

2. **2007SP-150G-14**  
Evans Hill  
Map 086-00, Parcels 113, 327, 348  
087-00 025, 195  
Subarea 14 (2004)  
Council District 12 - Jim Gotto

A request to change approximately 71.69 located at 1209, 1213 Tulip Grove Road, Tulip Grove Road (unnumbered), Valley Grove Drive (unnumbered), approx. 200 feet north of Rockwood Drive from RS7.5 and RS15 to SP-MR, to permit a residential development with 340 dwelling units, requested by Wamble & Associates, applicant, for H Group LLC, owner.

**Staff Recommendation: Approve with conditions**

#### **APPLICANT REQUEST - Preliminary SP**

A request to change approximately 71.69 acres located at 1209, 1213 Tulip Grove Road, Tulip Grove (unnumbered) and, Valley Grove Drive (unnumbered), from Single-Family Residential (RS7.5) and Single-Family Residential (RS15) to Specific Plan - Mixed Residential (SP - MR) zoning to permit a residential development with a total of 340 dwelling units.

**History** This application was heard at the September 27, 2007, Planning Commission meeting. During the meeting many citizens voiced concerns, and the area's Council representative announced that there would be a community meeting. Since the community meeting had not taken place the Commission deferred the application two meetings to allow the meeting to take place prior to giving their recommendation.

#### **Existing Zoning**

RS7.5 District - RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre.

RS15 District - RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

#### **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-MR."
- 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.

#### **DONELSON/HERMITAGE/OLD-HICKORY 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.

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.

Street Plan - The Donelson/Hermitage/Old Hickory Community Plan also includes a transportation element which identifies locations for needed street connections. The plan identifies north south and east west connections across this property.

**Consistent with Policy?** Yes. The project falls within RLM and RM policies. As proposed, the density of the SP does not exceed what the two policies combined would allow. The plan goes beyond the two policies and provides a community oriented development that is in keeping with sound planning principals and provides for needed street connections within the area.

**PLAN DETAILS**

General - The plan calls for a total of 340 dwelling units with an overall density of approximately 4.7 units per acre. Lots are arranged in a logical way to minimize disturbance of environmentally sensitive lands, provide accessible and usable open space, and create a well connected street system.

The existing properties are mostly vacant and consist of densely wooded forest and some rolling hills that include some steep slopes in excess of 25%. Dry Creek runs along the northern property boundary and a tributary of Dry Creek also bisects the site.

Housing Types - The SP calls for four housing types:

- single-family lots with street access (front loaded);
- single-family with alley access (rear loaded);
- rowhouses; and
- townhomes.

As proposed, there will be 159 single-family lots, 119 rowhouses, and 62 townhomes. Out of the 239 single-family lots, 37 (15%) will be front loaded.

Both single-family lot types and rowhomes will front new public streets. The townhomes will front court yards. The townhome units proposed closer to Tulip Grove Road will be situated on the top of a hill and will look over the site to the north and east.

Bulk Standards - The proposed bulk standards are as follows:

Single-Family Front Loaded

Min. Lot Area	4,000 Sq. Ft.
Min. Lot Width	40 Ft.
Min. Front Setback (Principle Building)	10 Ft.
Min. Garage Front Setback	20 Ft.
Min. Side Setback	5 Ft.
Min. Side Setback (Street)	10 Ft.
Rear Setback	5 Ft. Min. or > 15 Ft. for garage
Max Height Principal Building	2 1/2 Stories
Max Height Out Building	2 Stories

Single-Family Rear Loaded

Min. Lot Area	4,000 Sq. Ft.
Min. Lot Width	40 Ft.
Min. Front Setback	10 Ft.
Max Front Setback	20 Ft.

Min. Side Setback	5 Ft.
Min. Side Setback (Side)	10 Ft.
Min. Rear Setback	10 Ft.
Max Height Principal Building	2 1/2 Stories
Max Height Out Building	2 Stories

Rowhouse

Min. Lot Area	2,000 Sq. Ft.
Min. Lot Width	20 Ft.
Min. Front Setback	10 Ft.
Min. Porch Setback	5 Ft.
Min. Side Setback	0 Ft.
Min. Side Street Setback	5 Ft.
Min. Rear Setback	5 Ft.
Alternative Rear Setback	20 Ft.
Min. Distance B/T Detached Building	10 Ft.
Min. Raised Foundation	2 Ft. above entry sidewalk
Max Height Principal Building	2 1/2 Stories*
Max Height Out Building	2 Stories

\* See SP Document for specific details.

Townhome

Min. Lot Area	2,000 Sq. Ft.
Min. Lot Width	20 Ft.
Front Setback	5 Ft. Min/15 Ft. Max
Min. Porch Setback	5 Ft.
Min. Side Setback	0 Ft.
Min. Side Street Setback	5 Ft.
Min. Rear Setback	5 Ft. or >15 Ft. for garage
Min. Distance B/T Detached Building	10 Ft.
Min. Raised Foundation	2 Ft. above entry sidewalk
Max Height Principal Building	2 1/2 Stories*
Max Height Out Building	2 Stories

\*See SP Document for specific details.

Elevations - While elevations have not been provided, the Evan's Hill SP document does set architectural standards. Elevations may be required at the final review.

Street Connectivity/Access - The plan provides a well connected street system which will allow for traffic to move efficiently throughout the site. The plan also provides connections to adjacent properties which will improve street connectivity within the area. All streets will include sidewalks along both sides of street which will allow for safe and efficient pedestrian movement.

The plan provides access for all lots from new public streets and alleys. New streets are shown on the plan that are proposed to connect to Tulip Grove Road, Myra Drive, Elijah Court and Woodway Lane. A stub street for a future connection to the north is also provided and will allow for connectivity should the vacant property to the north develop. Staff does not recommend a second internal street connection in the western area of the site between the northern and southern halves because of the stream that bisects the site, but a pedestrian connection should be provided in that area.

Environmental Sensitive Areas - The site contains some natural environmentally sensitive areas such as steep hill sides and streams. According to the SP document, a majority of the site (approximately 81%) contains slopes of less than 20%. Slopes greater than 20% should generally be minimally disturbed, and slopes of 25% or greater should be undisturbed. The plan is arranged in a way to minimize grading and, as proposed, no lots will be located on slopes of 25% or greater. If, upon submission of a final site plan, it is determined that lots will be on slopes of 25% or greater, then those lots should be removed and shown as open space. Grading on single-family lots with slopes 20% or greater should be minimized and be in keeping with the hillside development standards stipulated in Section 17.28.030 of the Metro Zoning Code. These lots need to be identified as Critical Lots on the final plat.

The plan minimizes impacts on Dry Creek and its tributary by providing appropriate buffering for both streams. There will be some stream and buffer disturbance required to provide street connectivity. Stream and buffer disturbances will likely require approval from the Stormwater Management Committee.

Open Space - As proposed, approximately 21 acres (30% of the site) will be provided as formal and informal open space. These areas will provide for active and passive recreation and preservation of the site's natural features. Of the 21 acres, approximately 14% will be informal green areas, such as pocket parks, and court yards.

Buffering/Landscaping - As proposed, no lot or unit will be adjacent to an existing lot or property line. The minimum distance shown between any new lot within the development and any existing adjacent lot is 20 feet. While no specific buffer yards are proposed, buffers may be required. A detailed landscaping plan is required with the final SP site plan, and if upon review it is determined that additional landscaping/buffering is needed then a specific landscape buffer yard will be required.

**STORMWATER RECOMMENDATION - Approved**

**PUBLIC WORKS RECOMMENDATION**

1. 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.
2. Plan proposes a connection to Hermitage Creek Subdivision. Construct roadway (Hermitage Creek Court) per ST-252. Resubmit construction plans for the Department of Public Works review and approval. Coordinate street name with the Department of Public Works mapping section.
3. Proposed solid waste collection and disposal plan to be reviewed and coordinated with the Department of Public Works Solid Waste Section.
4. Show and dimension right of way along Tulip Grove Road. Label and dedicate right of way 30 feet from centerline to property boundary. Label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4 - 84' ROW).

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

1. Construct a southbound left turn lane on Tulip Grove Rd at the site access #1 with 75 ft of storage and transitions per AASHTO/MUTCD standards.
2. Construct a southbound left turn lane on Tulip Grove Rd at the site access #2 with 75 ft of storage and transitions per AASHTO/MUTCD standards.
3. Construct the site access #1 at Tulip Grove Rd with one entering and two exiting lanes (LT and RT) each with 75 ft of storage and transitions per AASHTO/MUTCD standards.
4. Construct the site access #2 at Tulip Grove Rd with one entering and two exiting lanes (LT and RT) each with 75 ft of storage and transitions per AASHTO/MUTCD standards.
5. Construct a northbound left turn lane on New Hope Rd at Myra Drive with 75 ft of storage and transitions per AASHTO/MUTCD standards.

**Typical Uses in Existing Zoning District: RS15**

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached(210)	71.69	2.47	177	1,759	134	180

**Typical 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)	71.69	n/a	181	1,795	137	183

**Typical 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/Townhome (230)	71.69	n/a	159	953	75	88

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				989	78	91

**METRO SCHOOL BOARD REPORT**

**Projected student generation     52 Elementary   33 Middle     32 High**

**Schools Over/Under Capacity** - Students would attend Dodson Elementary School, Dupont-Tyler Middle School and McGavock High School. Dupont-Tyler Middle School and McGavock High School have been identified as full by the Metro School Board but there is additional capacity within the adjacent Stratford, Glenclyff clusters. This information is based upon data from the school board last updated April 2007.

**School site dedication** -Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer, for dedication, a school site in compliance with the standards of Section 17.16.040 for elementary schools with capacity of 500 students.

The land dedication requirement is proportional to the development's potential student generation. Any site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Antioch High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. Failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements, however, shall constitute a waiver of this requirement by the Board of Education.

**STAFF RECOMMENDATION** - The proposed SP meets and exceeds the standards of the land use policies by providing a development that is well connected internally and to the surrounding area, protects environmentally sensitive lands, and provides a variety of housing types. Staff recommends approval with conditions.

### **CONDITIONS**

1. No lots or residential unit shall be located on slopes greater than 25%. If upon further analysis it is found that proposed lots will be located on slopes greater than 25%, then those lots shall be removed and shown as open space.
2. Single-family lots on slopes 20% or greater shall minimize grading and be in keeping with the hillside development standards stipulated in Section 17.28.030 of the Metro Zoning Code, and shall be identified as Critical Lots on the final SP site plan.
3. Front yard setbacks for Single-Family, front loaded types shall be changed to 15 Ft. Minimum and 20 Ft. Max. Front yard setbacks for Single-Family, rear loading types shall be changed to 10 Ft. Minimum and 15 Foot Maximum.
4. The bulk standards for rowhouse and townhome development shall be revised to require a raised foundation that is a minimum of 18" above the entry sidewalk and a maximum of 3' above the entry sidewalk.
5. A pedestrian connection shall be provided within the western portion of the site between the northern and southern halves bisected by the stream. Further study into the feasibility of a trail system around this stream shall also be required prior to final approval. If it is determined that a trail system would be feasible within this area then it shall be provided and shown on the final SP site plan.
6. No specific buffer yards are proposed but may be required with the final SP site plan. A detailed landscaping plan is required with the final SP site plan, and if upon review it is determined that additional landscaping/buffering is needed, then appropriate landscape buffer yards or equivalents to the standard buffer yards specified in Section 17.24.240 of the Metro Zoning Code shall be required.
7. While this request is within the General Services District and is not currently serviced by Metro garbage pickup, a solid waste collection and disposal plan must be approved by the Waste Management Division of Public Works. As proposed the SP calls for trash pick-up/collection that is not consistent with Metro Standard. Prior to final SP plan approval the trash collection plan must be approved by the Waste Management Division of Public Works. If the proposed trash pick-up/collection plan is not approved then the plan shall be revised to accommodate Metro trash pick-up/collection requirements, and could result in the reduction of the total number of units. Any changes that are not consistent with the concept of the original plan shall require approval from Metro Council.
8. Solid waste disposal notes shall be removed from the SP document.

9. All parking, utilities, meter boxes, back flow preventers, heating and cooling units and other mechanical systems shall be screened to a minimum height of 3 feet, or located away from public view.
10. Due to the potential impact of this development on the public school system, the applicant shall offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with capacity of 500 students.
11. The stub street to the north shall only be constructed to where the bridge would begin. A bond shall be required with the bonding or construction of Myra Drive for the portion of the bridge on this property.
12. Plan proposes a connection to Hermitage Creek Subdivision. Construct roadway (Hermitage Creek Court) per ST-252. Resubmit construction plans for the Department of Public Works review and approval. Coordinate street name with the Department of Public Works mapping section.
13. Proposed solid waste collection and disposal plan to be reviewed and coordinated with the Department of Public Works Solid Waste Section.
14. Show and dimension right of way along Tulip Grove Road. Label and dedicate right of way 30 feet from centerline to property boundary. Label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4 - 84' ROW).
15. Construct a southbound left turn lane on Tulip Grove Rd at the site access #1 with 75 ft of storage and transitions per AASHTO/MUTCD standards.
16. Construct a southbound left turn lane on Tulip Grove Rd at the site access #2 with 75 ft of storage and transitions per AASHTO/MUTCD standards.
17. Construct the site access #1 at Tulip Grove Rd with one entering and two exiting lanes (LT and RT) each with 75 ft of storage and transitions per AASHTO/MUTCD standards.
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19. Construct a northbound left turn lane on New Hope Rd at Myra Drive with 75 ft of storage and transitions per AASHTO/MUTCD standards.
20. This SP district is limited to residential uses as described in the SP document. No other uses shall be permitted.
21. 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 RM6 zoning district as of the date of the applicable request or application.
22. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

23. Minor adjustments to the preliminary SP 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 floor area, 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.
24. The requirements of the Metro 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.

Mr. Gotto explained that he held a community meeting regarding this proposal and explained the issues resulting from the meeting. The issues included traffic, overcrowded schools, connectivity, density, as well infrastructure. He stated he would hold additional meetings if needed and would continue to monitor the SP zoning and possibly add additional conditions as the bill moved through Council.

Ms. Cummings expressed issues with the public hearing being closed for this item when the proposal was deferred to allow additional input from the community. However, she thanked Councilmember Gotto for the information he provided that resulted from his community meeting.

Mr. Clifton requested additional clarification on the collector street accesses included in the plan in relation to the policies for this area.

Mr. Swaggart explained this concept to the Commission.

Mr. Clifton then requested additional clarification regarding the connectivity included in the proposal.

Mr. Bernhardt offered that the connectivity included in this development is important for both vehicular and pedestrian traffic and it weaves two areas together.

Ms. Nielson requested additional clarification regarding connectivity.

Mr. Ponder stated that he was in favor of approving the proposed development as many of the issue are currently being addressed.

Mr. Ponder moved and Ms. Nielson seconded the motion, to approve with conditions Zone Change 2007SP-150G-14. **(10-0)**

**Resolution No. BL2007-345**

**“BE IT RESOLVED** by The Metropolitan Planning Commission that 2007SP-150G-14 is **APPROVED WITH CONDITIONS. (10-0)**

**Conditions of Approval:**

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24. The requirements of the Metro 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-MR district is consistent with the Donelson/Hermitage/Old Hickory Community Plan's Residential Low Medium and Residential Medium policies, which are intended for residential development with a density between 2 and 9 units per acre."**