

7. **2007SP-040G-12**
High Point SP
Map 181-00, Parcel 046
Subarea 12 (2004)
Council District 31 - Parker Toler

A request to change from AR2a to SP zoning to permit 98 dwelling units consisting of 22 courtyard townhouses, 76 rowhouses, and 30,500 commercial square footage within three development phases at 6640 Nolensville Pike, approximately 610 feet north of Concord Hills Drive, with a portion of the property located within a Planned Unit Development District (12.0 acres), requested by Wamble & Associates, applicant, for Shabbir and Zarina Bahora, owners (See also Proposal PUD No. 111-83-G12).

STAFF RECOMMENDATION: Approve with conditions including Public Works conditions of approval.

APPLICANT REQUEST - Preliminary SP

A request to change from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning to permit 96 dwelling units consisting of 22 courtyard townhouses, 74 rowhouses, and a maximum of 125,450 square feet of commercial at 6640 Nolensville Pike, approximately 610 feet north of Concord Hills Drive, with a portion of the property located within a Planned Unit Development District (12.0 acres).

Existing Zoning

AR2a District - Agricultural/Residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a district is intended to implement the natural conservation or interim nonurban land use policies of the general plan.

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 new 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.

CRIEVE HALL/TUSCULUM COMMUNITY PLAN POLICY

Residential Medium (RM) - RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Community Center (CC)- CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An 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.

Consistent with Policy? - Yes. The plan includes a Residential District and a Commercial District. The residential element of the plan meets the density envisioned by the RM policy. The Commercial District includes a group of commercial buildings with the option of offices in the second story.

PLAN DETAILS

Site Plan - The plan calls for both a commercial and a residential district. The Commercial District is divided into three lots that front on Nolensville Pike. Because the commercial district is not being developed at this time, these lots have two options for building layout, both of which address Nolensville Pike, the entry street, and the internal street.

The Residential District is located behind the commercial district and calls for 96 attached units. The majority of these units are arranged on public streets, excluding nine units that front onto open space. There are five street connections into the neighboring properties.

Sidewalks - Sidewalks are required on both sides of the new streets, in both the Residential and Commercial Districts, and along Nolensville Pike.

Access - There is one access point from Nolensville Pike. The commercial units are not permitted to have any additional access to Nolensville Pike.

Parking - The plan calls for a total of 198 parking spaces in the Residential District. The total number of proposed parking spaces complies with the minimum number of spaces required. The Commercial District requires one parking space per 200 square feet, to be determined at the time of development.

Infrastructure Deficiency Area -On July 22, 2004, the Planning Commission adopted an update to the Southeast Community Plan that identified an "Infrastructure Deficiency Area" (IDA) where the Commission determined infrastructure was insufficient to accommodate expected development in the area.

The site for the High Point SP has been determined to be in the IDA. The applicant will be required to provide 842 linear feet of roadway improvements within the IDA.

Staff Recommendation - Staff recommends approval with conditions of the application with staff recommended changes because the development meets the policy and provides connections to future development.

PUBLIC WORKS RECOMMENDATION -The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

- Show twenty-four (24) feet minimum drive aisle width with ninety (90) degree angle parking.
- There shall be no direct access onto Nolensville Road from commercial outparcels.
- Specific IDA improvements will be determined by Public Works with the submittal of construction plans.

In accordance with the recommendations of the traffic impact study, the following improvements will be required:

(1) Construct the project access at Nolensville Road with one entering and two exiting lanes (LT and RT) with a minimum of 75 ft of storage and transitions per AASHTO/MUTCD standards.

(2) Construct a southbound left turn lane on Nolensville Rd at site access with a minimum of 100 ft of storage and transitions per AASHTO/MUTCD standards.

(3) Construct a northbound right turn lane on Nolensville Rd at the site access with a minimum of 100 ft of storage and transitions per AASHTO/MUTCD standards.

(4) Developer shall conduct a signal warrant analysis for the intersection of Nolensville Rd and the project access at the following intervals: at the final phase of the residential portion of the development and at the development of the commercial parcels, or as directed by the Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission.

STORMWATER RECOMMENDATION -Approved.

NASHVILLE ELECTRIC SERVICE RECOMMENDATION

1. Developer to provide high voltage layout for Underground conduit system and proposed transformer locations for NES review and approval.
2. Developer to provide construction drawings (digital and roll of construction prints).
3. Easement required adjacent to all public right of way & 20-foot easement centered on UG electrical facilities.
4. NES can meet with developer/engineer upon request to determine electrical service options.
5. NES needs any drawings that will cover any road improvements to Nolensville Road that Metro PW might require.
6. NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules.

FIRE MARSHAL RECOMMENDATION

1. No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface road. *Metro Ordinance 095-1541 Sec: 1568.020 B*
2. Fire hydrants should flow a minimum of 1250 GPM's at 40 psi residual flow at the most remote hydrant.
3. Fire Hydrants shall be in-service and tested before any combustible material is brought on site.
4. All dead end roads over 150 ft. in length require a 100 ft. diameter turnaround, this includes temporary turnarounds. Temporary T-type turnarounds that last no more than one year shall be approved by the Fire Marshal's Office.
5. The project Engineer needs to supply the Fire Marshal's Office proof of water availability, and flow.

CONDITIONS

1. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning district for the Commercial District and RM9 zoning district for the Residential District at the effective date of this ordinance, which must be shown on the plan.

3. 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.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
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.
6. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.
8. Prior to recording of the final plat, the IDA requirements must be completed or bonded.
9. Complete a Traffic study for this development to determine off-site improvements before public hearing at Metro Council.
10. NES and Fire Marshal comments must be addressed prior to final SP site plan approval.

METRO SCHOOL BOARD REPORT

Projected student generation 9 Elementary 6 Middle 4 High

Schools Over/Under Capacity -Students would attend Shayne Elementary School, Oliver Middle School, or Overton High School. Oliver Middle School and Overton High School have been identified as being over capacity by the Metro School Board. Another middle school in the cluster and a high school in a neighboring cluster have capacity. This information is based upon data from the school board last updated August 2006.

Approved with conditions, including Public Works conditions of approval, (7-0) **Consent Agenda**

Resolution No. RS2007-096

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-040G-12 is **APPROVED WITH CONDITIONS (7-0), including Public Works condition of approval.**

Conditions of Approval:

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- inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
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The proposed SP plan is consistent with the Crieve Hall/Tusculum Community Plan's Residential Medium policy, and Community Center policy. Residential Medium policy calls for residential development with a density between 4 and 9 units per acre, and Community Center calls for a mixture of residential, retail, commercial and office and designed in a way that creates a community center."