

2015SP-068-001

BRINKLEY SP

Map 181, Parcel(s) 050

Council District 31 (Fabian Bedne)

Staff Reviewer: Jason Swaggart

A request to rezone from AR2a to SP-R zoning for property located at Pettus Road (unnumbered), at the current terminus of Lacebark Drive, (56.84 acres), to permit up to 103 single family residential units, requested by Civil Site Design Group, PLLC, applicant; Marjorie Sewell, Trustee, owner.

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

APPLICANT REQUEST

Preliminary SP to permit 103 single-family lots.

Preliminary SP

A request to rezone from Agricultural and Residential (AR2a) to Specific Plan – Residential (SP-R) zoning for property located at Pettus Road (unnumbered), at the current terminus of Lacebark Drive, (56.84 acres), to permit up to 103 single family residential units.

Existing Zoning

Agricultural/Residential (AR2a) requires a minimum lot size of two 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 two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 28 lots with seven duplex lots for a total of 35 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

- Preserves Environmental Resources
- Creates Walkable Neighborhoods

The plan preserves a majority of the sensitive environmental features which include blue line streams and steep slopes. The plan provides for street connectivity, which not only helps distribute traffic, but also connects neighborhoods. Sidewalks run along all streets which foster walkable neighborhoods.

SOUTHEAST COMMUNITY PLAN

Existing Policy

Suburban Neighborhood Maintenance (T3 NM) policy is intended to preserve the general character of suburban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use, and the public realm. Where not present, enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Conservation (CO) policy is intended to preserve and enhance environmentally sensitive land within all Transect Categories except T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils.

Growth and Conservation Concept Map

No change is proposed.

Consistent with Policy?

Yes. The proposed SP is consistent with both polices. The proposed layout maintains the overall suburban character/lot pattern of the surrounding area consistent with the maintenance policy. The plan provides connections to existing streets that were planned to connect to the property, including a planned collector. The plan also provides for future connections to adjacent, undeveloped property and provides a 112 foot right of way reservation for the planned Southeast Parkway. While long dead end streets are generally discouraged, their use in this instance helps preserve areas with environmentally sensitive features such as streams and steep slopes. As proposed the disturbance of these sensitive features is minimal consistent with the Conservation policy.

PLAN DETAILS

The approximately 56 acres site abuts Indian Creek Estates to the north and Concord Place to the west. The properties to the east and south are mostly not developed but some parcels do include single-family homes. The property has open areas as well as large contiguous wooded areas. The site contains several blue line streams as well as a pond. The property also contains some steep slopes in excess of 25 percent.

Site Plan

The proposed plan calls for 103 single-family lots with an overall density of approximately two units per acre. As shown lots range from 16,699 square feet to 5,219 square feet; however, the minimum lot size is 5,000 square feet (0.11 acres). All lots will gain access from new streets. The plan limits height for all units to two stories. The plan provides conceptual elevations consisting of two story front loaded units. The plan permits the following building materials:

- Brick;
- Cast stone;
- Stone;
- Cultured Stone;
- Stucco;
- Wood;
- Cementitious siding;
- Metal siding; and
- Vinyl siding (eaves and soffits only).

As proposed Calderwood Drive (collector) will be extended from the north (Indian Creek Estates) and provide for a future connection to the adjacent property to the east. The plan will also provide a local street connection to Lacebark Drive (Concord Place). Two local streets stub into the property to the south providing for future local street connections. The plan also calls for a 112foot right-of-way reservation along an existing TVA easement which is intended to accommodate the planned Southeast Parkway.

Approximately 54% (~30 acres) of the site is within open space. While some of this open space is set aside for stormwater facilities and buffer yards, a majority of it is intended to preserve the existing landscape including streams and steep slopes.

ANALYSIS

The proposed SP is consistent with the T3 NM and CO policies that apply to the site and meets two critical planning goals. Staff's recommendation of approval includes several conditions, that are intended to address minor issues:

1. Materials. As indicated above, the SP would permit a variety of materials. To ensure that future homes would be consistent with the neighboring Concord Place subdivision, staff is recommending that the front and side façade be brick, cement-boards, stone, cultured stone and/or wood. This condition is consistent with the requirements in the neighboring Concord Place subdivision.
2. Garages. All homes are front loaded. To ensure that the garage is not the prominent feature, staff is recommending that any garage be setback a minimum of five feet from the front façade.
3. Street Access. The SP provides no access restrictions. In order to create a more pedestrian friendly streetscape, staff is recommending that corner lots access side streets where possible.

FIRE MARSHAL RECOMMENDATION

Approved with conditions

- Fire Code issues for the structures will be addressed at permit application review.

STORMWATER RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

Conditions if approved

- This development will require Public Works approval of detailed construction plans prior to grading the site. Final design and improvements may vary based on actual field conditions.
- The proposed grades shown are not approved with this plan, and will be evaluated with the final site plan.

TRAFFIC & PARKING RECOMMENDATION

Approve with conditions

- Provide adequate sight distance at all intersections. Identify parking for guests out of travel lanes. Parking along some roads may need to be restricted.

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

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)	56.84	0.50 D	28 U	268	21	29

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
Single-Family Residential (210)	56.84	-	103 U	986	78	105

Traffic changes between maximum: **AR2a** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 75 U	+718	+57	+76

WATER SERVICES RECOMMENDATION

Approve

Approved as a Preliminary SP only. The required public construction plans must be submitted and approved prior to Final SP approval. The required capacity fees must also be paid prior to Final SP approval.

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2a district: 5 Elementary 4 Middle 3 High

Projected student generation proposed SP-R district: 17 Elementary 14 Middle 12 High

The proposed SP-R zoning district would generate 31 additional students than what is typically generated under the existing AR2a zoning district. Students would attend Maxwell Elementary School, Marshal Middle School, and Cane Ridge High School. Both Maxwell Elementary and Cane Ridge High School are over capacity. There is additional capacity in the cluster for elementary students in the cluster, but there is no additional capacity for high school students. This information is based upon data from the school board last updated October 2014.

Fiscal Liability

The fiscal liability of nine new high school students is \$324,000 (9 X 36,000 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

STAFF RECOMMENDATION

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

CONDITIONS

1. Uses within the SP shall be limited to a maximum of 103 single-family residential lots.
2. Corner lots on the proposed collector shall gain vehicular access from only the local side street.
3. Corner lots on local streets shall not take vehicular access from the street which the home primarily fronts, but shall be from the side of house unless site conditions make side access impractical. If planning staff finds that side access is not practical, then vehicular access may be permitted from street which the home fronts.
4. Any garage facing a primary street frontage shall be recessed at least five feet from the front façade.
5. Brick, stone, cement board, cultured stone and/or wood shall be used on 100% of the front and side façade of the buildings, excluding non-structural, architectural features such as dormers, porches, gables, etc.
6. Lots with slopes greater than 25% shall meet the critical lot requirements of Section 17.28.030 of the Metro Zoning Code. The final site plan shall designate any lot meeting the criteria for a critical lot on the final site plan.
7. A C-Landscape Buffer Yard shall be provided adjacent to any lot adjacent to the TVA easement and/or the proposed Southeast Parkway ROW reservation.
8. Provide a C-Landscape Buffer Yard behind any lot that backs towards the proposed collector.
9. A six foot wide sidewalk and six foot wide planting strip shall be provided adjacent to the planned collector. A five foot wide sidewalk and four foot wide planting strip is required adjacent to all local streets.
10. Street trees are required. The location shall be determined with the final site plan.
11. The limits of disturbance shown on the preliminary plan may not be increased.
12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

13. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RS5 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

14. 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.

15. 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 the staff recommendation of approval with conditions and disapproval without all conditions.

Ryan Lovelace, 630 Southgate Ave, spoke in favor of the application and noted that they have worked really hard with staff and the councilmember to come up with the best plan for this project. The one condition they'd like to remove is the recessed garages because they seem to be a burden to the architectural design of the homes. He noted that he would be willing to offer that none of the garages will protrude in front of the entry/porch in the spirit of compromise.

Katryna Wright, 6311 Pettus Rd, spoke "on the fence" and would like the developer held to the 100' buffer that was promised. She expressed concerns with traffic congestion and asked that the connector be moved back from the property line.

David Schwab, developer, stated that he agrees to set back from the Wright's property.

Chairman McLean closed the Public Hearing.

Ms. LeQuire stated that in the long run, the value of the houses might be stronger if the garages are setback although it will require creativity in the architecture so the houses don't look alike. She noted that she'd prefer to see a variety of housing types that would protect the integrity of the slopes.

Mr. Adkins expressed agreement with the recessed garages and also appreciation for the sensitivity to the steep slopes, ponds, and creeks.

Mr. Clifton noted that he really doesn't like carports and garages that are flush with the front.

Mr. Gee explained that 5' is more in the spirit of compromise because there will still be a lot of cars out in front of the homes. While he isn't going to suggest that the 5' be increased, he'd rather see 15' or 20' back in order to get the cars out of the streetscape and maintain the community character. He spoke in favor of staff recommendation and noted that they've done a good job of preserving a lot of open space.

Ms. Blackshear spoke in favor of staff recommendation but would like to find a way to get the neighbors' concerns addressed in the conditions.

Mr. Gee noted that connectivity is important and that the right-of-way still needs to be there, perhaps towards the southeast.

Ryan Lovelace stated they will work with staff on the property line, connectivity, and buffer.

Ms. Farr stated that she is supportive of recessed garages and finding creativity in the architecture.

Mr. Gee moved and Mr. Clifton seconded the motion to approve with conditions, including a condition for staff to work with the applicant to increase the buffer on the eastern property line, and disapprove without all conditions. (7-1) Ms. LeQuire voted against.

Mr. Gee and Mr. Haynes left the meeting at 8:04 p.m.

Resolution No. RS2015-202

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-068-001 is **Approved with conditions, including a condition for staff to work with the applicant on increasing the buffer on the eastern property line, and disapproved without all conditions. (7-1)**"

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