely,

*/s/ Jennifer Niles Coffin*  
President  
Historic Buena Vista Community Association

**Comments on December 12, 2019 MPC Agenda Items**  
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**Item 22a: 18-84P-004 and Item 22b: 2019Z-170PR-001 – 11  
Burton Hills Blvd.**

From: hatton hardison [hattonhardison@bellsouth.net](mailto:hattonhardison@bellsouth.net)

Sent: Thursday, November 14, 2019 11:04 AM

To: Planning Staff [planningstaff@nashville.gov](mailto:planningstaff@nashville.gov)

Subject: Blakeford expansion

I live in Burton hills adjacent to the Blakeford and totally support their expansion plans Hatton Hardison

39 Belcaro Cir

Nashville 37215

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

### **Item 25: 2019Z-165PR-001—1009 and 1013 Dickerson Pike**

**From:** Omid Yamini <omid1130@gmail.com>

**Sent:** Thursday, December 12, 2019 7:38 AM

**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>

**Cc:** Kempf, Lucy (Planning) <Lucy.Kempf@nashville.gov>; Sean Parker <seanparker@fastmail.fm>

**Subject:** please OPPOSE bill 2019Z-165PR-001

Planning Commissioners,

I am writing to ask that you please OPPOSE bill 2019Z-165PR-001 that is on your agenda tonight.

This developer came to our CPNA meeting last month, and while he assured us that these units "would not be used for STRs" (as 80-90% of the new units on Dickerson in our neighborhood Cleveland Park have become) which we have no way to hold him to, and seemed dismissive of our concerns regarding ensuring that housing/density provided along the Dickerson corridor is used for housing for ACTUAL residents. Is this a concern that you as the MPC can understand?

We are putting so much emphasis on creating density along Dickerson, but then the units just become de facto hotels. We've had two similar units go in on our side of Dickerson recently, from what I remember (and you can confirm this on public record) on one of them 7 of the 9 units went straight STR, and on the more recent one it was 8 of 8 went straight STR. That's not adding/developing density, and I would hope someone somewhere in the MPC system sees that it's not doing what we have planned and/or intended.

And the developer also didn't have much understanding and/or many answers for us regarding parking and other concerns we had about the impact these sorts of developments will have on adjacent streets and neighbors. How many parking spots will be provided for the number of units PLUS the commercial that he wants to add to it? If I remember correctly it was FAR less than what would be needed for the development. Please look into this. We know from intense development along corridors without adequate parking that it will spill over into adjacent neighborhoods and impact those communities negatively, so let's please try and be proactive. When we asked him to please provide more parking he replied with some sort of "... that will cost me \$xxx per spot, can't do it". So again, not his concern - he doesn't live there so what does it matter to him?

Our CM Sean Parker was there for this discussion at CPNA and can verify what happened, so please call on him for input if you need it.

Lastly, please consider this a written request to REMOVE this from the consent agenda if possible, I do plan on coming to speak on this after I get off work at 5pm.

Thanks,

Omid Yamini

Nashville, TN 37207

Item 25: 2019Z-165PR-001—1009 and 1013 Dickerson Pike



## **Comments on December 12, 2019 MPC Agenda Items** **Received through December 12, 2019**

**From:** Adam Vollrath <axisofentropy@gmail.com>  
**Sent:** Thursday, December 12, 2019 10:20 AM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Cc:** Sean Parker <seanparker@fastmail.fm>  
**Subject:** Please defer 2019Z-165PR-001

Good morning, commissioners,

Please defer case 2019Z-165PR-001 until the ordinance can be drafted to exclude Non-Residential Short-Term Rentals from its uses. De-facto hotels are fine on the West side of Dickerson, but the East side is our neighborhood. We certainly want more commercial space and we want neighbors and we want a modest increase in density. So this rezoning achieves most of those goals; but many of my neighbors strongly oppose new housing stock allowed to be STR, as market forces would pressure this development to become. Once that use is excluded, I will show up to support this rezoning.

Also please remove this from tonight's consent agenda.

Thank you for your time,  
Adam Vollrath  
322 Wilburn St, Nashville, TN 37207

## **Comments on December 12, 2019 MPC Agenda Items** **Received through December 12, 2019**

### **Item 30: 2019Z-171PR-001— 1400 Fatherland**

**From:** Logan Key <keylogan@icloud.com>  
**Sent:** Saturday, December 7, 2019 2:49 PM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Cc:** Withers, Brett (Council Member) <Brett.Withers@nashville.gov>  
**Subject:** Case 2019Z-171PR-001 (1400 Fatherland St)

Dear Planning Commissioners,

I reside at 1411 Fatherland St. with my wife and two children. Our home is a half-block away from the property proposed for rezoning at 1400.

Unfortunately this proposal has been accompanied by no community meetings I'm aware of and insufficient transparency as to the new potential of the property if the rezoning is ultimately successful.

This block is unique in numerous ways that should be subject to a fuller community discussion with immediate neighbors. Consider:

1. On the south side of the 1400-block of Fatherland St — the side of the street containing this property — there is NO contiguous sidewalk and likely no sidewalk is possible due to topographical limitations.
2. In the 1400-block, the street narrows by about 5 feet making it difficult and dangerous to park vehicles on the south side of the street, especially absent a contiguous sidewalk covering the entire block.
3. Due to topographical limitations, homes like mine on the north side of the block do NOT have vehicular access to the alley. Therefore we must park some vehicles on street.
4. This neighborhood corner only has two of four corners that are zoned for commercial uses. The other two corners are residential (R6). Thus it would seem the lowest possible floor-area ratio would best comport with the surroundings.

In any case, a more fuller community discussion of this proposal should be undertaken.

Please oppose, or at a minimum, defer this case until there is more transparency among the immediate neighbors.

Sincerely,

Logan Key  
1411 Fatherland St.  
Nashville, TN 37206

## **Comments on December 12, 2019 MPC Agenda Items** **Received through December 12, 2019**

**From:** jtanner3@aol.com <jtanner3@aol.com>  
**Sent:** Saturday, December 7, 2019 9:45 AM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Cc:** Withers, Brett (Council Member) <Brett.Withers@nashville.gov>  
**Subject:** 1400 Fatherland Zoning

To whom it may concern:

I am a resident at 1502 Fatherland Street and have been there since 2007.

I am concerned about the lack of information regarding this property. Without more information, I am not in favor of rezoning this property. A few of my concerns based on what I do know are:

- Nearby neighbors are not fully aware of the impact of the zoning change. There's been no community meeting. We need more transparency about the proposal.
- The south side of Fatherland St. between 1400-1500 does not have a contiguous sidewalk and does not have safe on-street parking, which makes future developments less accessible and could complicate traffic on a street with many children.
- Fatherland St. narrows by about 5 feet in this block which complicates on-street parking and accessibility.
- Homes on the north side of the 1400-block of Fatherland do not have vehicular access to their alley, so they require street parking for access to the homes
- This intersection is already a low-intensity intersection since only 2 of the 4 corners are zoned for commercial — the other 2 corners are residential.
- The limited street parking is already evident even to the 1500 block. Residents already utilize mostly street parking, so there is little to no room for additional parking.

Thanks for your consideration.

Sincerely,  
Jaime Drown

**From:** Lee <leebrinkley2@gmail.com>  
**Sent:** Monday, December 9, 2019 3:25 PM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Cc:** Withers, Brett (Council Member) <Brett.Withers@nashville.gov>  
**Subject:** Case 2019Z-171PR-001 (1400 Fatherland St. Re-Zoning)

To whomever this may concern:

## **Comments on December 12, 2019 MPC Agenda Items**

### **Received through December 12, 2019**

My name is Lee Brinkley. I live at the home directly next door to the 1400 Fatherland St. address with my wife and 2 young sons. We have lived at 303 S.14th St. since 2011 and knew the previous owners of 1400 Fatherland well. I am writing to you today in regards to the upcoming zoning appeal for this property and to voice my concerns about the new owner's intentions with this land.

When my wife and I moved from Berry Hill and bought our home in East Nashville in 2011, we saw it as a great opportunity to settle down and grow our family. We were drawn to East Nashville for the overwhelming feeling of community and loved the character of the neighborhood. The architectural style of the homes and a tight-knit community of other young families all seemingly looking for the same things we were. Since that day, East Nashville has grown tremendously but with growth comes growing pains. More traffic, less parking, and most importantly, the astounding greed of developers trying to squeeze every penny out of real estate ventures with no regard to the people who live and raise their families there.

This brings me to the reason for writing today. I have spoken to many of my neighbors on Lillian, Fatherland, and 14th Streets and the overwhelming consensus is that enough is enough. Enough with all of the multi-family homes and mega structures in the middle of our quaint residential neighborhoods. What's wrong with just building a house on that lot?

I am certainly for the continuing evolution and betterment of the neighborhood, but I don't want to see a 3 or 4 story structure occupying that space. I don't want some sort of multi-business complex or rental property that will tower over the surrounding homes and bring an exorbitant amount of added foot traffic and vehicular traffic. This is an area that has felt the affects of increased population density and is already bursting at the seams.

The infrastructure just simply isn't in place for more commercial growth. There is already little to no street parking in the area, and both 14th St. and Fatherland St. are far too busy with cars as it is. Not only is the volume of traffic an issue, but there are no crosswalks and very few sidewalks for pedestrians to walk along and cross streets safely.

The bottom line in my opinion is that this is a residential neighborhood and we want it to stay that way. There is a place for shops, hotel rentals, restaurants, etc. and it's among the other commercial properties on Gallatin and Main St. Tell these developers to leave our neighborhoods alone! I fully support their right to make a buck but it doesn't have to be made at the detriment of those that have made this place their home, and have lived here far longer than they've even owned the property. There are many options for developing this property above what it is today and I ask for your utmost consideration and transparency when deciding how to proceed with the zoning. Consider what your decision of re-zoning will mean in terms of what can, and likely will be built there, because we all know that the future of this property will take the fullest financial advantage of what the zoning will allow. It's up to you and the surrounding neighbors in the area to do what we can to protect the integrity of where we've come to call our HOME.

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

Thank you for your time,

Lee

**From:** Leslie Key <[leslie.key@hotmail.com](mailto:leslie.key@hotmail.com)>  
**Sent:** Tuesday, December 10, 2019 10:00 PM  
**To:** Planning Commissioners <[Planning.Commissioners@nashville.gov](mailto:Planning.Commissioners@nashville.gov)>  
**Cc:** Withers, Brett (Council Member) <[Brett.Withers@nashville.gov](mailto:Brett.Withers@nashville.gov)>  
**Subject:** Case 2019Z-171PR-001 (1400 Fatherland St)

Dear Planning Commissioners,

I am writing in opposition to the rezoning of 1400 Fatherland St.

I reside very closely to this property but there have been no community meetings with residents in the immediate area. There continues to be no transparency about specific goals for the development of this property. The residents in the immediate vicinity have been left in the dark about the current and future potential for this property.

In addition to lack of transparency, there are factors related to the narrowing of the street and lack of sidewalk on that side of the street that should be part of the overall discussion of how best to use this property. I am also concerned about the already constrained parking for current residents on my block.

Please oppose this rezoning effort since the developer has made no effort to engage with the immediate community.

Sincerely,

Leslie Key  
1411 Fatherland St.

**From:** Josh Minshall <[josh.minshall@gmail.com](mailto:josh.minshall@gmail.com)>  
**Sent:** Tuesday, December 10, 2019 11:34 AM  
**To:** Planning Commissioners <[Planning.Commissioners@nashville.gov](mailto:Planning.Commissioners@nashville.gov)>; Withers, Brett (Council Member) <[Brett.Withers@nashville.gov](mailto:Brett.Withers@nashville.gov)>  
**Subject:** Case 2019Z-171PR-001 (1400 Fatherland St)

Hello,

I'm writing to make inquiries regarding *Case 2019Z-171PR-001 (1400 Fatherland St)*. Firstly, what type of commercial operation is planned for the space? Secondly, the 1400 block of Fatherland is unusually narrow with permanent street parking due to not having alley access.

Please send further information.

My Best Regards,

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

Josh Minshall

1413 Fatherland St.  
Nashville, TN 37206

**From:** Withers, Brett (Council Member) <[Brett.Withers@nashville.gov](mailto:Brett.Withers@nashville.gov)>  
**Sent:** Tuesday, December 10, 2019 1:23 PM  
**To:** Josh Minshall <[josh.minshall@gmail.com](mailto:josh.minshall@gmail.com)>; Planning Commissioners <[Planning.Commissioners@nashville.gov](mailto:Planning.Commissioners@nashville.gov)>  
**Cc:** Richard McCoy <[info@rem3studio.com](mailto:info@rem3studio.com)>  
**Subject:** Re: Case 2019Z-171PR-001 (1400 Fatherland St)

Hi, Josh:

Thanks for your inquiry. The zone change requested is a base zoning change, rather than a Specific Plan, and so there are not particular plans for the property that have been formulated at this time. The base zone change from CN to MUN-A is meant to continue to allow mixed uses on this parcel as has been the case since 1991 through the MDHA Five Points Redevelopment District Land Use Plan <http://www.nashville-mdha.org/wp-content/uploads/2015/03/2015-3-16-Fivepoints.pdf>. With the Five Points Redevelopment District set to expire at the end of 2020, I am working with affected property owners, the Planning Department and the Lockeland Springs and East End Neighborhood Association boards to determine which of the mixed-use zoning district categories is most appropriate for these commercial parcels highlighted in green on the Land Use Plan map where a CN or CS base zoning district is in place but a MUL-A or MUN-A base zoning district better matches the intent of the Redevelopment District Land Use Plan and Design Guidelines. For this property, the applicant originally requested MUL-A but your neighbor Logan Key raised concerns and suggested MUN-A instead and the applicant has agreed to change the application accordingly.

You are correct that the 1400 block of Fatherland is unusually narrow. As there is presently no parking allowed on the south side of that block of Fatherland or on any of South 14th Street, whatever is built on this site within the base zoning would have to meet all of the parking requirements on the site itself. This existing on-street parking restriction will tend to limit the size of whatever could be built on this site through the parking requirements that are applicable in the Municipal Code.

I am also working with the neighborhood associations on the East Nashville Neighborways traffic calming project for a network of streets in East Nashville that includes all of Fatherland as well as South 14th Street. That network of streets is marked in orange on this map <https://www.nashville.gov/Planning-Department/Long-Range-Planning/Transportation-Planning/Bikeways/East-Nashville.aspx>. The stakeholder group for the East Nashville Neighborways project includes representatives from all four neighborhood associations

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

(Edgefield, East End, Lockeland Springs and Shelby Hills) as well as business owners and institutions such as Holly Street Daycare and Lockeland Design Center. That stakeholder group is assisting me with gathering community input about traffic calming applications that are the best fit for particular areas in this street grid as part of our overall project budget that was funded through the 2019-2020 Capital Spending Plan. We held a town hall meeting in late October and I have so far held five neighborhood association meeting or "office hours" community meetings to gather input about traffic calming possibilities for this street network including that portion of Fatherland Street. We hope to have that ongoing feedback compiled in early 2020 so that final recommendations can be made and the project can be placed in the procurement process for construction. It is possible - and likely - that those recommendations will include treatments for the 1400 block of Fatherland to address traffic calming and pedestrian safety. Those recommendations could potentially be completed at around the same time as this zone change application is working through the Metro Council deliberations, and those recommendations could also be considered by Planning and Public Works as conditions of approval for whatever site plan is eventually submitted for this parcel.

I will go ahead and place you into contact with Rich McCoy, who is the architect working on this project for the property owner, who also lives in the East End neighborhood just a few blocks away from this site. I have copied Rich on this email to facilitate his responses to any specific questions that you may have.

Thanks again for your inquiry. Please let me know if I can be of further assistance.

### [LAND USE PLANS](#)

LAND USE PLANS one and two family general residential mixed use #731 # 2 9 2 M A I N 1 0 T H  
GARTLAND W O O D L A N D SHELBY FATHERLAND 1 1 T H 1 6 T H 1 5 T H 1 4 T H H O L Y

[www.nashville-mdha.org](http://www.nashville-mdha.org)

### **Brett A. Withers**

Metro Council, District 6

Mobile (615) 427-5946 | facebook.com/Brett A. Withers | twitter.com @brettawithers

**From: Withers, Brett (Council Member) <Brett.Withers@nashville.gov>**

**Sent: Wednesday, December 11, 2019 12:44 PM**

**To: Planning Commissioners <Planning.Commissioners@nashville.gov>**

**Cc: Richard McCoy <info@rem3studio.com>; Chris Seay <cseay01@yahoo.com>**

**Subject: Fw: 1400 Fatherland**

Planning Commissioners:

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

I recognize that we are receiving a large amount correspondence pertaining to the application to change 1400 Fatherland's base zoning from CN to MUN-A. Most of this correspondence is being generated by or by neighbors who are in communication with Mr. Logan Key, who lives across the street on Fatherland. Mr. Key's house does have driveway access for off-street parking.

Below please find some of the original correspondence in early November in which Mr. Logan Key provided feedback to me about the original MUL-A request and recommended MUN-A instead. As you know, the applicant agreed to change the request from MUL-A to MUN-A for this site based upon that original neighbor feedback. Mr. Key corresponded with the applicant, Mr. Rich McCoy, about the project, and he stated to me in the below email dated November 12th that "MUN would make much more sense for various reasons."

I realize that we have received quite a bit of communication since that time and still ongoing from Mr. Key and his neighbors. But Mr. Key was aware of the original request, spoke with the applicant, and recommended a lower-intensity base zoning district selection, and his recommendation has been followed with the revised MUN-A base zone change application that is before you on Thursday. I look forward to speaking with you at tomorrow night's public hearing.

### **Brett A. Withers**

Metro Council, District 6

Mobile (615) 427-5946 | facebook.com/Brett A. Withers | twitter.com @brettawithers

**From:** Logan Key <[keylogan@icloud.com](mailto:keylogan@icloud.com)>

**Sent:** Tuesday, November 12, 2019 10:25 AM

**To:** Withers, Brett (Council Member) <[Brett.Withers@nashville.gov](mailto:Brett.Withers@nashville.gov)>

**Subject:** Re: 1400 Fatherland

Thank you. Several concerns:

Given that there are no current plans for the property, we can only assume he's just as apt to sell it as develop it. It sold for \$250K about four years ago. Up-zoning to MUL-A will no doubt increase the value by a large sum thus drastically increasing the resale. Even if Mr. Seay's development objectives are "safe" for the neighborhood, it could sell to all manner of developers who might not have a neighborhood orientation.

First and foremost none of the expanded uses under MUL-A suggest a greater variety of neighborhood-oriented uses. You can correct me if I'm wrong, but MUL-A would allow a wholesale distributive business, full-service motel/hotel, media production facility, medical appliance sales, or even a funeral home. None of those have the type neighborhood orientation we would envision for that space.

The higher allowable floor-area ratio concerning. For instance, with MUL-A you could have a much larger full-service or fast-food restaurant. Same with a retail outfit, bar, or bank.



## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

As for other quirks, I think you DO have adjacent on-street parking with that lot. As far as I know, the south side of Fatherland (across from my house) is not a no-parking zone, and the 1400 lot stretches several feet down Fatherland. Fortunately no one parks on south side because A) it's dangerous, B) the homes on that side are hardly even accessible from Fatherland and C) if people park on both sides, there's barely enough room for one car to pass. I'm certain some of the homes on north side (mine, for instance) met residential parking requirements partially via on-street space. The house on the corner at 15th has zero parking, perhaps because they have street parking along 15th as well as Fatherland -- not sure? But keep in mind, due to topography, none of us who live on the north side of Fatherland have vehicular access to the alley. I'm sensitive to the notion that public street parking is first-come first-served, but those of us who live there have some topographical limitations that ought not be ignored when we think about the 14th/Fatherland commercial district.

Also there is no contiguous sidewalk on Fatherland between 14th and 15th because of the ravine on the south side of the street. That in itself complicates the idea of neighborhood-oriented commerce since there should be an expectation that the establishment at 1400 be maximally accessible via sidewalks.

And then if 1400 goes to MUL it's only a matter of time when the larger lot across Fatherland comes begging for MUL too. Granted they have more parking there, but it's still a concern given the topography of that block.

Also...There's also no transit service along 14th between Shelby and Woodland, nor has there ever been in the 12 years I've lived in East Nashville. And that whole stretch of Fatherland from 19th all the way to 10th and beyond is also heavily traveled by bikers, so it really helps to keep the south side of Fatherland free of parked cars.

At any rate, based on the general plan as well as the size and location of that lot, MUN is much more appropriate.

Logan

On November 12, 2019 at 8:48 AM, "Withers, Brett (Council Member)" <[Brett.Withers@nashville.gov](mailto:Brett.Withers@nashville.gov)> wrote:

Can you share with me what some of those specific concerns are?

As a general statement, the base zoning map in the Five Points area is a hodge-podge and so I am working with Planning and the property owners to bring more consistency to the commercial/mixed-use zoning in the area so that expectations of property owners and neighbors are in line with each other as we look toward letting the Five Points Redevelopment District expire next year. There is already a fair amount of MUL-

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

A in the "outer ring" of Five Points between Russell and Fatherland, and so that has become something of the model for the base zoning consolidation since that zoning supports adaptive reuse of the existing historic structures as well as promotes new-construction buildings that can have more than one story (usually no more than two stories other than the 37206 building, which has an extensive parking lot) but must be built to the street.

MUL-A allows a slightly more generous Floor Area Ratio, which is often needed for these small parcels, and especially for this one which has some site constraints. Any construction on this site would require complete sidewalk construction, which would then enable us to add a crosswalk across 14th Street or to require that the development pay for it as a condition of site plan approval. There would also be a landscape buffer requirement. That is true for MUN-A or MUL-A. Given these constraints and the topography, the MUL-A zoning makes even more sense for this parcel because the building's footprint would still have to be relatively small, which would potentially require upstairs space to make that construction feasible. The project would still be reviewed by the Metro Historic Zoning Commission as part of the Lockeland Springs-East End Conservation Zoning Overlay requirements.

There is no on-street parking adjacent to this parcel, and so all parking requirements would have to be met off-street.

I can also share that Mr. Seay lives on Lillian near 11th and sometimes complains about noise from the Pavilion East facility. I do not anticipate that he would be putting something on this site that would generate lots of noise.

But please let me know what specific concerns you have about the MUL-A zoning.

### **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:** Logan Key <[keylogan@icloud.com](mailto:keylogan@icloud.com)>

**Sent:** Tuesday, November 12, 2019 8:19 AM

**To:** Withers, Brett (Council Member) <[Brett.Withers@nashville.gov](mailto:Brett.Withers@nashville.gov)>

**Subject:** Fwd: 1400 Fatherland

Whenever you have a chance, can I chat with you about this? Folks in this block including us are going to be very concerned. MUN would make much more sense for various reasons.

Thanks,

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

Logan

Begin forwarded message:

**From:** "Richard McCoy" <[info@rem3studio.com](mailto:info@rem3studio.com)>  
**Date:** November 11, 2019 at 11:39:34 AM CST  
**To:** "'Logan Key'" <[keylogan@icloud.com](mailto:keylogan@icloud.com)>  
**Cc:** "'Withers, Brett \ (Council Member)\'" <[brett.withers@nashville.gov](mailto:brett.withers@nashville.gov)>  
**Subject:** RE: 1400 Fatherland

Hey Logan

Thanks for reaching out. Sorry to just be getting back to you. We were out of town this weekend for a soccer tournament for my son's team.

Currently there are no plans for this property. The rezoning effort is to create greater flexibility for the buildable footprint, a better variety of allowable neighborhood uses while bringing it more into compliance with the Community Plan and MDHA Redevelopment Overlay for our neighborhood.

If you have any other questions. I'd be happy to discuss.

Thanks!

Rich

Rich McCoy, AIA LEED-AP  
rem3studio  
125 South 11th Street  
Nashville, Tennessee 37206  
615-403-6502  
[info@rem3studio.com](mailto:info@rem3studio.com)  
architecture planning sustainability

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

From: Logan Key [<mailto:keylogan@icloud.com>]  
Sent: Saturday, November 09, 2019 2:09 PM  
To: [info@rem3studio.com](mailto:info@rem3studio.com)  
Cc: Withers, Brett (Council Member)

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

Subject: 1400 Fatherland

Dear Rich,

I live at 1411 Fatherland. I just noticed you've applied for rezoning of 1400 Fatherland. We on this block are very eager to learn what you have in mind for that parcel. This is a very family-oriented block — lots of kids, etc. So naturally we're very concerned about any visions for the future regarding any part of this block.

Thanks,

Logan Key

Ph. 615-290-0280

**From: Lonnie Fowler <lonnieleefowler@gmail.com>**

**Sent: Wednesday, December 11, 2019 2:17 PM**

**To: Planning Commissioners <Planning.Commissioners@nashville.gov>**

**Cc: Chris Seay <cseay01@yahoo.com>; info@rem3studio.com**

**Subject: 1400 Fatherland St.**

Dear Members of the Planning Commission,

I am writing to you in support of the rezoning request for 1400 Fatherland St.

My wife and I, have lived nearby at 1201 Boscobel St. since August of 2005. We have seen the neighborhood develop and grow in many ways over the past 14+ years and it has been a wonderful neighborhood to raise our two young boys. In fact, I would confidently say that the growth and development of the neighborhood is making it even better as time goes on.

I wanted to communicate to you that I support development and rezoning in the neighborhood, *especially* this property because it is owned by actual neighbors that live in the neighborhood and have much more invested and at stake than any potential owner/developer without ties to the community. Not only that, but the owner is working with an architect that is also a fully engaged member of this neighborhood/community.

As an impacted neighbor, I would fully support rezoning to MUN-A (or even MUL). I believe the proposed rezoning meets standards set in the MDHA Redevelopment District Land Use Plan and keeps with precedents (established decades ago and followed as recently as a few months ago). In my estimation, both the owner and architect have provided the community tremendous stewardship of the properties they have been involved in, keeping both the needs and character of the community in mind. I have no doubt that the neighborhood benefits from the rezoning of this property due to their involvement.

Thank you for your time,

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

Lonnie Fowler  
1201 Boscobel St.  
Nashville, TN 37206  
615.969.4148

**From:** Dale Brackeen <dale.brackeen@gmail.com>  
**Sent:** Wednesday, December 11, 2019 3:37 PM  
**To:** Withers, Brett (Council Member) <Brett.Withers@nashville.gov>  
**Cc:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Subject:** Re: Case 2019Z-171PR-001 (1400 Fatherland St).

Brett,

Thank you for the response. I have spoken with Rich McCoy twice regarding the rezoning. I would like to add to my previous email. I agree that the site is under utilized, and I agree the property should be developed. I just wanted my concerns documented. To be clear they are just my concerns and not an opposition. We just want assurance the design and or design intent is going to be made available to neighborhood. I am sure the developer has done their due diligence with a site analysis or yield study illustrating the massing or bulk form of what could be built with the various guidelines overlaid on the site.

Thanks,

**E. Dale Brackeen II | AIA | LEED AP®**  
e: [dale.brackeen@gmail.com](mailto:dale.brackeen@gmail.com) | p: 615-347-2649

"It's not what you look at that matters, it's what you see" - Henry David Thoreau

On Wed, Dec 11, 2019 at 10:30 AM Withers, Brett (Council Member)  
<[Brett.Withers@nashville.gov](mailto:Brett.Withers@nashville.gov)> wrote:

Hi, Dale:

Thanks for writing. It is my understanding that you have had communication with the applicant, architect Rich McCoy, regarding this project, and so I have copied him on this email so that he can discuss any specific concerns that you may have about this base zone change request. I will address your points below:

-There have not been community meetings specific to this base zone change request because there are no detailed plans for this property. This is a base zoning change request to go from CN to MUN-A that the property owner made in order to align the base zoning with the MDHA Five Points Redevelopment District Land Use Plan <http://www.nashville-mdha.org/wp-content/uploads/2015/03/2015-3-16-Fivepoints.pdf>, which since 1991 has called for Mixed Uses on this this commercially-zoned parcel (as with all of the parcels marked in green on the Land Use Plan map) and which has been revisited numerous times since 1991 through public

## **Comments on December 12, 2019 MPC Agenda Items**

### **Received through December 12, 2019**

meetings and public hearings, including the most recent Land Use Plan update zoning legislation that took place in 2014 through community meetings, a Planning Commission public hearing and a Metro Council public hearing during which there was consensus that Mixed Uses were appropriate for this parcel. I will add that the numerous East Nashville Neighborways community meetings that I have held this Fall to gather community input into traffic calming requests for a network of streets that includes both Fatherland and South 14th Street (the streets marked in orange on this map <https://www.nashville.gov/Planning-Department/Long-Range-Planning/Transportation-Planning/Bikeways/East-Nashville.aspx>) have included discussions about this base zone change request at 1400 Fatherland street and how this parcel's redevelopment potential could support or even incorporate some of the sidewalk, crosswalk and traffic calming measures that many of your neighbors are hoping to see as part of the East Nashville Neighborways project that was funded as part of the 2019-2020 Capital Spending Plan.

-The intersection of 14th/Fatherland is not just low-intensity: this parcel has been vacant for many years, and that in and of itself presents safety concerns for the neighborhood. Identifying an appropriate base zoning that provides a viable buildable area for the property owner but also some certainty for the neighbors about what those buildable areas and approved uses are is the goal of this base zoning change request and is beneficial for the property owner and the neighbors alike. Once the appropriate base zoning is determined by the Planning Commission and the Metro Council, then the property owner and the applicant, Rich McCoy, whom I believe you know, can begin designing a structure for this parcel, and that structure would be reviewed by the Metro Historic Zoning Commission at a public hearing. The Planning Department staff analysis for this application (beginning on page 158 of this document <https://www.nashville.gov/document/ID/fc1eb96b-914c-4fb4-8673-06475b9950bd/December-12-2019-Staff-Report>) shows various scenarios for potential traffic implications, all of which appear to be quite low in terms of potential additional trips. I am unclear as to how the presence of children at nearby homes affects this base zone change request: the present CN zoning allows a large number of uses for this site (such as bars, restaurants, etc) that could create the same or greater concerns for children than the requested MUN-A zoning does, since the potential to add residential units in MUN-A zoning would tend to decrease rather than increase the likelihood of disruptive uses on site. The Fatherland/14th intersection presently features this vacant structure and the 4-Way Stop Beer Market, and many neighbors have expressed that encouraging a mixed-use development on this parcel would not only activate the intersection to make it safer but would also trigger sidewalk and other infrastructure improvements as part of the Metro Departmental reviews and final site plan approval that would tend to make the intersection safer. For instance, approving a building permit for this parcel would trigger sidewalk requirements that would finally permit a crosswalk to be constructed across 14th Street.

## **Comments on December 12, 2019 MPC Agenda Items**

### **Received through December 12, 2019**

-It is not at all clear that changing the base zoning on this parcel from CN to MUN-A would invite further commercial development in the neighborhood. This parcel and the 4-Way Stop Beer Market parcel are the only two parcels at that intersection that have Neighborhood Center community plan policies in place that permit any commercial uses at all. The surrounding parcels all have a T4 Neighborhood Maintenance community character policy that is a residential-only policy that precludes commercial development. This base zone change is within the existing underlying Neighborhood Center policy that was included in the 2005-2006 East Nashville Community Plan as well as Nashville Next, not to mention the MDHA Five Points Redevelopment District Land Use Plan that I referenced that was adopted through a public process in 1991 and the R/UDAT public process that followed the 1998 tornado. Community discussions about neighborhood growth and preservation have contemplated mixed uses on this parcel for many decades. But again, the changing of this base zoning from CN to MUN-A does not set a precedent for further commercial or mixed-use development beyond this parcel: the NashvilleNext Community Plan actually precludes that kind of commercial encroachment.

-The documents that guide decisions about preserving the historic character of the Lockeland Springs neighborhood also support a mixed-use development on this parcel. The MDHA Five Points Redevelopment District Design Guidelines that were adopted through a public process in 1991 identified this Mixed Use corner as part of the Commercial Corner Subdistrict (discussed on pages 10-11 of this document [http://www.nashville-mdha.org/wp-content/uploads/2015/02/Five\\_Points.pdf](http://www.nashville-mdha.org/wp-content/uploads/2015/02/Five_Points.pdf)), and the design guidelines for that subdistrict call for buildings that have two stories, or possibly three with the third floor being residential, and with the ground floor encouraged to be retail or commercial uses with residential above. When those Five Points Redevelopment District Design Guidelines were adopted through a public process in 1991, they were incorporated into the Lockeland Springs-East End Conservation Zoning Overlay District Design Guidelines. And therefore the Metro Historic Zoning Commission reviews all potential new construction in the Conservation Overlay District including this parcel, and would continue to review the height/massing/setbacks/materials/glazing of whatever is eventually constructed on this site even after the Redevelopment District expires in order to ensure that the project meets the Secretary of the Interior Standards for the historic district. The Metro Historic Zoning Commission staff recommendation for this base zoning change is for approval. Rich McCoy has indicated that the requested base zoning change would not actually allow a three-story building on this parcel given the parcel's size and topographical constraints. What the applicants have in mind is a two-story mixed-use building that would have to meet all parking requirements on-site since there is no on-street parking adjacent to this property frontage. That parking requirements in the Metro Code would also tend to limit the size of what could be constructed on this parcel within the requested MUN-A base zoning district.

## Comments on December 12, 2019 MPC Agenda Items Received through December 12, 2019

Please do reach out to Rich McCoy to discuss any specific questions that you have about what the property owner might be considering applying to construct within the base zoning change that he is requesting. If you have any other questions for me, or would like me to meet with you and your neighbors to discuss traffic calming applications for your portion of Fatherland Street that we might include in the East Nashville Neighborways project application, please let me know. Thanks again for writing and sharing your concerns with me and the Planning Commissioners.

### **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:** Dale Brackeen <[dale.brackeen@gmail.com](mailto:dale.brackeen@gmail.com)>

**Sent:** Tuesday, December 10, 2019 12:26 AM

**To:** Planning Commissioners <[Planning.Commissioners@nashville.gov](mailto:Planning.Commissioners@nashville.gov)>

**Cc:** Withers, Brett (Council Member) <[Brett.Withers@nashville.gov](mailto:Brett.Withers@nashville.gov)>

**Subject:** Case 2019Z-171PR-001 (1400 Fatherland St).

To: whom it may concern,

As resident one block away from the proposed site of the zoning change. I would like to voice my concerns regarding application for the changing of zoning from CN to MUN-A. The following is a list concerns i have as a resident on the block.

- There have not been any community meetings to discuss what the land owner intends to do. As a resident with 2 small children are just asking for transparency in the process.
- The intersection is currently low intensity and we fear what they could build could cause unwanted congestion
- The scale of what is permitted by MUN-A could dominate the block , and harm the integrity of the historic character. Opening the door for morr big development to infiltrate the neighborhood.

I am largely asking for transparency at the very least there should be community meeting outlining their plans for the site.

Thank you.

**E. Dale Brackeen II | AIA | LEED AP®**

e: [dale.brackeen@gmail.com](mailto:dale.brackeen@gmail.com) | p: 615-347-2649



## **Comments on December 12, 2019 MPC Agenda Items** **Received through December 12, 2019**

**From:** Daniel Fell <fell825@icloud.com>  
**Sent:** Wednesday, December 11, 2019 8:11 PM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Cc:** Withers, Brett (Council Member) <Brett.Withers@nashville.gov>  
**Subject:** 1400 Fatherland St

Dear Members of the Planning Commission,

I would like to voice my support for the rezoning of 1400 Fatherland Street in person but I am out of town so I hope this letter will be sufficient.

My family and I live four blocks from this site and I own property on the 1400 block of Fatherland.

My wife and I have lived in 37206 since 2002. We have enjoyed participating in and watching the neighborhood/community become what it is today and feel very fortunate that the quality of life continues to improve for us, our two children and all of our neighbors.

I have worked with the owner of this property to tastefully improve other areas in east Nashville (keeping the neighborhood character in mind) in the past and believe he will try hard to do what's best for the residents of the neighborhood when dealing with this corner also (as he lives a couple of blocks away and will be impacted along with his neighbors).

The base zone change is within the existing underlying Neighborhood Center policy that was included in the East Nashville Community Plan, Nashville Next and the MDHA Five Points Redevelopment District Land Use Plan.

I also have confidence in the Metro Historic Zoning Commission's ability to review all potential new construction in this district to make sure it meets the Secretary of the Interiors standards. Their staff recommendation for this base zoning change is for approval.

Your efforts are appreciated.

Sincerely,  
Daniel Fell  
906 Boscobel St  
615-491-4881

**From:** Daniel Borsos <danielkborsos@gmail.com>  
**Sent:** Wednesday, December 11, 2019 9:33 PM  
**To:** Planning Commissioners <Planning.Commissioners@nashville.gov>  
**Subject:** 1400 Fatherland Rezoning

To: Metro Planning Commissioners

## **Comments on December 12, 2019 MPC Agenda Items** **Received through December 12, 2019**

We are writing to express our support for the rezoning of the parcels at the corner of Fatherland and 14th Street from the current CU to MUN-A. We live at 1109 Boscobel Street which is approximately three blocks from the parcels in question. This change will allow some retail and, more importantly, the opportunity for affordable housing which will be beneficial to the neighborhood and in keeping with city land-use plans.

Currently the land is underutilized. The view of the properties from Fatherland Street (which I understand from a recent community meeting to be under consideration for bike and pedestrian-friendly traffic calming measures) is unsightly and the existing steep bank without sidewalks or shoulders is dangerous.

While we can only speak for ourselves, when Councilperson Withers brought this up at last night's East End Neighborhood Association meeting the sense of the room was quite favorable.

Thank you for your consideration on this matter.

Daniel and Drew Ann Borsos  
1109A Boscobel Street  
Nashville, Tennessee 37206  
615.714.5106

# Comments on December 12, 2019 MPC Agenda Items

## Received through December 12, 2019

### General Comments

From: Grace Renshaw <grrkatz@gmail.com>

Sent: Wednesday, November 20, 2019 6:18 PM

To: Planning Commissioners <Planning.Commissioners@nashville.gov>; Kempf, Lucy (Planning) <Lucy.Kempf@nashville.gov>; Board of Zoning Appeals (Codes) <bza@nashville.gov>

Subject: Accurate commentary on the State of Urban Planning in Nashville

Dear Ms. Kemp, Planning Commissioners, and members of the Board of Zoning Appeals:

I invite you to read this very accurate commentary about what you have allowed to happen in Nashville - most recently by allowing entire Airbnb hotels because a bunch of developers came up with a bogus investment scheme based on the availability of a one-year revocable permit. Please start caring about someone other than developers and architects.

[https://www.nashvillescene.com/music/nashville-cream/article/21097304/advice-king-what-should-go-in-my-condo-mural?fbclid=IwAR0S3vcL0IGMeXhAq-hJMZgU4R2DXg61TIW1gxWszY4-mLFixLOG\\_jIX5wY](https://www.nashvillescene.com/music/nashville-cream/article/21097304/advice-king-what-should-go-in-my-condo-mural?fbclid=IwAR0S3vcL0IGMeXhAq-hJMZgU4R2DXg61TIW1gxWszY4-mLFixLOG_jIX5wY)

[Joni Mitchell doesn't like tourists](#) — and neither does anyone else. The city of Nashville has been turned over to tourists. There is nothing inherently wrong with a tourist, but if you are trying to do something serious — something deep, something that is important to you — they are the last people you want to have around. Joni was trying to sing her heartfelt songs. Regular Nashvillians are trying to live their lives. Both of these activities require soul and seriousness. Tourists are on a lark, taking a break from their own (possibly serious and soulful) reality. The last thing they are looking for is depth. Mixing frivolous people together with serious people causes extreme discomfort — for the serious people, anyway. The frivolous ones are usually too drunk to notice.

And when I say that “the city of Nashville has been turned over to tourists,” you probably think I am exaggerating. I am not. And the reason I am not is because of Nashville’s “business-friendly” policy-makers and ... Airbnb. City leaders being “business-friendly” means you let developers from out of town make over your city with pretty much zero input from actual residents. It means you can build a boutique hotel anywhere except on the grounds of a historic fort — and it turned out [even that was negotiable](#) at one point. Airbnb means that even though the house next door to you might *look* like a regular house, it is actually a boutique hotel.

Compounding the problem in Nashville is the fact that Nashville isn't that big. Developers have been able to completely change the vibe of an entire city in about seven years. The tourists are ecstatic, and the residents are depressed. That's because in the case of Nashville, THE RESIDENTS are the attraction. There's no ocean. No mountains. There's just neighborhoods. The tourists roam — and reside — on the same streets where regular people are trying to do the soulful, serious business of living their lives. Some of these regular people happen to make music — the music that the tourists are ostensibly in Nashville to hear. But the vast majority of tourists aren't in Nashville to *listen* to music — even if they say they are. They're there to get drunk as ████.

**Comments on December 12, 2019 MPC Agenda Items  
Received through December 12, 2019**

Thanks for reading.

Sincerely -

Rebecca Katz

1605 Douglas Ave.  
Nashville, TN 37205  
Cell: 208-586-4889