

## 2. 2013SP-041-001

### THE POST AT RAIL STATION

Map 116-13, Parcel(s) 017-018  
Council District 23 (Emily Evans)  
Staff Reviewer: Amy Diaz-Barriga

A request to rezone from RS40 to SP-R zoning for properties located at 6030 and 6034 Sedberry Road, at the southwest corner of Sedberry Road and Old Harding Pike, (1.34 acres), to permit up to eight single-family detached residential units, requested by Dale and Associates, applicant; Michael, Nancy and Joe T. Zoretic and Tojo Investments, LLC, owners.

**Staff Recommendation: Approve with conditions and disapprove without all conditions.**

### APPLICANT REQUEST

**Preliminary SP to permit up to up to 8 detached single-family units.**

#### Preliminary SP

A request to rezone from Single-Family Residential (RS40) to Specific Plan Residential (SP-R) zoning for properties located at 6030 and 6034 Sedberry Road, at the southwest corner of Sedberry Road and Old Harding Pike, (1.34 acres), to permit up to eight single-family detached residential units.

#### **Existing Zoning**

Single Family Residential (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. *The existing two lots would permit a maximum of two units.*

#### **Proposed Zoning**

Specific Plan-Residential (SP-R) 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 only one residential building type.

#### **CRITICAL PLANNING GOALS**

- Creates Walkable Neighborhoods
- Supports a Variety of Transportation Choices
- Provides a Range of Housing Choices
- Supports Infill Development

This SP utilizes a site within an area of adequate infrastructure, thereby relieving Metro the burden and cost of maintaining new infrastructure. It also lessens the pressure to develop on greenfield sites along the outer extents of Davidson County. The SP expands the existing pedestrian network by providing adequate sidewalks along both public street bordering the site, and maintains a pedestrian connection throughout the site. It locates development along an existing bikeway network, thereby offering residents an alternative choice in transportation. The SP site plan also offers an alternative to the typical suburban single family lot, expanding the variety of housing choice in the area.

#### **WEST NASHVILLE COMMUNITY PLAN**

Suburban Neighborhood Evolving (T3-NE-02) is intended to create suburban neighborhoods that are compatible with the general character of classic suburban neighborhoods as characterized by their building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than classic suburban neighborhoods and/or smaller lot sizes, with a broader

range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing - challenges that were not faced when the original classic, suburban neighborhoods were built.

Special Policy Area 2 is identified as a small pocket of homes at the corner of Sedberry and Post Road. It is intended to provide a transition from the adjacent neighborhood center to the single-family neighborhood to the west and north, and identifies design standards which require front facades along both streets of a corner unit, allow shallower but transitional setbacks, and suggest a slight increase in density.

#### Consistent with Policy?

Yes. The proposed SP provides an alternative single-family suburban development pattern, which creates housing choices consistent with the NE policy. The SP supports increased pedestrian connectivity in the area by providing a sidewalk along both Sedberry Road and Post Road. Design standards are provided for the buildings that are located at the corners of the property to ensure that they are appropriately addressing both street facades. The SP also provides moderate setbacks consistent with suburban residential development. The proposed density for this SP is 6 dwelling units per acre. This is consistent with both the NE policy which supports between 4-20 dwelling units per acre, and the Special Policy Area 2 which suggests that density remain on the lower end of the Neighborhood Evolving range.

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**PLAN DETAILS**

The site consists of two existing lots, at the corner of Sedberry Road and Post Road. The SP proposes 8 detached residential units on approximately 1.34 acres.

Site Plan

The SP proposes a total of 8 units, four of which will be placed along Sedberry Road and one which will be placed along Post Road. The remaining three units will be placed along an interior private drive. Each unit has a front porch, and design standards are provided to support a certain level of quality for the building facades.

A private drive is proposed to intersect the site and connect Sedberry Road and Post Road. All units will provide garage access from the private drive, and there will be no individual curb cuts along either public street. A sidewalk and planting strip will be installed along both Sedberry and Post Roads, and each unit will have a pedestrian connection to either the public sidewalk or private drive. Three guest parking spaces are provided along the private drive.

The plan utilizes Low Impact Design (LID) to address stormwater requirements. Bioretention areas are included at the corner of Sedberry and Post Roads, and also in the southeast corner of the property. The SP provides landscape buffers along the west and south property lines. A 5 foot "A" buffer is provided for the west property line and for the majority of the south property line, and a 20 foot "C" buffer is provided behind the three units south of the private drive.

**ANALYSIS**

The SP is consistent with the NE policy and the special policy for the area. The density and scale of the units provide a transition from the commercial context along Harding Pike to the single family suburban neighborhood. It provides an alternative to the traditional suburban residential lot. It supports infill development, by utilizing a site with adequate existing infrastructure, and increases pedestrian connectivity for the area. It also supports alternate modes of transportation by locating adjacent to an existing bikeway network.

**FIRE MARSHAL RECOMMENDATION**

1,000 gpm @ 20 psi required. 2,509 gpm @ 20 psi per Metro Water 9/10/13 This subdivision has submitted engineering data that supports the approval for construction of homes up to 3,600 sq. ft. Any home over 3,600 sq. ft. will require an independent permit review by the Fire Marshal's Office.

**STORMWATER RECOMMENDATION**

Approved

**PUBLIC WORKS RECOMMENDATION**

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

Per SP Note #10, a copy of the long term solid waste agreement between the HOA and the private hauler must be submitted to MPW prior to building permit signoff.

**TRAFFIC TABLE**

Maximum Uses in Existing Zoning District: **RS40**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	1.34	0.93 D	1 U	10	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (210)	1.34	-	8 U	77	6	9

Traffic changes between maximum: **RS40** and proposed **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 7 U	+67	+5	+7

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### SCHOOL BOARD REPORT

Projected student generation    1 Elementary    0 Middle    0 High

The proposed SP zoning district could generate 1 more student than what is typically generated under the existing RS40 zoning district. Student would attend Gower Elementary School, H.G. Hill Middle School, and Hillwood High School.

Gower Elementary is under capacity and will accommodate additional students. This information is based upon data from the school board last updated September 2012.

### STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions and disapproved without all conditions.

### CONDITIONS

1. Permitted land uses shall be limited to up to 8 residential units.
2. Add a note to the plan stating: Ownership for units may be divided by a Horizontal Property Regime or a subdivision with a minimum lot size of 1,000 square feet.
3. Per SP Note #10, a copy of the long term solid waste agreement between the HOA and the private hauler must be submitted to Metro Public Works prior to the issuance of a building permit.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of 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.
5. 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 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.
6. 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.
7. 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.

### Chairman McLean left the room.

Ms. Diaz-Barriga presented the staff recommendation of approval with conditions and disapproval without all conditions.

Roy Dale, 516 Heather Place, spoke in favor of the application. He clarified that this request is for six units per acre, which is on the lower end of the allowed density. He also noted that he believes that traffic concerns will be successfully addressed as the legislative process continues.

Michael Garrigan, 516 Heather Place, spoke in favor of the application and noted that the two concerns expressed during the community meetings were increased density and traffic. The traffic concerns will be addressed through the legislative process and the density is on the lower end of what is allowed.

Anthony Cherry, 153 Davidson Road, spoke in favor of the application on behalf of Mike Nixon and stated that it falls within the guidelines of the West Nashville Plan.

Jeff Zeitlin, 6315 Chickering Woods Drive, spoke in favor of the application and noted that the project is excellent in both design and conformity to the Community Plan. The developers and engineers have been more than willing and continue to work with the neighborhood to ensure that the best project is built.

John Williamson, 165 Haverford Drive, spoke in opposition to the application due to increased traffic concerns and high density.

Fulton (last name unclear), 104 Haverford Drive, spoke in opposition to the application due to safety concerns for the cyclists

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on the new bikeway. He also noted that neither the property owner, architect, nor builder is from Davidson County.

Sam Rutherford, 112 Laird Road, spoke in opposition to the application due to the high density.

Schuyler Floyd, 229 Cargile Lane, spoke in opposition to the application due to increased traffic concerns and high density.

Ruth Elliott, 110 Haverford Drive, spoke in opposition to the application. She stated that rezoning would put the character of the neighborhood in danger. It would be a detriment to the current residents and make West Meade a less desirable community for future residents. She also noted density and traffic concerns.

Alan Whorton, 108 Haverford Drive, spoke in opposition to the application due to high density and increased traffic concerns.

Jack Goodrum, 249 Cargile Lane, spoke in opposition to the application and requested that Public Works conduct a traffic study in this area. He stated that he attended a very large community meeting and not one person in attendance was in favor of this.

John Orman, 217 Cargile Lane, spoke in opposition to the application. He noted that this is a very bad location due to public safety issues and dedicated turn lanes are needed from both directions. This project doesn't support a wide variety of transportation choices nor does it create a walkable neighborhood.

Kathryn Miller, 5933 Long Meadow Road, spoke in opposition to the application due to high density and traffic concerns.

James Edwards, 209 Cargile Lane, spoke in opposition to the application due to traffic concerns.

Jane Swinson, 204 Cargile Lane, spoke in opposition to the application due to high density and traffic concerns.

Albert Malone, 121 Vaughn's Gap, spoke in opposition to the application.

Roy Dale stated that they are trying to work with the community to address their concerns through the legislative process.

### **Vice Chair Clifton closed the Public Hearing.**

Mr. Gee stated that he does not see any problems with the plan relative to the policy. He stated that while he understands the neighbor's concerns, he doesn't believe that the commission can put a moratorium on development when our policies support growth in this area.

Dr. Cummings spoke in favor of the application and asked staff to clarify what is allowed on the property today.

Ms. Diaz-Barriga clarified that currently, you can have a single-family dwelling unit on each lot. The policy supports four to 20 units per acre.

Dr. Cummings stated that eight units don't warrant a traffic study. She noted that this plan provides a diversity of housing choices and also pointed out that the developer is willing to work on traffic calming with Council Lady Evans. Dr. Cummings clarified that many projects in this area aren't built by developers in Davidson County.

Councilmember Hunt spoke in favor of the application.

Mr. Ponder noted that all regulations are being met and spoke in favor of the application.

Mr. Haynes spoke in opposition to the application and expressed that the plan itself will do nothing but worsen the traffic in this area and that it is a very poor design.

Mr. Clifton stated that he is glad that the developers are working on the traffic issues. He inquired if there is a condition that could be added that would help with the skepticism and uncertainty.

Mr. Bernhardt stated that a condition could be added prior to 3<sup>rd</sup> reading for Public Works to provide a recommendation to Metro Council regarding traffic improvements required due to the impact of this development and generally for the area.

**Dr. Cummings moved and Mr. Ponder seconded the motion to approve with conditions including a condition that prior to 3<sup>rd</sup> reading, Public Works must provide a recommendation to Metro Council regarding traffic improvements required due to the impact of this development and generally for the area and disapprove without all conditions. (5-1) Mr. Haynes voted against. Chairman McLean recused himself.**

### **Resolution No. RS2013-219**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-041-001 is Approved with conditions including a condition that prior to 3<sup>rd</sup> reading, Public Works must provide a recommendation to Metro Council regarding traffic**

improvements required due to the impact of this development and generally for the area and disapproved without all conditions. (5-1)

**CONDITIONS**

1. Permitted land uses shall be limited to up to 8 residential units.
  2. Add a note to the plan stating: Ownership for units may be divided by a Horizontal Property Regime or a subdivision with a minimum lot size of 1,000 square feet.
  3. Per SP Note #10, a copy of the long term solid waste agreement between the HOA and the private hauler must be submitted to Metro Public Works prior to the issuance of a building permit.
  4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of 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.
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  6. 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.
  7. 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.
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