

9. 2017Z-037PR-001

Council District 05 (Scott Davis)
Staff Reviewer: Latisha Birkeland

A request to rezone from RS5 to RM20 zoning on properties located at 1804 and 1806 Lischey Avenue, at the northwest corner of Edith Avenue and Lischey Avenue (3.2 acres), requested by Councilmember Scott Davis, applicant; American Dream Developers, Inc., Mary Ann Scales and Shelby Street Partners, GP, owners.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Zone change from RS5 to RM20.

Zone Change

A request to rezone from Single-Family Residential (RS5) to Multi-Family Residential (RM20) zoning on properties located at 1804 and 1806 Lischey Avenue, at the northwest corner of Edith Avenue and Lischey Avenue (2.3 acres).

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 20 lots. Application of the Subdivision Regulations may result in fewer lots on this property.*

Proposed Zoning

Multi-Family Residential (RM20) is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. *RM20 would permit a maximum of 46 units.*

EAST NASHVILLE COMMUNITY PLAN

T4 Urban Neighborhood Evolving (T4 NE) is intended to create and enhance urban residential neighborhoods that provide more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate to high density development patterns with shallow setbacks and minimal spacing between buildings. T4 NE areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. T4 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors

Highland Heights Study Supplemental Policy

The site is within the Highland Heights Study Supplemental Policy which was recently approved and adopted by the Planning Commission on June 14, 2018.

The Highland Heights Study was completed after an extensive community engagement process and resulted in updates to the community character policies for the area, as well as establishment of a supplementary Building Regulating Plan and Mobility Plan for the area. The community character policy for this site, T4 NE, did not change with adoption of the Highland Heights plan.

This site is within the R4 Subdistrict of the Building Regulating Plan, which is intended to create and enhance neighborhoods with greater housing choice and improved connectivity, consistent with the goals of the general T4 NE policy. The R4 Subdistrict supports a range of residential uses, including two-family and multi-family residential, at varying intensities depending on the location and context and presence of infrastructure. The R4 Subdistrict also supports a variety of building forms, including house (1 unit), detached accessory dwelling unit, house (2 unit), plex or manor house, house court, and low rise townhouse.

Lischey Avenue is identified as a collector-avenue street on the Major and Collector Street Plan, and provides MTA transit stops. The Mobility Plan component of the Highland Heights Study identifies the need to provide an alley connection along a portion of the southern property line of 1804 Lischey Avenue.

ANALYSIS

The site consists of two parcels totaling 2.3 acres and is located along the west side of Lischey Avenue, approximately 600 feet south of East Trinity Lane. There is an existing single-family home on each parcel. These parcels are zoned RS5 which permits only single-family residential uses with a minimum lot size of 5,000 square feet. The adjacent properties to the south and west are zoned RS5 and consist of one and two-family residential uses. Property to the north is zoned SP(R).

The proposed zoning of RM20 at this location is not consistent with the guidance of the T4 NE policy and the supplemental policies of the Highland Heights Study. The T4 NE policy and R4 Subdistrict encompass this property as well as the properties immediately north, south and west of the site.

The properties across Lischey Avenue are within an area of lower intensity, residential T4 Urban Neighborhood Maintenance policy, within the R3 Subdistrict, which is intended to maintain the existing low to moderate density, predominantly single-family residential development pattern. Plex house or manor houses may be appropriate at some corner lots along connector streets.

The requested multi-family residential zoning (RM20) zoning is the most intense zoning district identified within the R4 subdistrict of the supplemental policy and building regulating plan. RM20 zoning is not appropriate given the location at the easternmost edge of the R4 subdistrict. RM20 zoning would permit up a maximum of 46 units on the subject parcels. RM20 zoning does not provide a transition from the lower intensity R3 subdistrict within T4 Neighborhood Maintenance policy across Lischey Avenue.

Additionally, the Highland Heights Study envisioned that the R4 area would accommodate additional density in concert with the installation of infrastructure, specifically an integrated road and alley network. The Mobility Plan provides a blueprint for this road and alley network and calls for an alley along the southern property line of 1804 Lischey Avenue. Currently, there is no alley right-of-way for this area. RM20 zoning does not guarantee the dedication of alley right-of-way, as identified as a need in the Highland Heights Study. Without the infrastructure prescribed by the mobility plan, the requested is inappropriate.

TRAFFIC AND PARKING RECOMMENDATION

Approve with conditions

- Traffic study may be required at time of development.

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)	2.3	8.71 D	20 U	237	19	22

Maximum Uses in Proposed Zoning District: **RM20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	2.3	-	46 U	307	23	30

Traffic changes between maximum: **RS5 and RM20**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-		-	+26 U	+70	+4	+8

METRO SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 5 Elementary 4 Middle 4 High

Projected student generation proposed RM20 district: 15 Elementary 6 Middle 6 High

The proposed RM20 zoning district would generate 14 more students than what is typically generated under the existing R6 zoning district. Students would attend Tom Joy Elementary School, Jere Baxter Middle School, and Maplewood High School. Each school has been identified as having additional capacity. This information is based upon data from the school board last updated November 2018.

STAFF RECOMMENDATION

Staff recommends disapproval as the request is inconsistent with the goals of the T4 Urban Neighborhood Evolving policy and the Highland Heights Supplemental policy.

Ms. Birkeland presented the staff recommendation of disapproval.

Jessica Williams, applicant, spoke in favor of the application as she is trying to create more affordable housing opportunities.

David Scales, 4616 Center Ct, spoke in favor of the application.

Duane Cuthbertson, 2814 12th Ave S, spoke in favor of increased density in this area.

January 10, 2019 Planning Commission Meeting

Gordon Harmon, 1826 Joy Circle, spoke in opposition to the application due to traffic concerns and lack of specific plans for the development.

Ashonti Davis, 321 Edwin St, spoke in opposition to the application.

Daniel Pratt, 342 Edith Ave, spoke in opposition to the application and expressed concerns with any development other than single family homes.

Martha Carroll, 325 Gatewood Ave, spoke in opposition to the application.

Rae Sovereign, 1602 Lischey Ave, spoke in opposition to the application.

Jessica Williams sked for approval and clarified that she has been more than willing to meet with and work with the community.

Councilmember Davis asked the commission to disapprove so he can work it out at the council level.

Chairman Adkins closed the Public Hearing.

Mr. Haynes spoke in favor of staff recommendation.

Dr. Sims spoke in favor of staff recommendation.

Mr. Gobbell spoke in favor of staff recommendation.

Dr. Bichell spoke in favor of staff recommendation.

Ms. Farr moved and Mr. Haynes seconded the motion to disapprove. (9-0)

Dr. Sims left the meeting at 6:15 p.m.

Resolution No. RS2018-333

"BE IT RESOLVED by The Metropolitan Planning Commission that 2017z-037PR-001 is **disapproved. (9-0)**