



MEMORANDUM

Date: September 19, 2024

To: Luke Winchester, Chairman
and Planning Commission

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

Re: Tomlinson Pointe
PUD Amendment
Map - 54
Parcel(s) – 73, 81, 82.02

Request: Lose Design, on behalf of their client Toll Southeast LP Company Inc, requests a preliminary master development plan amendment for the Tomlinson Pointe PUD, formerly known as the Curd Road Subdivision in District 1.

History: This subdivision is located south of Lebanon Road, between Curd Road and Beckwith Road. The subdivision is zoned RS-15 PUD and as originally approved includes 88.88 acres and 192 lots. A preliminary master development plan and rezoning (ord. 21-45) was approved by the Board of Commissioners in September 2021 and a final master development plan and preliminary plat was approved by the Planning Commission in November 2021. A PUD Amendment was approved in September 2022 which permitted more secondary materials on the homes and pushed the amenity completion to the 66th certificate of occupancy. Another PUD amendment was approved in 2023.

REQUEST SUMMARY	Land Use Map	Requested Classification	Current Zoning	Recommended Zoning
Tomlinson Pointe	Medium Density Residential	N/A	RS-40	RS-20 PUD

Future Land Use Plan: The City's Future Land Use map identifies the property as medium density residential. Adjacent future land use classifications are also shown as medium density residential. The applicant does not wish to nor need to change the future land use designation.

Zoning: Current zoning is RS-40. The applicant has requested RS-15 base zoning for the PUD. The overall density and density of phase 7 supports RS-20 and will negate the need for a land use amendment so staff recommend RS-20 base zoning.

Findings: In reviewing the requested zoning actions, staff finds that the request does agree with all of the following findings, as contained in the zoning ordinance. The proposed rezone:

1. *Is in 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.*

PUD Amendment: The PUD amendment will add an additional phase to the original subdivision, phase 7. The total area in the PUD increases from 88.88ac to 116.63ac. The trailhead and associated facilities proposed for earlier iterations of this PUD are not included with this amendment and are no longer proposed. The total lot count for the subdivision goes up by two to 220 (218). The overall density goes down to 1.88 dua (2.45 dua). Improved open space remains unchanged at 7% (min. req. 7%).

The average lot size increases from 8,601sf to 12,500sf. The building setbacks remain unchanged from the previous PUD, F 20', S 7.5', R 20'.

The building façade materials percentages remain unchanged. 50% of the homes (110) will be 100% masonry and 50% of the homes (110) will be 25%-50% masonry.

The requested base zoning for phase 7 is RS-15. The base zoning shall be RS-20 as it negates the need for a land use amendment as the overall development and phase 7 are well under RS-20 density caps (1.88 dua and 0.7 dua respectively).

Waivers & Variances: The following are requested:

1. 5-104.4.16: To allow a 6" exposed foundation in lieu of the required 18".

Summary: The PUD amendment results in an increase of two residential lots and the reduction of overall density from 2.45 dua to 1.88 dua. The majority of staff comments have been addressed and anything outstanding will be addressed with subsequent fmdp and preliminary plat submittals. Staff recommends RS-20 for the base zoning otherwise a land use amendment is required.

Recommendation: Staff recommends forwarding a positive recommendation to the Board of Commissioners for the Tomlinson Pointe PUD Amendment, subject to any conditions found below:

Planning and Zoning:

1. Provide sidewalk on both sides of all internal streets.
2. Provide evergreen landscaping around the pump stations.
3. Identify the location of the split rail fencing on the final master development plan.
4. The renderings supplied do not match the waiver approved, showing too much hardi, revise.

5. Water management ponds shall be screened with vegetation.
6. Trails shall be located in access easements.
7. The base zoning shall be RS-20 or a land use amendment is required.
8. All residential zoning regulations of 5-104.4 shall be adhered to excepting any waivers granted.
9. All relevant conditions of previous Tomlinson Pointe PUD approvals shall be adhered to.

Engineering:

1. Previous PUD conditions apply.
2. Per the existing PMDP conditions, access lane cul-de-sacs that exceed the unit threshold shall contain at least 24' of pavement.
3. All residential driveways shall be 22' or greater.
4. ADA compliant curb ramps are required at the intersection of Road K and Road M. This includes a connection to the trail.
5. 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.
6. Provide sewer profiles at FMDP.

WWUD:

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

Wilson County Schools:

1. No Comments