



MEMORANDUM

Date: July 18, 2024

To: Luke Winchester, Chairman
and Planning Commission

From: Jon Baughman, City Planner
Jill Johnson, Planner I

Re: 728 NW Rutland Rd
LUA, AX, PMDP PUD
Map - 077
Parcel(s) – 058.19, 059.02 and p/o 058.01

Request: Submitted by CSDG, on behalf of their client, Ashton Woods, the applicant requests Annexation, Land Use Plan Amendment, Rezone and Preliminary Master Development Plan approval for an age restricted (55+) single family subdivision with 99 lots on the south side of NW Rutland Road.

Overview: The property is 39.11 acres on the south side of NW Rutland Road in the County. The current zoning is R-1 County. The City's land use plan includes a mixed-use and parks and greenways designations for this area. The applicant seeks annexation, plan of services, a land use plan amendment to high density residential and a rezone to RS-15 PUD for a 99 lot single family, age restricted 55+ subdivision. Residential density proposed is 2.5 units per acre. A summary of the request is provided below:

REQUEST SUMMARY	Land Use Map	Requested Classification	Current Zoning	Requested Zoning
CSDG/NW Rutland Rd	Mixed Use/Parks & Greenway	High Density Residential	R-1 County	RS-15 PUD

Future Land Use Plan: The City's future land use map identifies the property as mixed use and parks and greenways. Surrounding land uses include mixed use and parks and greenways. The applicant requests high density residential land use for the entire development site. The land use plan does not support high density residential at this location.

Zoning: The zoning is R-1 County, surrounding zoning includes R-1. The applicant is seeking RS-15 base zoning with a PUD overlay. The RS-15 base zoning is subject to a land use plan amendment to high density residential.

Annexation: The subject site is within the City's growth boundary. The area will be part of District 3 should the annexation be approved. A plan of services will be presented to the Board of Commissioners should the annexation proceed.

Findings: In reviewing the requested zoning actions, staff finds that the request DOES NOT agree with all of the following findings, as contained in the zoning ordinance. The proposed annexation and rezone:

1. *IS NOT agreement with the general plan for the area, and*
2. *does not contravene the legal purposes for which zoning exists, and*
3. *will have no adverse effect upon joining property owners, unless such effect can be justified by the overwhelming public good or welfare, and*
4. *is not materially beneficial to a property owner or small group of property owners and will not be detrimental to the general public, and*
5. *is possible because conditions affecting the area have changed to a sufficient extent to warrant an amendment to the zoning map, and*
6. *allows uses by right, for which the base infrastructure is in place or will be required, to support their operation.*

Preliminary Master Development Plan:

5-103 Bulk Standards: The development area consists of 39.11 acres. Residential density 2.5 units/acre with 99 lots proposed. Waivers for certain bulk requirements are requested and include setbacks, lot width and lot coverage. The minimum lot area is 6,500sf and the average is 6,650. Age restricted developments are exempt from the 10,000 minimum lot size and 15,000sf average lot size required of residential PUDS by ordinance 2021-50 via ordinance 2023-22. Excepting any waivers granted by the Board of Commissioners, all requirements of 5-103 shall be adhered to.

Pedestrian/Vehicle Connections: Access to development is via two points on NW Rutland Road. Pedestrian infrastructure is proposed with a sidewalk shown along both sides of the access drives and along the NW Rutland Rd frontage. The internal sidewalk network is complete with a sidewalk on both sides of all internal streets. Bicycle parking will be required at the amenity center.

Article IX Parking: Residential parking is required at two spaces per unit and this is provided for on the plans. The required residential parking is 198 spaces, 416 spaces are provide via two car garages (198), two car driveways (198) and on street (20). Parallel parking spaces are provided along the streets adjacent to the amenity center. All dimension requirements of article IX shall be adhered to.

5-104.4 Residential Design Regulations: Supplied renderings indicate single story, front loaded homes with two car garages. There are waivers outlined below regarding the façade materials and garages. Excepting any waivers granted, the homes shall comply with all design requirements found in 5-104.4.

Article X Landscaping: The site will require landscape buffers and the location of these is notated on the plans with general compliance. A full landscape plan will be required at fmdp and site plan submittal where full compliance with code requirements will be required. The site is surrounded by R-1 County zoning. RS-15 district against R-1 districts require a type A buffer. This buffer is required to be installed adjacent to all R-1 including drive aisles, this will need to be revised. Staff

requests a low maintenance material, opaque fence to be installed on the inside edge of the landscape buffers for further shielding for the adjacent neighbors.

Amenity areas along the west side of the development encroach into the detention pond and required landscape buffers. This shall be revised with subsequent submittals.

Notes indicate the buffers will be the responsibility of the HOA and located in open space. Heavy landscaping is required around water detention/retention ponds. A waiver is requested to omit the required buffer between the commercial and residential portions of this PUD. Given the grade staff supports this request.

Open Space/Amenities: Open space is 11.06 acres of the subdivision. Amenities provided include a pickleball court, pavilion, dog park w/ agility and clean up equipment, benches, picnic areas and walking trails. The improved open space provided is 3.9 acres or 10% of the site area. Amenities within landscape buffers shall be relocated on subsequent submittals.

Other: The mail kiosk shall be covered and lit. Should retaining walls be used, they shall be constructed of brick/stone or segmental block provide details at final master development plan submittal.

Waivers: The following waivers are requested:

1. 5-104.4: Each façade of the house shall contain a minimum of 50% brick/stone with the remaining 50% being brick/stone and/or cement board in any combination. STAFF SUPPORTS
2. 5-104.4: Front loading garages along access roads. STAFF DOES NOT SUPPORT
3. 5-104.4: Garages recessed 6' from the front façade in lieu of 10'. STAFF SUPPORTS
4. 5-104.4: Omit the masonry column between garage doors. STAFF SUPPORTS
5. 5-103: Bulk waivers as shown below:
 - a. Setbacks: front 20' (30'), rear 20' (20'), side 7.5' (10'), corner 15' (15') STAFF SUPPORTS 10' SIDE SETBACK
 - b. Min. lot width: 55' (75') STAFF SUPPORTS
 - c. Max. lot coverage: 50% (30%) STAFF SUPPORTS

Summary: This proposal will add 99 (2.5 du/ac.) of age restricted (55+) single family residential and associated infrastructure to the south side of NW Rutland Road. The City's land use plan does not support high density residential in this area, rather mixed use and parks and greenways.

Recommendation: Staff recommends sending the following conditions with the Planning Commission recommendation to the Board of Commissioners for the annexation, plan of services, land use amendment, rezone and preliminary master development plan for the 782 NW Rutland Road age restricted PUD:

Planning Department:

1. Remove amenities and walking trails from the landscape buffer and detention areas on the west side of the site.
2. Add a note that all landscaping buffers and open space is to be maintained by the HOA.

3. Landscape buffers shall be located in open space and not on individual lots.
4. Provide a 6' tall opaque, low maintenance material fence on the inside edge of all landscape buffers.
5. Provide bicycle parking at the amenity center.
6. Wet ponds shall include lighted fountains.
7. Provide landscaping and a decorative, low maintenance fence with lockable gate around all detention/retention ponds.
8. Retaining walls shall be faced with masonry or constructed of segmental block.
9. Blasting Restrictions: all blasting shall be reduced from 2 inches per second to 1 inch per second, reducing the charge by 50% from the state maximum. Certified letters shall be sent out to all property owners within 500 ft of the development's property line informing those residences they are entitled to pre and post blasting inspections. The blasting monitor shall hold a contract with the general contractor and not the blasting company.
10. All requirements of 5-104.4, single family residential design regulations, shall be adhered to excepting any waivers granted by the Board of Commissioners.
11. Provide an estimated development timeline.
12. Preserve as many trees as possible.
13. Provide decorative streetlighting throughout the PUD and at the entrances. These fixtures shall be maintained by the HOA.
14. A complete landscape plan will be required at FMDP/PP submittal.
15. Update HOA covenants and restrictions, that the units in the subdivision will be for sale only.
16. Add to the HOA documents that no more than one entity or person shall own more than two units in the subdivision.
17. Add City department contact information to the cover sheet.
18. Add to the title on the cover sheet: Land Use Amendment.
19. All requirements of the City's Subdivision Regulations and Zoning Ordinance shall be met, excepting any waivers approved by the Board of Commissioners.
20. Garages shall include 20' width free and clear and 440 sq ft in area per 5-104.4.
21. The amenities shall be complete by the 50th certificate of occupancy.
22. Provide individual garage doors separated by a brick column where two car garages are provided per 5-104.4, unless the waiver request is granted.
23. Garages shall be recessed 10' unless the waiver request is granted.
24. Side loaded garages are required along access roads unless the waiver request is granted.
25. Driveways shall be at least 18' wide and 22' long to the back of the sidewalk.

Engineering Department:

1. All wet ponds, if proposed, shall have aeration.
2. Provide steep slope sheets.
3. All sanitary sewer shall be public and within a minimum 20' sewer easement.
4. No homes shall be served for sewer via individual grinder pumps or onsite step or septic systems.
5. All improvements to NW Rutland Road are subject to review and approval of the Wilson County Road Commission. The developer shall provide correspondence from the Wilson

County Road Commission that the plan was reviewed at the time of construction plan review.

6. A letter of approval from West Wilson Utility District will be needed prior to construction plan approval is issued.
7. The turnaround on Road E shall have an entering radius of 50'.
 - a. The revised plans show a turnaround radius of 50' but the entrance radius still looks substandard. Consult ST-121 for cul-de-sac dimensions.
8. Landscaping plans shall be approved prior to construction plans approval.
9. The sidewalk along NW Rutland shall be outside of the ROW, within a public access easement, and maintained by the HOA. The sidewalk shall be 6' in width.
10. Any grading in Zone "AE" will require a CLOMR approval from FEMA. Detention pond is shown partially in Zone "AE", and FEMA submittal will be required.
11. Eastern access (Road B) to site is in FEMA flood Zone "AE", any grading for finished road shall be located at minimum 1' above Base Flood Elevation (BFE). FEMA submittal will be required.
12. A portion of Lot 1 is in Zone "AE" and subject being elevated 4' above BFE. Staff suggests removing the building envelope out of Zone "AE" and this portion would not be subject to FEMA review.
13. ADA compliant curb ramps are required on the corners of all intersections.
14. There are two layers showing lot ownership. Please remove one layer.
15. Staff does not support requested variance #2 for front loading garages from an access street. Units may be side loaded.
16. Staff recommends that the walking trail be paved.
17. All trails, sidewalks, and crossings must be ADA compliant.

Wilson County Schools:

1. No Comments Provided

West Wilson Utility District:

1. Water lines shown are not WWUD's design.