



## MEMORANDUM

**Date:** April 17, 2025

**To:** Luke Winchester, Chairman  
and Planning Commission

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

**Re:** Courtyards at McFarland  
Land Use Amendment, Annexation, Plan of Services  
Rezone, and Preliminary Master Development Plan PUD  
Map - 077  
Parcel(s) – 1.00

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**Request:** Ragan Smith, on behalf of their client, Epcon Communities, is seeking a Land Use Amendment, Annexation, Plan of Services, Rezone and a Preliminary Master Development PUD approval for the Multi-family age-restricted development, Courtyard at McFarland subdivision. The proposed site is located at 5025 Old Lebanon Dirt Rd., and located in District 3.

**History:** This plan has been resubmitted on several occasions with various iterations. The plan originally was originally submitted as a Commercial mixed-use PUD, which coincided with the future land use plan, and included the required 25% commercial, with an original density of 3.35 upa, along with 10 acres (27%) of open space. The most recent proposal that was received and will be detailed throughout this report has removed the commercial, and is a proposal for multi-family and a park. This change will now require a land use amendment, due to the CMU-PUD zoning classification removal.

**Overview:** The subject property consists of approximately 39.34 acres, on the Eastern Portion of Old Lebanon Dirt Road. The subject property is currently in Wilson County and is zoned R-1, and therefore will require an annexation. The zoning requested is RM-8 (multi-family) and RS-40 (park), Planned Unit Development. The proposed land use for the area is Multi-family, along with Parks and Greenways. The City's future land use for this area is designated Mixed Use. The proposal will constitute a Land Use plan amendment.

The residential portion (Area 1) of the property is 29.91 acres of which, 8.76 acres (29.28%) is shown as open space and includes 0.5 acres of an onsite cemetery that will be maintained by the HOA. Area 1, is requested to be zoned RM-8 for the Multi-family residential. Area 2, is approximately 7.09 acres, and is shown as open space. The applicant is requesting RS-40 zoning, however, this area is to be platted separately and utilized as a City Park, therefore staff does not feel that Area 2 (park land) should be included as part of the PUD.

The current proposed density of the site is 4.17 dwelling upa and a total residential unit count of 125 units on 29.91 acres. This includes 9 front-loaded single-family homes, 37 alley loaded single

family homes, and 79 alley loaded townhomes. The estimated population at build out will be 213 residents.

The City's land use plan currently identifies the property as Mixed use and the applicant is requesting a land use plan amendment for Multi-family, along with Parks and Greenways. This request does not align with the future land use map, therefore a land use amendment is required. A summary of the request is provided below:

<b><i>REQUEST</i></b>	<b><i>Land Use Map</i></b>	<b><i>Requested Classification</i></b>	<b><i>Current Zoning</i></b>	<b><i>Requested Zoning</i></b>
<i>Land Use Amendment, Annexation, POS &amp; PMDP-PUD, Rezone</i>	<i>Mixed Use</i>	<i>Multi-Family &amp; Parks/Greenways</i>	<i>Wilson County R-1</i>	<i>RM-8 (Residential portion) &amp; RS-40 (Parks/Greenways portion).</i>

**Future Land Use:** There is a request to change the Future land use from Mixed use to Multi-family along with Parks and Greenways. The requested classification does not adhere to the Future land use designations, therefore Staff is unable to support this request.

**Zoning:** The zoning is R-1 in Wilson County. The applicant is seeking RM-8 for the residential portion, and RS-40 for the Parks and Greenways area. They are also requesting annexation.

**Urban Growth Boundary:** The subject property is within the City's Urban Growth Boundary.

**Plan of Services:** A Plan of Services is included for review.

**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:

**Overview:** The subject site is located on the East side of Old Lebanon Dirt Road and is presently undeveloped farm land. The proposal includes one parcel, of which is to include 125 proposed residential units, consisting of 46 single family residential units, and 79 townhome units.

The development timeline shows Phase 1 construction to begin May 2026, with Phase 2 to follow in Nov. 2026, with anticipated completion by May 2027. This development is proposed for 39.34 acres. There will be 2.34 acres for ROW dedication for the future road widening. This project will comprise of approximately 29.91 acres to be utilized for an age restricted (55+) residential development, of which 8.76 acres (including 0.50 acre cemetery) are shown as open space. The remainder of the site, 7.09 acres (27%) to be built out as a park, and intended to dedicate to the City.

**5-103, Bulk Standards:** The total number of residential units is 125. The overall residential density is 4.17 units per acre, with an estimated population at buildout of 213. The maximum density allowed for RM-8 zoning is 7.9 upa. The minimum lot area proposed, is 2,975 sf for townhomes and 5,400 sf for single family. A bulk standard waiver of 5-103.a, is sought to reduce the minimum lot area, lot width and yard requirements for the single family and townhomes. To be noted, the intent of the residential units is to have shared courtyards open to all residents, with passive backyards. Under provision, 8-270.3.4, it states that under residential PUD's, where lots are required to be a minimum of 10,000 sf and average of 15,000 sf, that this regulation does not apply to active adult/senior lifestyle 55+ communities, of which this project is being proposed.

Summary of the proposed residential uses with a total count of 125 units:

Front loaded single family: 9 units  
Alley loaded single family: 37 units  
Alley loaded townhomes: 79 units

#### **5-104.3a - Required Setbacks per RM-8 standards:**

Front: 20'  
Side: 8'  
Rear: 20'

#### **Proposed Setbacks for RM-8 (waiver request to be included):**

Front loaded Single fam.:	Alley Loaded Single Fam.:	Alley Loaded Townhomes:
Front: 30' min	Front: 10' min	Front: 10' min
Side: 5'	Side: 5' min	Side: 0' min
Rear: 17'	Rear: 17' min	Rear: 5' min
		Building Separation: 20' min

**5-104.3.a – Required Lot width per RM-8 standards:**

Min. Lot width required 100’.

Proposed lot width (waiver request to be included):

Single Family:	Townhome:
53’ at Building Setback	32’ at Building Setback

**5-104.3.a – Required Lot area per RM-8 standards:**

Min. lot area required per base RM-8 zone – 10,000 square feet

Proposed lot area (waiver request to be included):

Single Family:	Townhome:
5,400 sf	2,975 sf

**9-103.2 Required Parking:**

One and two family detached require : (2) spaces per dwelling unit – **92 required**

Multi-family require: (1 ½) spaces for one bedroom, (2) spaces for two or more bedrooms. – **158 required**

Park area: (10) per acre – **14 required**

**Total Required: 264 spaces**

Proposed parking (478 spaces combined) :

Garage: 250 spaces (2 per unit)

On Street: 185 spaces

Park Area: 15 + 2 ADA spaces

Amenity: 26 spaces

*(HOA restrictions will not allow driveway parking)*

Open Space/Amenities: The applicant has shown 8.76 acres (29.28% of residential RM-8 lot) as open space. The scope of open space improvements are shown as passive public parkland with a walking trail, and an HOA maintained cemetery. The amenities as shown, are to include a private amenity center, pickle ball court, pool and a pavilion with a walking path around the Eastern portion of the property.

Pedestrian/Vehicle Connections: Vehicular connections are provided via an access point (Road A0 to the North on E. Division Street, three access points along Old Lebanon Dirt Road, of which one is strictly for the park land and does not connect internally to the development. Pedestrian connections are shown on this PMDP and further refinement will occur at FMDP plan review. A single sidewalk connection to the park land is shown on Southwest Portion of the parcel.

Bicycle parking is not provided per code requirements, but to be shown at FMDP submittal. Wheel stops are not shown, and are not allowed. Further parking review and refinement will occur upon subsequent submittals.

5-104.1 and 4-114 (Sub-regs) Development Standards for Multi-Family Development: Approximately 8.76 acres or 29.28% of the site is devoted to passive open space. Improvements are to include a minimum 2,000 sf clubhouse, pickleball courts, minimum 800 sf pool, and walking paths. Staff requests that the retention pond and existing cemetery be removed from the list of improved opens space items. At least 10% improved open space shall be maintained.

Several waivers, listed below, are sought from the requirements of this section of code. All applicable regulations which do not receive a waiver will apply at final master development plan/site plan submittal, including those found in zoning regulations section 5-104 and subdivision regulations section 4-114.

Landscaping: The site will require landscape buffers. Enhanced landscape has been requested along E. Division and Old Lebanon Dirt Road. Notes provided indicate they will be in open space and be the responsibility of the HOA. Notes are provided which indicate as many trees as possible will be saved, and a tree preservation plan will be requested. A full landscape plan will be required at FMDP/site plan submittal and reviewed for code compliance at that time.

Other: All wet retention ponds shall include lighted fountains and include enhanced landscaping. The mail kiosk notes show it will be covered and lit. Notes and details indicate fencing will be low maintenance and decorative, and will be the responsibility of the HOA. Site lighting will be reviewed at site plan submittal. Staff requests additional details, such as bike rack, decorative trash receptacles, and dumpster location for the amenity center to be provided at Site plan/FMDP submittal.

**Waivers -The following are requested:**

1. **5-103.a** – Bulk regulations for RM 8 zoning (Residential component). A waiver is requested to reduce the minimum lot area, lot width and yard requirements for the residential homes and townhomes within the development to those shown on the site data table. The request is due to the shared side courtyards of the home, the inclusion of townhomes, pedestrian friendly streetscape and reduced driveway lengths to not allow parking. **STAFF SUPPORTS**

**a. Minimum lot area requirement : 10,000 sf.**

Minimum lot area provided-

Townhomes 2,975 sf., Single Family 5,400 sf. with average lot area of entire development at 4,547 sf.

(8-207.3.4 – *Minimum lot sizes, does not apply to active adult/senior lifestyle 55+ communities.*) **Waiver not required, however, STAFF SUPPORTS DUE TO AGE RESTRICTED DEVELOPMENT.**

**b. Minimum lot width required : 100'**

Minimum lot width provided: Townhomes, 32' and Single Family 53' at building setback. **STAFF SUPPORTS DUE TO AGE RESTRICTED DEVELOPMENT.**

c. Minimum setbacks for RM-8 base zoning: 30' Front, 10' Side and 20' Rear

Minimum setbacks provided:

Front loaded single family- 30' front, 5' side, 17' rear

Alley loaded single family- 10' front, 5' side, 17' rear

Alley loaded townhomes- 10' front, 0' side, 5 rear with 20' building separation.

**STAFF SUPPORTS, EXCEPT 5' SETBACKS FOR FRONT AND ALLEY LOADED. PROVIDE 7' IN LIEU.**

2. A waiver is requested to the standard roadway cross sections outlined in the subdivision regulations roadway dimensions

- a. Public road "C" - (5' walk, 5' grass strip, 2.5' curb and gutter, 12' lanes, 0.5' clear behind walk within ROW) 50' ROW
- b. Public road "B" - (7' walk, 8' parallel parking zone or 5.5' grass strip with 2.5' curb and gutter at islands, 12' lanes) 50' ROW. 0.5' clear behind walk within ROW.
- c. Private alleys (0.5' post curb, 11' lanes)
- d. Private one way drives (0.5' post curb, 8' parking zone, 15' lane)
- e. 6.5' sidewalk on one side (7' walking surface inclusive of curb)

**PUBLIC WORKS TO DETERMINE.**

3. A waiver is requested to allow driveways on Road "A" (Access street).

**PUBLIC WORKS TO DETERMINE.**

4. A waiver is requested to the residential supplemental regulations on architecture for all residential facades and the clubhouse. Minimum of 65% would be required to be brick/stone and up to 35% per side may be hardie/fiber cement, stucco or other cementitious material for the residential structures. A minimum of 75% brick/stone would be required on the clubhouse with up to 25% hardie/fiber cement, stucco or other cementitious material. Vinyl or metal siding is not permitted on any façade, and the recreation structures are intended to comply with the 100% brick/stone regulations. **STAFF SUPPORTS PROVIDED THE FOLLOWING:**

- a. No two house plans and elevations shall be situated and built next to one another,
- b. No two house plans and elevations shall be situated and built across the street from one another.
- c. High visibility lots shall have 100% brick/stone.
- d. High visibility lots shall not have blank end facing the street side and shall
- e. include architectural features such as optional window packages and or fireplaces.
- f. The use of vinyl shall be prohibited.
- g. Garage doors shall be carriage style.
- h. Identify secondary material.

4. A waiver is requested to the residential supplemental regulations on architecture to allow front loaded garages without a 2' column between garage doors due to the aging demographic of this neighborhood and potential decreased motor skills/vision quality.

**STAFF SUPPORTS DUE TO AGE RESTRICTED DEVELOPMENT.**

5. A waiver is requested to allow private streets. These private streets provide front door parking for the alley loaded units that front Old Lebanon Dirt Road and Division Street.

**PUBLIC WORKS TO DETERMINE.**

**Summary:** This development will 125 age restricted residential units (Estimated population of 213) to sit between E. Division Street and Old Lebanon Dirt Road. This property does not meet the Future Land Use map, and will require both a Land Use Map amendment for the multi-family and parks/greenway uses, along with an annexation. The waivers listed above are subject to Planning Commission and Board of Commissioners approval.

**Recommendation:** Staff does not support the Land Use Map amendment as submitted, as it does not follow the Future Land Use Map. Should the Planning Commission make a positive recommendation to the Board of Commissioners for the Land Use Map Amendment, Annexation, Plan of Services, and the Preliminary Master Development Plan PUD Rezone for the Courtyard at McFarland on Old Lebanon Dirt Road, please include the following conditions:

**Planning and Zoning:**

1. Consider renaming the development as this could cause confusion with the immediate development to the South, McFarland Farms, for Emergency Services.
2. The amenities shall be approved via a separate site plan application to the Planning Department. Amenities shall be completed by 75<sup>th</sup> Certificate of Occupancy.
3. All requirements of the City's subdivision regulations shall be adhered to, excepting any waivers and variances approved by the Planning Commission.
4. All bulk standards 5-103a, shall be adhered to excepting any waivers granted.
5. The 5-104.7 multi-family residential zoning regulations shall be adhered to, excepting any waivers and variances approved by the Planning Commission.
6. All requirements of 4-114 A shall be adhered to, excepting any waivers and variances approved by the Planning Commission.
7. All wall mounted utility equipment shall be painted to match the facades.
8. Screen residential HVAC units with landscaping and specify their location on the Final Master Development plan submittal.
9. All building mounted exterior lighting fixtures, shall be decorative.
10. Mail kiosks shall be covered and well lit. Mail retrieval areas shall not count towards improved open space.
11. Brick shall be clay, baked and individually laid.
12. Stone shall be individually laid.
13. Provide decorative street lighting throughout, also provide street light typical at Final Master Development plan. Maintenance and fees shall be the responsibility of the HOA.
14. Ensure light bleed from the amenity center and external activities do not negatively impact the residential lots nearby. Provide full photometric plan at FMDP.
15. The amenity center shall be completed by the issuance of the 75th Certificate of Occupancy.
16. Provide farm style fencing along both the Old Lebanon Dirt Road, and East Division property lines to enhance the street scape. Fencing shall be decorative, low maintenance.
17. Provide enhanced landscaping around the wet-pond.
18. Provide a lighted fountain for the wet-pond.

19. Preserve as many trees as possible, especially around perimeter. Provide a tree preservation plan with FMDP submittal.
20. Existing trees can be utilized for perimeter buffer, should they meet the code as such. Supplemental plantings will likely be required.
21. Update the total acreage provided for the R.O.W dedication with the FMDP submittal, if the amount varies from PMDP submittal.
22. Provide decorative low maintenance fencing and enhanced landscaping around the perimeter of the cemetery. Provide note, that the cemetery will be maintained by the HOA. Provide details at FMDP submittal.
23. A complete landscape plan will be required at FMDP Submittal.
24. Provide formalized location of trail routing at FMDP Submittal.
25. Provide formalized elevations to include all materials and percentages at FMDP.
26. Explain how individual ownership of the townhome units will be accomplished.
27. No one owner shall own more than two units in the development.
28. Please provide information within the deeds and covenants, keeping this development age restricted in perpetuity.
29. Provide information within the deeds and covenants, if the Park land (7.09 acres) is to be deeded to the City, and will not be part of this developments amenities.
30. Signage to be reviewed via separate application to the Planning Department.

#### Engineering:

1. The following variances or waivers are being requested:
  - [Sub. 4-103.3] to allow private streets: SUPPORTED
  - [Sub. 4-104.405] to allow stub an access street to an adjacent property: SUPPORTED
  - [Zoning 5-104.4 (10)] to allow front loading lots on an access street: SUPPORTED only on one side of the street. The current plan shows two additional lots on the other side of the street. Staff could support this as long as the driveways align with the properties across the street.
  - [ST-121] Waiver to allow the proposed 54' right-of-way cross section on Road B: SUPPORTED only if the landscaping plans do not include plantings along the back of sidewalk.
2. If wet ponds are used, aeration shall be provided.
3. In the event karst features are encountered during grading, a licensed geotechnical engineer shall document the feature, and the feature shall be located by a licensed surveyor. If the feature is to be remediated, the geotechnical engineer shall provide a remediation plan to the City for approval. Efforts will be made to minimize any remediated features within building envelopes.
4. All sewer shall be public (minus laterals) and be within a 20' (minimum) easement.
5. Public sewer will not be allowed in private alleys.
6. No onsite grinder systems or step systems will be allowed for this development.
7. In lieu of the required sidewalk within the Division Street ROW, staff requests an 8' private trail within an access easement on the HOA open space along the site.
8. Internal sidewalks must connect. Sidewalk access must be provided continuously from all residences to the amenities.



9. Traffic calming such as offset speed tables or chicanes shall be provided on Road A. The traffic calming devices and locations shall be finalized at FMDP. At least two sets of calming devices will be needed.
10. Staff requests that the open space just south of the ROW dedication on East Division Street be labeled as a PUDA and slope easement in preparation for the City's project of the widening of East Division Street. Continued coordination shall take place as the project progresses.
11. The intersection of E. Division Street and Road A occurs in the County-owned section of road. This development shall provide written approval and approved plans from the Wilson County Road Commission at construction drawings.
12. Choke points or bulb outs shall be provided on the one-way roads between the buildings to provide traffic calming. These shall be spaced like the bulb outs provided on Road B.
13. The one-way streets shall include curb and gutter on one side with post curb on the other. The road shall slope down to the gutter at a slope on 2%. The sidewalk on the one-way streets shall be 7' wide to allow continuous pedestrian access with vehicle intrusions such as open doors.
14. Landscaping plans shall be approved prior to the issuance of the Land Disturbance Permit.
15. The on-street bump outs shall not include tall landscaping such as shrubs that may block sight-distance.
16. A letter from West Wilson Utility District with their approval of the project shall be provided to Engineering prior to the issuance of the Land Disturbance Permit.
17. All right-of-way cross sections shall include a minimum 0.5' buffer between the back of sidewalk and the right-of-way line.
18. All alleys and one-way streets will be private.
19. No parking shall be provided on the alleys.
20. Sidewalks abutting parking shall be at least 7' wide.
21. All driveways and roads shall comply with TDOT's Highway Systems Access Manual.
22. All pedestrian facilities shall comply with ADA and PROWAG standards.
23. Adequate sight distance shall be provided at all intersections. Sight distance profiles shall be provided at FMDP.
24. Add the date of initial submittal to the revision block and update for all future submittals.
25. EPSC measures shall not be installed in the buffer.

Fire Marshall:

1. Work with staff to provide Fire Lane no parking signs on the streets.

West Wilson Utility District:

1. Water lines shown are not WWUD's design.
2. Roadway improvements will probably result in water line relocations.

Wilson County Schools:

1. No Comments Provided.