

2. **2007SP-081G-06**
Mt. Laurel Reserve
Map 128-00, Parcel 038
Subarea 6 (2003)
Council District 22 - Eric Crafton

A request to change from R20 to SP zoning property located at Hicks Road (unnumbered), approximately 1,160 feet east of Sawyer Brown Road (36.25 acres), to permit the development of 106 attached units, requested by Dale & Associates, applicant, for Dudley and Arthur G. Ford et al, owners.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Preliminary SP

A request to change from One and Two-Family Residential (R20) to Specific Plan (SP) zoning property located at Hicks Road (unnumbered), approximately 1,160 feet east of Sawyer Brown Road (36.25 acres), to permit the development of 106 attached units.

Existing Zoning

R20 District - R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 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 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.

BELLEVUE COMMUNITY PLAN

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 density of this development is 2.92 units/acres, which is within the RLM policy.

The Bellevue Community Plan states a community desire to preserve rural character and protect hills from being cut away to help keep the scenic views. The final SP site plan should take these goals into consideration by conforming to the Hillside Development Standards of Section 17.28.030 of the Metro Zoning Ordinance.

RECENT REZONINGS - On February 23, 2006, The Planning Commission recommended approval for a request to rezone this property to Multi-Family Residential (RM4). This request was deferred indefinitely by the Metro Council in July 2006.

PLAN DETAILS

Site Plan -The plan calls for 106 attached residential units. The number of units per building range from two to five. The front setback is 20 feet and the maximum height is three stories. The plan also includes a set of architectural standards. Elevations included with the final SP site plan will be reviewed against these standards.

Sidewalks -Sidewalks are required and shown on both sides of the private drive within this development.

Access - There is one access point from Hicks Road. The Fire Marshal has determined that this is inadequate access to protect the safety of the public. For the benefit of public safety, the plan must conform to the current Fire Code or by obtain a variance from the Appeals Board before 3rd Reading at Metro Council.

Parking -The plan calls for two stalls per unit. There is some additional guest parking along the streets.

Staff Recommendation -Staff recommends approval with conditions, including a condition requiring Fire Marshal approval before 3rd reading at Metro Council.

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.

As noted in the traffic impact study, "the existing geometry limitations at the intersection of Hicks Road and the project access, a field-run survey should be conducted on Hicks Road in order to identify the extent to which the existing curve on Hicks Road will need to be modified to provide adequate sight distance at the project access. Specifically, it is anticipated that, at a minimum, some clearing and grading will be needed on the east side of Hicks Road along the project's frontage."

Prior to the submittal of construction plans, submit a "field run" survey along Hicks Road at the project access to provide adequate intersection and stopping sight distance, per AASHTO standards.

Maximum Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	36.25	1.85	67	720	57	75

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/ Townhouse(230)	36.25	N/A	106	674	54	63

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
--				-46	-3	-12

STORMWATER RECOMMENDATION- Preliminary SP Approved.

FIRE MARSHAL RECOMMENDATION - This project can not be approved at this time. The Fire Code has changed to NFPA 1 Uniformed Fire Code 2006 edition. This code recognizes NFPA 1141 Standard for

Fire Protection in Planned Building Groups 2003 edition which requires access by a minimum of two distinctly separate routes, each located as remotely from the other as possible and larger (120 ft) diameter turnarounds. There are several other requirements as well such as water demands which are grater. The project Engineer or representative needs to meet with the Fire Marshal's Office on this project.

METRO SCHOOL BOARD REPORT

Projected student generation 6 Elementary 4 Middle 4 High

Schools Over/Under Capacity - Students would attend Brookmeade Elementary School, Hill Middle School, or Hillwood High School. None of these schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated April 2007.

CONDITIONS

1. Obtain Fire Marshal approval either by conforming to NFPA 1 Uniformed Fire Code 2006 edition or by obtaining a variance from the Appeals Board before 3rd Reading at Metro Council. Any changes to the plan required to obtain Fire Marshal approval must be approved by the Planning Department.
2. The approval of the Harpeth Valley Utilities District must be met prior to the issuance of any building permits.
3. Provide landscaping in areas labeled "small park." All final landscape plans must be approved by the Planning Commission at the Final approval stage.
4. Street trees shall be planted along the private drives and spaced 25' apart.
5. Incorporate features into detention and retention facilities that provide for use and aesthetic enjoyment
6. Design the Stormwater detention system to detain runoff in the fewest ponds necessary, directing water to few large basins rather than many small basins.
7. Design the Stormwater detention system at the beginning of the design process, and incorporate the system into the site as a natural amenity as well as an engineered facility.
8. Design naturally appearing Stormwater structures that provide variety and interest in the composition, shape, and diversity in plant material selection.
9. Select plant species based on their ability to survive the local climate, and their minimal demand for maintenance. Select plant species that are adaptable to the conditions typically experiences within Stormwater facilities.
10. The final SP site plan shall comply with the Hillside Development Standards of Section 17.28.030 of the Metro Zoning Ordinance.
11. Pursuant to 17.28.050 of the Metro Zoning Ordinance, the final SP site plan shall be accompanied by a geotechnical report. Both the geotechnical report and the site plan shall be certified by a qualified engineer licensed in the State of Tennessee. The qualifying engineer shall certify that the construction techniques proposed adequately mitigate any potential soil hazards identified in by the report.
12. 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.

13. 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 RM4 zoning districts at the effective date of this ordinance, which must be shown on the plan.
14. 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.
15. 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.
16. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access utilizing the approved design and adequate water supply for fire protection must be met prior to the issuance of any building permits.
17. 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.
18. 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.
19. Clarify maximum bedrooms per unit in the corrected copy of the preliminary SP.

Approved with conditions, **(8-0) Consent Agenda**

Resolution No. 218

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-081G-06 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Obtain Fire Marshal approval either by conforming to NFPA 1 Uniformed Fire Code 2006 edition or by obtaining a variance from the Appeals Board before 3rd Reading at Metro Council. Any changes to the plan required to obtain Fire Marshal approval must be approved by the Planning Department.
2. The approval of the Harpeth Valley Utilities District must be met prior to the issuance of any building permits.
3. Provide landscaping in areas labeled "small park." All final landscape plans must be approved by the Planning Commission at the Final approval stage.

4. Street trees shall be planted along the private drives and spaced 25' apart.
5. Incorporate features into detention and retention facilities that provide for use and aesthetic enjoyment
6. Design the Stormwater detention system to detain runoff in the fewest ponds necessary, directing water to few large basins rather than many small basins.
7. Design the Stormwater detention system at the beginning of the design process, and incorporate the system into the site as a natural amenity as well as an engineered facility.
8. Design naturally appearing Stormwater structures that provide variety and interest in the composition, shape, and diversity in plant material selection.
9. Select plant species based on their ability to survive the local climate, and their minimal demand for maintenance. Select plant species that are adaptable to the conditions typically experiences within Stormwater facilities.
10. The final SP site plan shall comply with the Hillside Development Standards of Section 17.28.030 of the Metro Zoning Ordinance.
11. Pursuant to 17.28.050 of the Metro Zoning Ordinance, the final SP site plan shall be accompanied by a geotechnical report. Both the geotechnical report and the site plan shall be certified by a qualified engineer licensed in the State of Tennessee. The qualifying engineer shall certify that the construction techniques proposed adequately mitigate any potential soil hazards identified in by the report.
12. 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.
13. 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 RM4 zoning districts at the effective date of this ordinance, which must be shown on the plan.
14. 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.
15. 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.
16. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access utilizing the approved design and adequate water supply for fire protection must be met prior to the issuance of any building permits.
17. 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.

18. 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.
19. Clarify maximum bedrooms per unit in the corrected copy of the preliminary SP.

The proposed SP district is consistent with the Bellevue Community Plan's Residential Low Medium policy, which is intended for residential developments with a density between 2 and 4 dwelling units per acre."