

6. **2007SP-057G-12**  
Christiansted Park  
Map 172-00, Parcel 032  
Subarea 12 (2004)  
Council District 31 - Parker Toler

A request to change from AR2a to SP zoning property located at 5940 Mt. Pisgah Road, approximately 800 feet east of Edmondson Pike (10.2 acres), to permit the development of 30 single-family lots, requested by Anderson Delk Epps and Associates, applicant, for Charles White, owner.

**STAFF RECOMMENDATION: Approve with conditions.**

**APPLICANT REQUEST** - A request to change from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning property located at 5940 Mt. Pisgah Road, approximately 800 east of Edmondson Pike (10.2 acres), to permit the development of 30 single-family lots.

#### **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 non-urban 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.

#### **SOUTHEAST COMMUNITY PLAN POLICY**

Residential Low Medium (RLM) -RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

**Consistent with Policy?** -Yes. The requested rezoning is for a single-family dwelling unit development at a density of 2.94 units per acre.

#### **PLAN DETAILS**

Site Plan- The plan calls for 30 single-family lots with a minimum lot size of 4,400 square feet. The building materials will be brick, stone and Hardie siding with aluminum trim and gutters and asphalt shingles. Lots 1 and 30 will have the side of the houses facing onto Mt. Pisgah Road. The applicant has proposed that each of these lots will have a house with wraparound porches with one side to Mt Pisgah Road. The applicant will need to provide drawings of the architectural features they are proposing.

Access-The applicant has proposed a system of private streets and alleys with one outlet onto Mt. Pisgah Road. The property to the west of this site is undeveloped. As a condition of approval, this street must be a

public street with a stub to the west allowing for a future connection. Sidewalks are required on both sides of the new streets.

Parking-Each lot will have two parking spaces. Access to the parking will be via a rear alley.

Infrastructure Deficiency Area -The Planning Commission has adopted an “Infrastructure Deficiency Area” (IDA) as part of the Southeast Community Plan. The IDA identifies an area where the Commission has determined that infrastructure is insufficient to accommodate expected new development in the area.

The site for the Christiansted Park SP has been determined to be in the IDA. The applicant will be required to provide 132.6 linear feet of roadway improvements within the IDA.

**Staff Recommendation** -Staff recommends approval with conditions.

**RECENT REZONINGS** - Property located at 5961 and 5975 Mt. Pisgah Road were approved for RS15 by the Metro Council on July 20, 2004.

Property located at 6125 was passed by the Metro Council on January 18, 2005, for RS10.

Property located at 6140 Mt. Pisgah Road was passed by the Metro Council on January 18, 2005, for RS10.

**URBAN FORESTER RECOMMENDATIONS** - Identify the tree species and sizes.

**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 professional seal.
- Construct roadway section per ST-252 from centerline to property boundary along Mt. Pisgah Road property frontage.
- Prior to the preparation of construction plans, document adequate sight distance at project access. Indicate the available and required sight distance at the project entrance for the posted speed limit per AASHTO standards
- Include a section in the master deed that documents association’s obligation for solid waste collection and disposal.

**Maximum Uses in Existing Zoning District: AR2a**

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	10.5	1 du/2 acres	5	48	4	6

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

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	10.2	n/a	30	288	23	31

**Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District**

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				240	19	25

**FIRE MARSHAL RECOMMENDATIONS**

- 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
- Fire hydrants shall flow a minimum of 1,000 GPM’s at 20 psi residual flow at the most remote hydrant.
- Fire Hydrants shall be in-service and tested before any combustible material is brought on site.

**METRO SCHOOL BOARD REPORT**

**Projected student generation     3 Elementary     3 Middle     3 High**

**Schools Over/Under Capacity** -Students would attend Granbery 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.

**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 in the review of the final site plan, final plat, 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 RS3.75 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. Construct roadway section per ST-252 from centerline to property boundary along Mt. Pisgah Road property frontage.
10. Provide a public street, stubbed to the property line, in order to permit a future connection to the west. Include sidewalks on both sides of the proposed streets.
11. NES comments must be addressed prior to final SP site plan approval.
12. Provide side elevations for the single-family dwelling units proposed for lots 1 and 30, including specific architectural features (such as a door, side or front porch, and or dormers) that address Mt. Pisgah Road.
13. Provide a list of tree species and sizes as required by the Urban Forester.

Ms. Bernards presented and stated that staff is recommending approval with conditions.

Ms. Mary Moewe, 5508 Brookshire Drive, expressed issues with this request.

Ms. Kim Fredrickson, 5637 Cedar Rock Drive, expressed issues with this request.

Mr. Mike Anderson, Anderson Delk Associates, spoke in favor of the proposed zone change.

Mr. David McGowan, 5647 Granny White Pike, spoke in favor of the proposed zone change.

A resident of Christiansted expressed issues with the proposed zone change.

Mr. Tyler requested additional information regarding the infrastructure deficiency area and how it will be addressed in relation to this proposal.

Mr. Jonathan Honeycutt, Public Works, explained the process that would be followed to address the infrastructure deficiency area as it pertains to this proposal.

Ms. Cummings questioned whether the ingress/egress onto Mt. Pisgah would have sight limitations.

The Commission mentioned that the request was just a zone change and did not address ingress/egress issues at this time.

Mr. Clifton spoke on the issue of new subdivisions only requiring major road improvements directly in front of the development.

Mr. McLean moved and Ms. Cummings seconded the motion, which passed unanimously to approve Zone Change 2007SP-057G-12. (8-0)

**Resolution No. RS2007-128**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-057G-12 is APPROVED WITH CONDITIONS (8-0), including that the elevations submitted by the applicant shall be the building types developed for this SP, and construction techniques shall be employed to preserve the trees along the east, north, and west property lines to the greatest extent possible.**

**The proposed SP district is consistent with Southeast Community Plan’s Residential Low Medium policy, which is for residential development with a density of between 2 and 4 units per acre.’**