

## 2015SP-075-001

### THE VILLAS OF THE MEADOWS OF SEVEN POINTS

Map 110, Parcel(s) 166-167, 193  
Council District 12 (Steve Glover)  
Staff Reviewer: Brett Thomas

A request to rezone from RS15 to SP-R zoning for properties located at 2237 Seven Points Circle and 4103 and 4109 Smotherman Lane, approximately 1,500 feet north of Stewarts Ferry Pike (32.06 acres), to permit up to 86 residential units on 45 lots, requested by Joe C. McConnell, PE, RLS, applicant; David Fisher, Trustee, owner.

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

### APPLICANT REQUEST

**Preliminary SP to permit up to 86 residential units.**

#### Preliminary SP

A request to rezone from Single-Family Residential (RS15) to Specific Plan-Residential (SP-R) zoning for properties located at 2237 Seven Points Circle and 4103 and 4109 Smotherman Lane, approximately 1,500 feet north of Stewarts Ferry Pike (32.06 acres), to permit up to 86 residential units on 45 lots.

#### **Existing Zoning**

Single-Family Residential (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. *RS15 would permit a maximum of 92 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.

### **DONELSON - HERMITAGE - OLD HICKORY COMMUNITY PLAN**

T3 Suburban Neighborhood Evolving (T3 NE) is intended to create and enhance suburban residential neighborhoods with more housing choices, improved pedestrian, bicycle and vehicular connectivity, and moderate density development patterns with moderate setbacks and spacing between buildings. T3 NE policy may be applied either to undeveloped or substantially under-developed "greenfield" areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network, block structure, and proximity to centers and corridors. T3 NE areas are developed with creative thinking in environmentally sensitive building and site development techniques to balance the increased growth and density with its impact on area streams and rivers.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and 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. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

#### Consistent with Policy?

The proposed SP is inconsistent with the T3 NE policy. The request proposes 86 residential units, 82 of which are two-family. The T3 NE policy is designed to provide a thorough mix of housing types, versus groupings of single types of housing. Additionally, the lack of a vehicular connection to Smotherman Lane restricts the ability of the project to provide moderate to high levels of connectivity.

Staff has requested the applicant reduce the number of two-family units and disperse their location at key intersections and larger lots throughout the development. In addition, staff has requested a direct connection from Seven Points Circle to Smotherman Lane. Subject to these conditions, staff finds the SP would be consistent with the T3 NE policy.

### **PLAN DETAILS**

The 32.06 acre site is located south of the existing Meadows of Seven Points subdivision, and at the terminus of Smotherman Lane. The site is approximately 1,500 feet north of Stewarts Ferry Pike and 1,000 feet west of Earhart Road. The Meadows of Seven Points subdivision to the north consists of single-family residences on one-quarter acre or larger lots. To the south, east, and west are single-family residences on properties that are approximately 2 acres to 16 acres in size.

#### Site Plan

The plan proposes 41 two-family lots and 4 single-family lots, for a total of 86 residential units. The single-family lots are proposed along Smotherman Lane along the west boundary of the site. The remaining 41 lots are proposed to consist entirely of two-family residences. Staff recommends the plan be limited to 15 two family lots, which would

account for 33% of the lots, and disperse the two-family residences to intersections and larger lots. This ratio of single- and two-family lots is consistent with the Bridgewater subdivision on John Hagar Road to the north.

The two-family lots take access from the existing Meadows of Seven Points subdivision to the north. Future connections are planned to the east and south. Staff recommends a future connection from the northeast corner of the site, connecting to Smotherman Lane along the west boundary, in order to accommodate the Hessey Road extension identified in the Major and Collector Street Plan.

The single-family lots are proposed to access onto Smotherman Lane where it currently dead ends in the site. As proposed, a variance to the Subdivision Regulations would be required for the single-family lots as the length of Smotherman Lane exceeds the maximum 750 foot length of dead end streets with turnarounds. A variance would not be required with staff's condition to provide a direct connection from Seven Points Circle to Smotherman Lane.

**ANALYSIS**

The proposal groups a single type of housing type rather than providing an appropriate, thorough mix of housing. Staff recommends the applicant reduce the number of two-family lots and disperse them throughout the development at intersections and on larger lots.

Additionally, the applicant has not provided adequate connectivity to establish multiple routes for residents and reduce congestion on primary roads. Staff finds a direct connection from Seven Points Circle to Smotherman Lane would meet the intent of the T3 NE policy of providing a higher level of connectivity. The existing width of Smotherman Lane varies and improvements may be required if a connection is made.

**FIRE MARSHAL'S OFFICE**

**Approve with conditions**

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

**STORMWATER RECOMMENDATION**

**Approved**

**WATER SERVICES**

**Approve with conditions**

- Approved as a Preliminary SP only.
- FYI - significant public water and sewer construction plan work will be required for the Final SP. This work must be approved prior to Final SP approval.
- The required capacity fees must also be paid prior to Final SP approval.

**PUBLIC WORKS RECOMMENDATION**

**No exceptions taken**

- 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.

**TRAFFIC AND PARKING RECOMMENDATION**

**Conditions if approved**

- Comply with road comments.
- Any future subdivision connected to this subdivision and accessed from Earhart Rd and S New Hope Rd may require a traffic access study.

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

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)	32.06	2.90 D	92 U	963	75	100

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)	32.06	-	86 U	906	70	94

Traffic changes between maximum: **RS15** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	- 6 U	-57	-5	-6

**METRO SCHOOL BOARD REPORT**

**Projected student generation existing RS15 district: 9 Elementary 4 Middle 4 High**

**Projected student generation proposed SP-R district: 30 Elementary 16 Middle 14 High**

The proposed SP-R zoning district would generate 43 additional students than what is typically generated under the existing RS15 zoning district. Students would attend Ruby Major Elementary School, Donelson Middle School, and McGavock High School. Ruby Major Elementary School and Donelson Middle School have been identified as over capacity; however, there is capacity within the cluster for elementary and middle school students. McGavock High School is also identified as over capacity; however, there is capacity in adjacent clusters. This information is based upon data from the school board last updated October 2014.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Uses within the SP shall be limited to a maximum of 60 residential units.
2. Two-family lots shall be dispersed throughout the site and primarily on corner lots.
3. All garages shall be side or rear loaded, consistent with the images on the plan.
4. The development plan shall include a direct connection from Seven Points Circle to Smotherman Lane.
5. 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 RM4 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
6. The following design standards shall be added to the plan:
  - a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
  - b. Windows shall be vertically oriented at a ratio of 2:1 or greater, except for dormers.
  - c. EIFS, vinyl siding and untreated wood shall be prohibited.
  - d. Porches shall provide a minimum of six feet of depth.
  - e. A raised foundation of 18"- 36" is required for all residential structures.
7. 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 or with final site plan application.
8. 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.
9. 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.
10. 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. Thomas presented the staff recommendation of approval with conditions and disapproval without all conditions.

Tom White, 315 Deaderick St, spoke in favor of the application minus the connection to Smotherman and limiting the number of double units.

Frank Batson, 152 Spring Valley Rd, spoke in favor of the application.

Danny Yates, 2220 Seven Points Circle, spoke in favor of the application without the connection to Smotherman and the mix of single family and duplexes.

Sharon Yates, 2220 Seven Points Circle, spoke in favor of the application without the connection to Smotherman and the mix of single family and duplexes.

Gene Walker, 1234 Chickadee Circle, spoke in favor of the application.

Doug Morrison, 2236 Seven Points Circle, spoke in favor of the application because it will improve the value of homes in the neighborhood.

Danny Bundren, 3817 Leona Pass, spoke in opposition to the application; this is not about who builds a better house, it's about changing the dynamics of a neighborhood. This will tax the current infrastructure.

Fred Hix, 5569 S New Hope Rd, spoke in opposition to the application and stated he would like to see this area go forward as a residential community, not developed out like Smith Springs Road area.

Patty Lee, 4141 Smotherman Ln, spoke in opposition to using Smotherman as a construction entrance.

Tina Lane, 4156 Smotherman Ln, spoke in opposition due to thru traffic on Smotherman and concerns with blasting.

Robert Lee, 4141 Smotherman Ln, spoke in opposition to any traffic or construction due to the narrow width of the road.

Sylvia Hix, 5569 S New Hope Rd, spoke in opposition due to rental duplexes and blasting concerns.

Bobby Lane, 4156 Smotherman Ln, spoke in opposition due to concerns with traffic and safety on such a narrow road.

Tom White stated his client is willing to commit that not only will there not be a connection to Smotherman, they will make every effort to allow construction traffic to come in a different way.

**Chairman McLean closed the Public Hearing.**

Councilman Hunt spoke in favor of the application but stated he'd like to hear more about traffic going in and out.

Ms. Blackshear asked staff to discuss the analysis regarding the connection to Smotherman and what the road would support.

Mr. Thomas explained the existing conditions on Smotherman are maintained by Metro. Public Works did not anticipate that additional right-of-way or widening would be required if there was a connection.

Ms. LeQuire asked staff to work with the developer to save as many existing trees as possible.

**Mr. Haynes moved and Councilman Hunt seconded the motion to approve with conditions, except staff conditions 1, 2, and 4, and including a condition to work with staff to identify preservation areas in the final site plan, and disapprove without all conditions because future connections are sufficient. (6-0)**

**Resolution No. RS2015-290**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-075-001 is **Approved with conditions, except staff conditions 1, 2, and 4, and including a condition to work with staff to identify preservation areas in the final site plan, and disapproved without all conditions because future connections are sufficient. (6-0)**"**  
**CONDITIONS**

- 1. The applicant is to work with staff to identify preservation areas in the final site plan.**
- 2. All garages shall be side or rear loaded, consistent with the images on the plan.**
- 3. 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 RM4 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.**
- 4. The following design standards shall be added to the plan:**
  - a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.**
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  - c. EIFS, vinyl siding and untreated wood shall be prohibited.**
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- 7. 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.**

**8. 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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