

July 26, 2012 Planning Commission Meeting

7. 2009SP-022-005

BL2012-190 / HUNT

MANSION AT FONTANEL

Map 049, Parcel(s) 200.01, 140, 319

Council District 03 (Walter Hunt)

Staff Reviewer: Brenda Bernards

A request to amend the Mansion at Fontanel Specific Plan District and for final site plan approval for properties located at 4105, 4125, and 4225 Whites Creek Pike, approximately 1,000 feet north of Lloyd Road (136.04 acres) and within the Floodplain Overlay District, to permit a single-family residence/Bed & Breakfast Inn and to amend the definition of a 'seasonal performance entertainment venue', requested by EDGE Planning, Landscape Architects, applicant, Fontanel Properties LLC, owner.

Staff Recommendation: Approve preliminary plan with conditions and disapprove without all conditions. Defer the final site plan approval in order for Stormwater Division requirements to be addressed.

APPLICANT REQUEST

Permit a single-family residence/Bed and Breakfast Inn and amend the definition of the seasonal performance entertainment venue.

SP Amendment

A request to amend the Mansion at Fontanel Specific Plan District and for final site plan approval for properties located at 4105, 4125, and 4225 Whites Creek Pike, approximately 1,000 feet north of Lloyd Road (136.04 acres) and within the Floodplain Overlay District, to permit a single-family residence/Bed and Breakfast Inn and to amend the definition of a 'seasonal performance entertainment venue'.

Existing Zoning

Specific Plan-Mixed Use (SP-MU) is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes a mix of uses.

CRITICAL PLANNING GOALS

N/A

BORDEAUX/WHITES CREEK COMMUNITY PLAN

Natural Conservation (NCO) policy is intended for undeveloped areas with the presence of steep terrain, unstable soils, and floodway/floodplain. Low intensity community facility development and very low density residential development (not exceeding one dwelling unit per two acres) may be appropriate land uses.

Rural (R) is intended for areas that are physically suitable for urban or suburban development but the community has chosen to remain predominantly rural in character. Agricultural uses, low intensity community facility uses, and low density residential uses (one dwelling unit per two acres or lower) may be appropriate.

Whites Creek Historic District

This property is within Nashville's only National Register-listed rural historic district. Development is encroaching on the Whites Creek Historic District and should be limited to reduce negative impacts on this significant area.

Conservation subdivisions, rural conservation overlays and roadway cross-sections appropriate for rural areas should be used to preserve the rural character of the Whites Creek Historic District. The plan discourages typical suburban design and subdivision of the property along Whites Creek Pike into small lots that front the road. New development should blend into the natural landscape and protect the existing views from Whites Creek Pike.

Consistent with policy?

Yes. The original finding of consistency of the SP with the Natural Conservation (NCO) and Rural (R) land use policies was based upon the following factors:

- The proposed use, scale and location of buildings were consistent with the intent of the policies to support low intensity development and preserve sensitive environmental features of the property.
- While commercial uses are no longer contemplated in the NCO and R policies, the SP brought this property more into compliance with the intensity, design, building orientation and location of development envisioned by the policies than the R15 and RS20 zoning districts.
- The uses, types of building and location of buildings supported the Whites Creek Historic District.

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The proposed amendment adds new buildings along Whites Creek Pike that is in character with the overall SP. With this amendment, the SP continues to support the Whites Creek Historic District.

PLAN DETAILS

The Planning Commission approved the Mansion at Fontanel SP, including final site plan approval for Phase I on October 22, 2009. The final site plan for Phase II was approved on February 11, 2010. The SP was amended in November 2010 to expand the capacity of the Seasonal Performance Entertainment venue and again in November 2011 to delete a condition of the original Council Bill that limits the full service restaurant to wine and beer sales only. This amendment will add two new uses to the SP and will also amend the definition of the seasonal performance entertainment venue.

This amendment will add a single-family residence and Bed and Breakfast Inn as new uses to the SP. These will be contained in one principal structure and four accessory structures. The buildings will be located along Whites Creek Pike at the northern end of the property. Access will be from an existing drive and no new access points are included. These buildings are part of a national project that the owners of the Mansion at Fontanel are developing in conjunction with Southern Living magazine. As this is also a request for final site plan approval, elevations have been provided for the main house and the four out buildings.

The amendment also adds an exception to the seasonal performance entertainment venue definition. This year, a local symphony played two shows at the Woods Amphitheater, the seasonal performance entertainment venue, on consecutive weekends. Currently, the number of shows are limited to two per month. Due to the set up requirements for the symphony, ideally four shows are needed, two per weekend on consecutive weekends, for this to become an annual event. The amendment would provide an exception to permit the local symphony to hold up to four events in any one month annually. These events would not be counted towards the 14 events now permitted.

STORMWATER RECOMMENDATION

Preliminary SP can be approved with conditions:

- Cut and fill requirements to be met within construction drawings.

Final SP returned for corrections:

- Construction drawings need to be approved prior to final approvals.

PUBLIC WORKS RECOMMENDATION

- Comply with previous traffic conditions of approval.

FIRE MARSHAL RECOMMENDATION

- 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" 903.2.7 Group R.
- An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. Metro Ordinance 095-1541 Sec: 1568.020 B"

STAFF RECOMMENDATION

Staff recommends that the preliminary plan for the amendment to the Mansion at Fontanel SP be approved with conditions as it is consistent with the RAC land use policy of the Bordeaux/Whites Creek Community Plan and the Whites Creek Historic District. Staff further recommends that the final site plan approval be deferred if the requirements of the Stormwater Division are not met prior to the July 26, 2012, Planning Commission meeting.

CONDITIONS

1. All other conditions of the SP adopted with Council Bill BL2009-561 and as amended by BL2010-780 and BL2011-79 shall apply.
2. Revised construction drawings and calculations as required by the Stormwater Management Division shall be provided prior to the July 26, 2012 Planning Commission meeting.
3. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro 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. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating

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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.

4. Minor modifications 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 modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications 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.

5. 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.

6. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.

Approved preliminary plan with conditions, Consent Agenda (6-0-2); Deferred Final Site Plan

Resolution No. RS2012-141

"BE IT RESOLVED by The Metropolitan Planning Commission that the preliminary plan for 2009SP-022-005 is APPROVED with conditions and disapproved without all conditions. The final site plan approval is deferred in order for Stormwater Division requirements to be addressed. (6-0-2)"

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The zone change is consistent with the Natural Conservation and Rural land use policies of the Bordeaux/Whites Creek Community Plan and the Whites Creek Historic District.