

2015SP-077-001

BL2015-1302\S. Davis
1436 LISCHHEY AVENUE SP
Map 071-11, Parcel(s) 282
Council District 05 (Scott Davis)
Staff Reviewer: Lisa Milligan

A request to rezone from RS5 to SP-R zoning for property located at 1436 Lischey Avenue, approximately 144 feet south of Gatewood Avenue, (0.36 acres), to permit up to three residential units, requested by Bryan D. Spicer, applicant and owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from RS5 to SP

Zone Change

A request to rezone from Single-Family Residential (RS5) to Specific Plan-Residential (SP-R) zoning for property located at 1436 Lischey Avenue, approximately 144 feet south of Gatewood Avenue, (0.36 acres) to permit up to three residential units.

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *RS5 would permit a maximum of 3 units.*

Proposed Zoning

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

CRITICAL PLANNING GOALS

N/A

EAST NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Maintenance (T4 NM) is intended to preserve the general character of existing urban residential neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T4 NM areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

Consistent with Policy?

No. The rezoning request to allow for three residential units is inconsistent with the T4 Urban Neighborhood Maintenance policy. While some change would be expected within the Neighborhood Maintenance area, the change should be sensitive to the existing neighborhood character. There is also an area of Conservation Policy along the front of the property due to a stream that bisects the property. Three units is not consistent with the rhythm of homes along the street, nor is it consistent with the density or massing along the street.

PLAN DETAILS

The site is located at 1436 Lischey Avenue, on the west side of Lischey Avenue and south of Gatewood Avenue. The site is approximately 0.36 acres in size and is currently vacant.

Site Plan

The plan proposes up to three residential dwelling units including one single-family detached unit and two attached units. All units will front on Lischey Avenue. The units are set back approximately 65 feet from Lischey Avenue due to public utility and drainage easement that runs across the front of the lot.

Sidewalks would be required along Lischey Avenue but are not proposed with the current plan. Parking for all units is proposed to be located in surface lots accessed from the existing alley.

ANALYSIS

The property at 1436 Lischey Avenue is currently zoned RS5 which allows for single-family residential uses. All surrounding property is also zoned RS5. There is a mixture of single-family detached units and duplexes within the immediate area. The duplex units are small, single-story structures that appear more as single-family units. The spacing of units along the street is uniform and the introduction of three units on one lot will be inconsistent with the current pattern along the street. The applicant has proposed no standards in regards to building type, height, or architectural style.

FIRE MARSHAL’S OFFICE RECOMMENDATION

Approved with conditions

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

STORMWATER RECOMMENDATION

Returned for corrections

- Add a Purpose Note.
- Show undisturbed buffers, provide variance for buffer disturbance, or provide a hydrologic determination showing the channel as a wet weather conveyance.
- Add Preliminary Note.
- Add C/D Note.
- Add note stating that this project will require a Stormwater Infill plan during Building Permit review.

PUBLIC WORKS RECOMMENDATION

Returned for corrections

- The developer’s final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with MPW Traffic Engineer
- Indicate on the plans construction of a minimum curb and gutter (ST-200), 4' furnishing zone, and 5' ADA compliant sidewalk (ST-210). Sidewalks are to be within public ROW, may require ROW dedication.
- Dedication 1/2 MPW standard alley cross section prior to building permit, i.e. +/- 2.5'
- Submit to Traffic and Parking Commission to restrict parking on Lischey prior to building permit

TRAFFIC AND PARKING RECOMMENDATION

Returned for corrections

- Provide parking per metro code. Include parking chart on plan.
- Provide adequate space to back out of driveway. Show buffer area between parking and alley ROW.

Maximum Uses in Existing Zoning District: **RS5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.37	8.71	3 U	29	3	4

Maximum Uses in Proposed Zoning District: **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (210)	0.37	-	3 U	29	3	4

Traffic changes between maximum: **RS5 and SP-R**

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

STAFF RECOMMENDATION

Staff recommends disapproval as the rezoning is inconsistent with the policy for the area and a recommendation of approval has not been received from all reviewing agencies. Additionally, no standards have been provided in regards to the character of the units.

August 13, 2015, Planning Commission Minutes

Ms. Milligan presented the staff recommendation of disapproval.

Tim Mangram, representing Bryan Spicer, spoke in favor of the application but asked for a deferral.

Margo Chambers, 3803 Princeton Ave, spoke in opposition to the application because the applicant moved to SP in order to get a DADU, which is not the intended use of an SP.

Mr. Sloan clarified this is not a request for a DADU.

Russ Simms spoke in opposition due to process and precedent; there has not been enough opportunity at the community level to understand what this means.

Chairman McLean closed the Public Hearing.

Ms. LeQuire stated she'd like to see this site developed but would like to be sure it is out of any of the waterway and that it fits the context more. Smaller units are encouraged.

Ms. LeQuire moved and Mr. Dalton seconded the motion to disapprove. (6-0)

Resolution No. RS2015-292

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-077-001 is Disapproved. (6-0)"
