

Item 2006SP-077G-13 was considered with 2006SP-070G-13 (scroll down to # 9 to see 2006SP-077G-13)

- 8. 2006SP-070G-13**  
Map164-00, Parcel 192  
Subarea 13 (2003)  
District 33 - David Briley

A request to change from R15 to SP zoning property located at Hamilton Church Road (unnumbered), approximately 900 feet east of Mt. View Road (9.0 acres), to permit the development of 26 single-family lots, 5 cottage lots, and 11 townhouse units, requested by MEC Inc., applicant, for Gold Star Development Inc., owner.

**STAFF RECOMMENDATION – Approve with conditions**

**APPLICANT REQUEST** - A request to change approximately 9 acres from single-family and two-family residential (R15) to Specific Plan (SP) zoning, property located on the south side of Hamilton Church Road, approximately 900 feet east of Mt. View Road (unnumbered), to permit 26 single-family lots, 5 cottage lots, and 11 townhouse units.

**Existing Zoning**

**R15 district** -R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

**Proposed Zoning**

**SP district** - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined for the specific development and are written into the zone change ordinance, which becomes law.
- Use of SP does not relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP does not relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

**ANTIOCH/PRIEST LAKE COMMUNITY PLAN**

**Structure Plan Category Neighborhood General (NG)** -NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

**Policy Conflict** -No. The proposed SP plan, which is detailed below, proposes a mixture of housing types that are arranged in a way that is consistent with the intent of the Neighborhood General Policy. As proposed this SP will also provide road connections that are in keeping with the areas transportation plan, as well as a greenway and conservation easement, which is proposed in the community plan.

**PLAN DETAILS** -The site plan calls for a mixture of housing types with a total of 42 units, and an overall density of approximately 4.3 units per acre. Housing types will consist of 26 house lots, 5 cottage lots, and

11 townhomes.

**Access** While the property fronts Hamilton Church Road, no access to Hamilton Church is proposed, but will be provided from an adjacent subdivision, the Moss Property, to the west. Access is not being provided to Hamilton Church due to the location of Savage Creek, which runs under Hamilton Church and across the front of this property. Prior to final plat approval the adjacent property must be platted, which will allow for street access to this site.

House lots will have street access, while the townhomes and cottages will have access from the rear by a private alley. Some townhomes will have front access from shared driveways. Although the alley does not meet the east property line, an access easement is shown to allow for future access from the eastern adjacent property. The easement is being used in order to protect existing trees, but will also allow for connectivity if and when the adjacent property develops.

**Connectivity** - As proposed this development will provide 4 connections, with 2 to the east and 2 to the west. The alley and easement will also allow for connectivity to the east (see above).

**Bulk Standards House Lots**

- 5,000 Sq. Ft. minimum lots
- Front Setback: 10 Ft. minimum and 15 Ft. maximum and 5 Ft. minimum and 10 Ft. maximum setback from front walk when fronting open space.
- Side Setback: Zero except corner and end units which require 5 Ft. minimum.
- Rear Setback: 6 Ft. minimum except for units with rear garages on alleys, which require a minimum 17 Ft.
- Maximum Height: 3 at setback line

**Cottage Lots**

- 3,750 Sq. Ft. minimum lots
- Front Setback: 10 Ft. minimum and 15 Ft. maximum and 5 Ft. minimum and 10 Ft. maximum setback from front walk when fronting open space.
- Side Setback: Zero except corner and end units which require 5 Ft. minimum.
- Rear Setback: 6 Ft. minimum except for units with rear garages on alleys, which require a minimum 17 Ft.
- Maximum Height: 3 at setback line

**Townhomes**

- Front Setback: 10 Ft. minimum and 15 Ft. maximum, and 5 Ft. minimum and 10 Ft. maximum setback from front walk when fronting open space.
- Side Setback: Zero except corner and end units which require 5 Ft. minimum.
- Rear Setback: 6 Ft. minimum except for units with rear garages on alleys, which require a minimum 17 Ft.
- Maximum Height: 3 at setback line

**Additional Standards**

- Minimum raised foundation: 1.5 Ft.
- Maximum units per building: 6.
- Minimum units per building: 3.

**Environmental/Open Space/Conservation Easement/Greenway** -A total of 3.10 acres, 32 percent of the site will be open space. Small areas of open space will be along proposed roadways, and will allow for easy resident use. The majority of the open space will be along Hamilton Church Road along Savage Creek. The Antioch/Priest Lake Community Plan identifies a greenway along Savage Creek, and the plan identifies a greenway and conservation easement for any future greenway. An adequate pedestrian connection should be provided to the open space along Hamilton Church to allow for access to the open space, as well as any future greenway from within the development.

**Landscape/Buffer Yards** - The landscape plan shows numerous trees along the proposed streets. Prior to the final development plan being approved, a specific native tree or trees should be named on the final development plan. The spacing must also be stipulated on the final development plan. While a landscape buffer yard is not proposed along the western property line, the approved preliminary plan for the adjacent development has a 10 foot "C" buffer yard, and will provide the necessary buffer between the different lots. Also, because this area is in a Neighborhood General policy, it is likely that the adjacent properties will develop in a similar manner and therefore, buffer yards are not necessary.

**Parking** -The plan stipulates two parking spaces per unit. All parking will be located at the rear, and on corner lots the garage will be six feet from the property line.

**Sidewalks** -Sidewalks are shown along all proposed public streets.

**Staff Recommendation** -Staff has no major concerns with the proposed plan. Minor concerns deal with access to the greenway and conservation easement and open space along Hamilton Church Road, which can be addressed prior to the final development plan being approved.

Because the proposed SP site plan is consistent with the intent of the area's Neighborhood General Policy, staff recommends that the request be approved with conditions.

#### **PUBLIC WORKS RECOMMENDATION**

1. Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
2. Off-site improvements to be determined with construction plan review.
3. Proposed development plan does not appear to have public access. Final plat not to be recorded until public access is accepted, or bonded on either end of the proposed development.

#### **STORMWATER RECOMMENDATION**

Approved except as noted:

1. Add Access Note: Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.
- 2.

**FIRE MARSHAL RECOMMENDATION** -The Fire Marshals' office must approve the final development plan.

#### **METRO SCHOOL BOARD REPORT**

Projected student generation\*      7 Elementary      6 Middle      5 High

**Schools Over/Under Capacity** - Students would attend Edison Elementary School, Kennedy Middle School, and Antioch High School. All thee schools have been identified as over capacity, but there is capacity in the adjacent Glencliff cluster. This information is based upon data from the school board last updated January 2006.

#### **CONDITIONS**

1. Prior to final plat approval and the issuance of any grading permits for this development, a final plat must be recorded on the adjacent property to the west dedicating public right-of-way for access to this property.
2. Prior to the final development plan being approved, a specific native tree or trees must be named on the final document. The spacing must also be stipulated on the final.
3. For any development standards, regulations and requirements not specifically shown on the SP

plan and/or included as a condition of Commission approval, the standard Zoning Code requirements of the RM6 district shall apply.

4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works for all Public Roadways.
5. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.
6. All signage must be approved by the Planning Commission prior to final SP site plan approval.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

*[Note: Items #8 and Item #9 were discussed by The Metropolitan Planning Commission together. See item #9 for actions and resolutions.]*

- 9. 2006SP-077G-13**  
Map164-00, Parcel 062  
Subarea 13 (2003)  
District 33 - David Briley

A request to change from R15 to SP zoning property located at 3485 Hamilton Church Road, approximately 1,400 feet west of Hobson Pike, (11.93 acres) to permit the development of 27 single-family lots, 18 cottage lots, and 8 townhome units, requested by MEC Inc., applicant, for Jack Williams Construction Co. Inc., owner.

**STAFF RECOMMENDATION – Approve with conditions**

**APPLICANT REQUEST** -A request to change approximately 11.93 acres from single-family and two family residential (R15) to Specific Plan (SP) zoning, property located 3485 Hamilton Church Road to permit the development of 27 single-family lots, 18 cottage lots, and 8 townhomes.

**Existing Zoning**

R15 district -R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

**Proposed Zoning**

SP district -Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or

stormwater regulations.

## **ANTIOCH/PRIEST LAKE COMMUNITY PLAN**

### **Structure Plan Category**

Neighborhood General (NG) -NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

**Policy Conflict** - No. The proposed SP plan, which is detailed below, proposes a mixture of housing types that are arranged in a way that is consistent with the intent of the Neighborhood General Policy. As proposed, this SP will also provide road connections that are in keeping with the areas transportation plan.

**PLAN DETAILS** -The site plan calls for a mixture of housing types with a total of 53 units, and an overall density of approximately 4.4 units per acre. Housing types will consist of 27 house lots, 18 cottage lots, and 8 townhomes. Some units will have street frontage, while others will front open space.

Access to the development will be provided from Hamilton Church Road. Access to units will be provided from new public streets, as well as private alleys.

This development will provide 7 connections, with 2 to the east, 2 to the west, 2 to the south and 1 to the north. A temporary turnaround is required at the east end of Road "A", and is shown on the plan.

### **Bulk Standards - House Lots**

- 5,000 Sq. Ft. minimum lots
- Front Setback: 10 Ft. minimum and 15 Ft. maximum and 5 Ft. minimum and 10 Ft. maximum setback from front walk when fronting open space.
- Side Setback: Zero except corner and end units which require 5 Ft. minimum.
- Rear Setback: 6 Ft. minimum except for units with rear garages on alleys, which require a minimum 17 Ft.
- Maximum Height: 3 at setback line

### **Cottage Lots**

- 3,750 Sq. Ft. minimum lots
- Front Setback: 10 Ft. minimum and 15 Ft. maximum and 5 Ft. minimum and 10 Ft. maximum setback from front walk when fronting open space.
- Side Setback: Zero except corner and end units which require 5 Ft. minimum.
- Rear Setback: 6 Ft. minimum except for units with rear garages on alleys, which require a minimum 17 Ft.
- Maximum Height: 3 at setback line

### **Townhomes**

- Front Setback: 10 Ft. minimum and 15 Ft. maximum, and 5 Ft. minimum and 10 Ft. maximum setback from front walk when fronting open space.
- Side Setback: Zero except corner and end units which require 5 Ft. minimum.
- Rear Setback: 6 Ft. minimum except for units with rear garages on alleys, which require a minimum 17 Ft.
- Maximum Height: 3 at setback line

### **Additional Standards**

- Minimum raised foundation: 1.5 Ft.
- Maximum units per building: 6.
- Minimum units per building: 3.

Environmental/Open Space - A total of 2.68 acres, 22 percent of the total site will be open space. A

majority of the open space is along proposed public streets and will be easily accessible for resident use.

Landscape/Buffer Yards - Landscape buffer yards are not proposed, and because this is an SP they are not required. Since this area is in a Neighborhood General policy, it is likely that the adjacent properties will develop in a similar manner and therefore, buffer yards are not being required.

Parking - The plan stipulates 2 parking spaces per unit. All parking will be located at the rear, and on corner lots the garage will be 6 ft. from the property line.

Sidewalks - Sidewalks are shown along all proposed public streets.

**Staff Recommendation** - Because the proposed SP site plan is consistent with the intent of the areas Neighborhood General Policy, staff recommends that the request be approved with conditions.

#### **PUBLIC WORKS RECOMMENDATION**

1. Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
2. Off-site improvements to be determined with construction plan review.
3. Prior to submittal of construction plans, provide geotechnical report as to the suitability of roadway location in proximity to sinkholes. Identify any mitigation, if required. If the placement of fill material into sinkholes/depressions is required, the applicant must comply with the rules, regulations, and specifications of this department and other governmental agencies.

**STORMWATER RECOMMENDATION** - Approve except as noted:

1. Add Preliminary Note: This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.
2. Add C/D Note: Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).

**FIRE MARSHAL** - The Fire Marshals' office must approve the final development plan.

#### **METRO SCHOOL BOARD REPORT**

**Projected student generation\***    9 Elementary    8 Middle    7 High

**Schools Over/Under Capacity** - Students would attend Edison Elementary School, Kennedy Middle School, and Antioch High School. All thee schools have been identified as over capacity, but there is capacity in the adjacent Glencliff cluster. This information is based upon data from the school board last updated January 2006.

#### **CONDITIONS**

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the standard Zoning Code requirements of the RM6 district shall apply.
2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works for all public roadways.
3. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the

Davidson County Register of Deeds.

4. All signage must be approved by the Planning Commission prior to final SP site plan approval.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Mr. Swaggart presented and stated that staff is recommending approval with conditions on Zone Change 2006SP-070G-12 and Zone Change 2006SP-077G-13.

Mr. Tom White, 36 Old Club Court, spoke in favor of approving the proposal.

Mr. Dean Allen, 3461 Hamilton Church Road, spoke in opposition to the proposal.

Mr. Albert Bender, 5980 Mt. View Road, spoke in opposition to the proposal.

Mr. Ponder suggested deferring due to the proximity of the requests and the affect that it would have on other property owners in the area.

Mr. McLean acknowledged that if the proposals were submitted individually, they would most likely be approved by the Commission. He was not in favor of deferring.

Mr. Clifton stated that he was not in favor of deferring a rezoning that has met all the requirements and was fully supported by the staff.

Mr. Loring moved and Mr. McLean seconded the motion to approve with conditions Zone Change 2006SP-070G-13, Brookridge Hamlet; as well as approve with conditions Zone Change 2006SP-077G-13, Rolling Mill Village. **(7-1) No Vote – Ponder**

**Resolution No. RS2006-213**

**“BE IT RESOLVED** by The Metropolitan Planning Commission that 2006SP-070G-13 is **APPROVED WITH CONDITIONS. (7-1)**

**Conditions of Approval:**

1. Prior to final plat approval and the issuance of any grading permits for this development, a final plat must be recorded on the adjacent property to the west dedicating public right-of-way for access to this property.
2. Prior to the final development plan being approved, a specific native tree or trees must be named on the final document. The spacing must also be stipulated on the final.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the standard Zoning Code requirements of the RM6 district shall apply.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works for all Public Roadways.
5. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.

6. All signage must be approved by the Planning Commission prior to final SP site plan approval.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**The proposed SP district is consistent with the Antioch Priest Lake Community Plan's Neighborhood General Policy, which is intended for a variety of residential development types that are carefully arranged, not randomly located."**

**Resolution No. RS2006-214**

**"BE IT RESOLVED** by The Metropolitan Planning Commission that 2006SP-077G-13 is **APPROVED WITH CONDITIONS. (7-1)**

**Conditions of Approval:**

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the standard Zoning Code requirements of the RM6 district shall apply.
2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works for all public roadways.
3. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the SP plan for filing and recording with the Davidson County Register of Deeds.
4. All signage must be approved by the Planning Commission prior to final SP site plan approval.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**The proposed SP district is consistent with the Antioch Priest Lake Community Plan's Neighborhood General Policy, which is intended for a variety of residential development types that are carefully arranged, not randomly located."**