

ORDINANCE 2019-16

SPONSOR: Woodcock

AN ORDINANCE TO APPROVE A REVISED PRELIMINARY DEVELOPMENT PLAN FOR DURHAM FARMS, WHICH INCLUDES LOT RECONFIGURATION AND THE ADDITION OF VILLA UNITS TO THE DEVELOPMENT, LOCATED ON DRAKES CREEK ROAD

WHEREAS, an application has been made to approve a Revised Preliminary Development Plan- which includes lot reconfiguration and the addition of villa units to the development- for Durham Farms, owned by WFC Durham Holdings VII, G.P., identified as Parcels 012.03 and 014.00 of Sumner County Tax Map 138; and

WHEREAS, the Hendersonville Regional Planning Commission, at its April 2, 2019 meeting, recommended approval of the above described application; and

WHEREAS, a Public Hearing has been advertised in the The Tennessean on April 28, 2019 and conducted by this Board on May 14, 2019 and all comments being noted at said hearing and upon the aforesaid and satisfactory evidence that said property can lawfully be rezoned.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF HENDERSONVILLE TENNESSEE as follows:

Section 1. That Ordinance 2019-X, the Hendersonville Zoning Ordinance and the accompanying zoning map, as may have been amended, are hereby further amended insofar as same relates to property owned by WFC Durham Holdings VII, G.P., and identified as Parcels 012.03 and 014.00 of Sumner County Property Map 138, located on Drakes Creek Road, as shown on the attached map.

Section 2. This Ordinance shall take effect at the earliest date allowed by law.

First Reading: 4/23/19 Passed

Second Reading: 5/14/19 Passed

APPROVED:



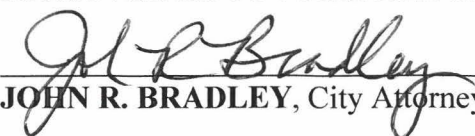
JAMIE CLARY, Mayor

ATTEST:



KAY FRANKLIN, City Recorder

APPROVED AS TO FORM AND LEGALITY:



JOHN R. BRADLEY, City Attorney

LEGISLATIVE HISTORY
Ordinance 2019-16

Sponsor: Woodcock

Planning Commission Review: April 2, 2019

Planning Commission Recommendation: Yes

Committee: General

Date of Committee Meeting: April 9, 2019

Committee Recommendation: Yes

First BOMA Reading: April 23, 2019

Vote: Aye: Bolt, Brown, Campbell, Cunningham, Edwards, Hayes, Petrelli, Roberson, Skidmore, Sprouse, Waters, Woodcock and Clary. Nay: None.

Public Hearing: May 14, 2019

Second BOMA Reading: May 14, 2019

Vote: Aye: Bolt, Brown, Campbell, Cunningham, Petrelli, Roberson, Sprouse, Waters, Woodcock and Clary. Nay: Skidmore. Absent: Edwards and Hayes. *Motion carried.*

 Public Notices

0003524985

PUBLIC HEARING NOTICE

A Public Hearing will be held before the Hendersonville Board of Mayor and Aldermen on May 14, 2019, at 7:30 p.m. at City Hall, 101 Maple Drive North, Hendersonville, TN, to hear comments on a request by WFC Durham Holdings VII, G.P. to approve a Revised Preliminary Development Plan for Durham Farms. This property is located on Drakes Creek

Continued from last column

Road, as identified as Sumner County Property Tax Map 138, Parcels 012.03 and 014.00. A copy of the request is on file in the Planning Department and is available for inspection during regular business hours. Anyone desiring to comment is requested to attend.

HENDERSONVILLE BOARD
OF MAYOR AND ALDERMEN

JAMIE CLARY,
Mayor

KAY FRANKLIN,
City Recorder

JOHN BRADLEY,
City Attorney

MEMORANDUM

TO: BOMA

FROM: Hendersonville Regional Planning Commission

DATE: April 17, 2019

SUBJECT: Ordinance 2019-16, Durham PDP Revision (Villa Additions)

The Hendersonville Regional Planning Commission, at its April 2, 2019 meeting, recommended approval (9-1) to the Board of Mayor and Aldermen of the Revised Preliminary Development Plan for Durham Farms, which includes lot reconfiguration and the addition of villa units to the development. Copy attached.

This Report Prepared By:

Keith L. Free, MPA, AICP
Planning Director

ORDINANCE 2019-16





FINAL STAFF REPORT & COMMENTS

SUBMITTED TO: HENDERSONVILLE REGIONAL PLANNING COMMISSION

BY: CITY OF HENDERSONVILLE DEVELOPMENT REVIEW STAFF

AGENDA DATE:	April 2, 2019
AGENDA ITEM #	VIII
PROJECT #	19-022-001
PROJECT NAME:	Durham Farms (Villa Additions)
PROJECT TYPE:	PDP Revision (MXR-PD > MXR-PD)
PROJECT LOCATION:	West of Drakes Creek Road, south of Long Hollow Pike

STAFF REPORT

The 448.7 acres Durham Farms Development was originally approved in 2006. A new revised Preliminary Development Plan was approved in November 2013. The Final Development Plan for Phase 1 was approved in 2014, Phase 2 Durham Farms Final Development Plan was approved in May 2017, and Phase 3 Durham Farms Final Development Plan was approved in December 2017. Phase 4 of Durham Farms, the final phase, was approved in May 2018.

This proposed Preliminary Development Plan is a revision that modifies Phases 1, 2, and 4 of Durham Farms, located in the northwestern portion of the development. The developer has requested this change due to factors including a more stagnant residential market for the larger estate lots, and noted they wish to continue selling lots at a faster rate in order to complete Durham Farms in a more timely manner.

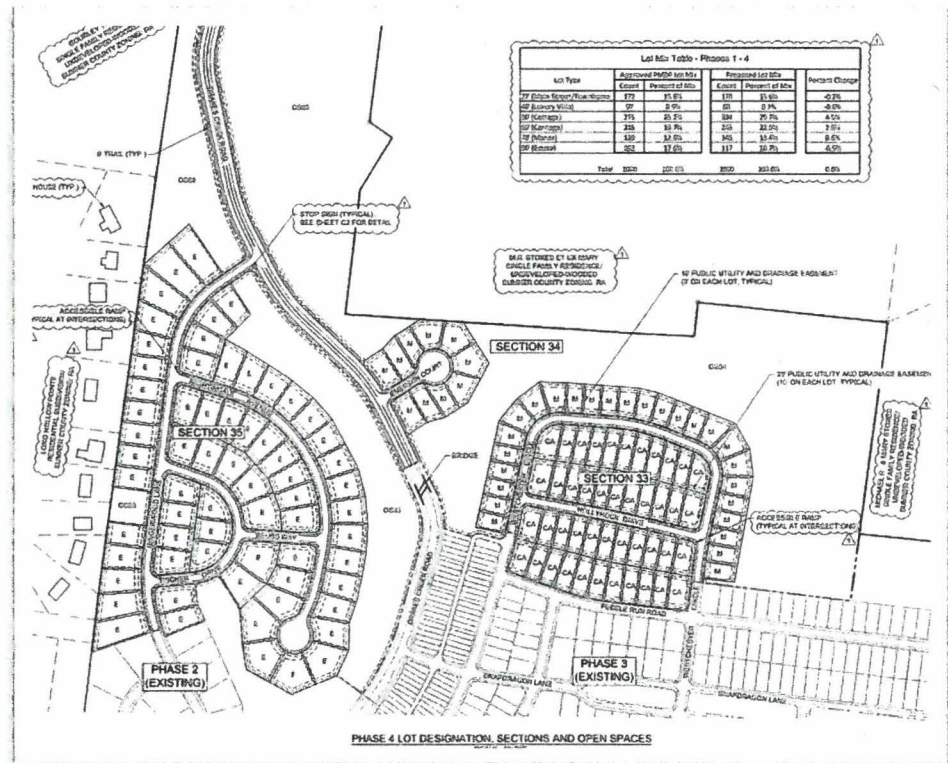


This request eliminates the currently approved 112 single-family Estate lots within this area, and the proposed lot layout reconfigures the area to 122-Estate Villas (40' wide), 31- single-family Cottage (50' wide), and 70- single-family Carriage (60' wide) lots. The entire area of the proposed amendment would now include a total of 223 units/lots, adding a total of 111 dwelling units. **The overall increase for Durham Farms for all phases would be from the currently approved 1090 lots/units to 1201 lots/units.**

The previous 2018 FDP amendment reduced the number of Estate lots significantly. With this change, the estate lots are completely eliminated, and the area is reconfigured.

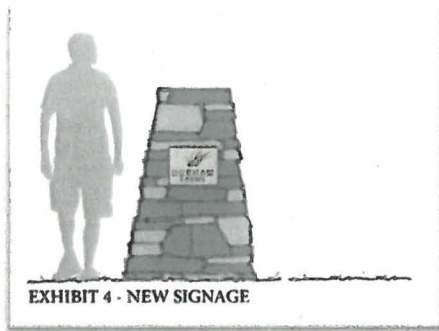
In the proposed PDP, a minimum of 65% of the homes will have porches, and 50% of the garages will be recessed. The building materials remain consistent with previously approved materials, including brick, stone, and hardie.

Appropriate materials used for windows, doors, roofs, details, and lighting also remains consistent with the previously approved design book and allowances for each.



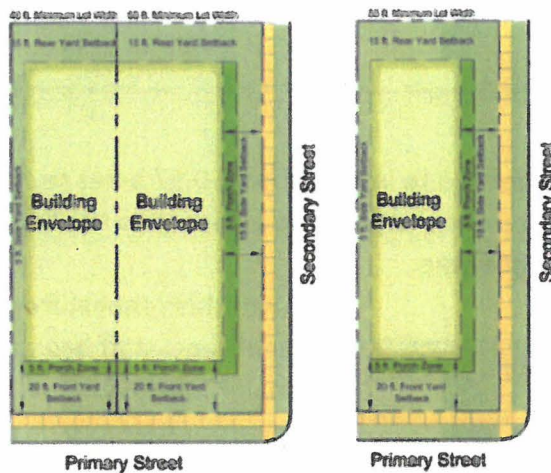
Previous Phase 4 Approval (2018)

Garage entry options include up to 75% front-loaded for the designated Carriage lots, up to 70% for the designated Cottage lots, and up to 100% front-loaded for the new Estate Villa lots. Front or side entry will be permitted for all proposed Carriage, Cottage, and Estate Villa lots. Courtyard entry will also be allowed for the Estate Villas. This is a significant number of front-loaded homes; however, it is consistent with the areas in Durham Farms where Carriage, Cottage and Villa lots are allowed.



New signage is also planned for the entrance of the area covered by this requested amendment, located north of Drakes Creek Road where it exits Durham Farms. This adds an extra aesthetic entry feature that provides another accent to one of the significant access points into and out of the subdivision. This would be across the street from the proposed area for the Fire Station to be located within Durham Farms.

Estate Villa Lots



Lot Data

Lot Size:	5,600 SF Minimum
Width:	40 ft. Minimum
Width - Corner Lot:	50 ft. Minimum
Front Yard Setback:	20 ft. Minimum; porches or stoops may encroach a maximum of 5' into the required front yard setback.
Rear Yard Setback:	15 ft. Minimum
Side Yard Setback:	5 ft. Minimum
Side Yard Setback - Corner:	15 ft. Minimum; porches or stoops may encroach a maximum of 5' into the required corner side yard setback.
Garage Entry Options:	Front, Side or Courtyard
Building Materials:	Up to 100% Front Loaded with 50% of those being recessed (Page 34 Table 1)

Estate Villas is a new concept proposed by the developer. These are larger townhomes proposed to be 5,600 square foot minimum lot sizes, with two attached units per 59 lots (118 units). Four detached units are also proposed, for a total of 122 Estate Villa units.





The open space in the area of amendment is proposed to increase from 0.97 acres to 1.22 acres. In addition, the developer is agreeing to screen the property adjacent to the Long Hollow Pointe subdivision with a row of Green Giant Arborvitae.



With this request from the applicant, staff has suggested major improvements to be incorporated as part of the development approval, which the Developer has agreed to. The first is a very large contribution to go toward a proposed large roundabout at each side of Drakes Creek Road, Anderson Lane, Countryside Drive, and Avant Road.

This would alleviate current turning conflicts that exist at the current intersection,

improving traffic flow for the area. The TDOT traffic count at this location is increasing annually and totaled 3,992 vehicles per day in 2017.



EXHIBIT 1 - ONSITE PUBLIC ROAD IMPROVEMENTS



CONCEPTUAL ENTRANCE BOUNDARY/OUT DEPENDENT

The developer is proposing **\$677,650** toward the cost of this proposed intersection. This includes **\$2,455** at the issuance of each new residential permit in this amended area, a total of **223** lots/units (\$550,000). In addition, from the extra **111** lots/units added with this change, the developer is proposing a **\$250** per lot/unit fee (\$27,750 total) to be paid at the time of final plat recording for the lots in each phase within this area of amendment. The current commitment the developer pays of **\$900** per lot/unit will remain in place and contribute the last **\$99,900** of the total **\$677,650** due to the **111** extra lots/units.

The developer is also proposing to install traffic calming measures on Avant Lane for the use of the dedicated parkland. These improvements include rumble strips being installed at five locations on Avant Road, 3 speed limit signs, 2 stop signs, and one crosswalk.

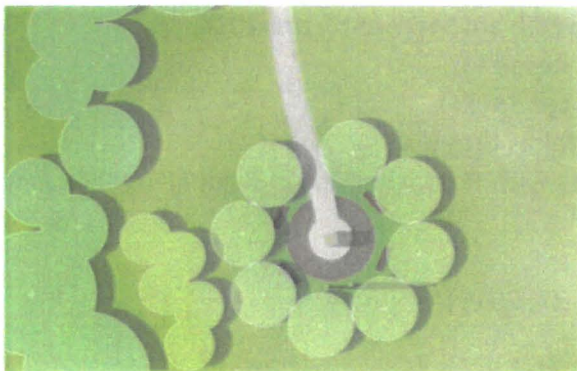


EXHIBIT 2 - VETERANS PARK

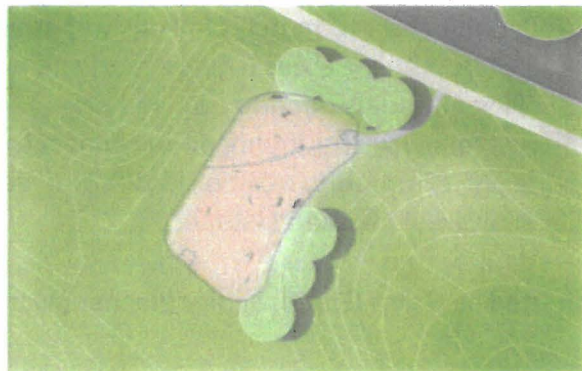


EXHIBIT 3 - TWC PARK

Lastly, the developer is also proposing to contribute and install two extra park facilities in existing open space, including a Veteran's Flag Park near the entrance and exit to Durham Farms, and a Dog Park along Drake's Creek Road. The Veteran's Park is proposed to feature two flags, benches, and landscaping. The Dog Park will feature a fenced area, a bench, and landscaping.

ESTIMATED NEXT STEPS IN THIS PRELIMINARY DEVELOPMENT PLAN APPROVAL PROCESS:

1. BOMA General Committee Meeting (April 9, 2019 *estimated*)
 2. BOMA Regular Meeting – 1st Reading (April 23, 2019 *estimated*)
 3. BOMA Regular Meeting – Public Hearing and 2nd Reading (May 28, 2019 *estimated*)
 4. Preliminary Development Plan Process Complete
 5. Final Development Plan Submittal
 6. Planning Commission Approval
 7. BOMA General Committee Meeting
 8. BOMA Regular Meeting
-

STAFF COMMENTS

PLANNING DEPARTMENT

1. Change title to show "Revised Preliminary Development Plan for a portion of Phases 1, 2, and 4 of Durham Farms". This will make it clearer referencing it in the future.
2. The lot count chart needs to be amended. The proposed plan shows 70 new carriage lots, but the chart shows less. In addition, the plan shows 31 new cottage lots, and the chart shows more. In addition, please clarify, it appears the plan only shows 1200 lots vs. the 1201 listed and used to account for the fees.
3. Update lot chart to match previously approved FDP amendment from 2018.
4. Add chart with lot areas (square feet) and numbered lots.
5. Building materials need to also add page 33 (page 33-34).
6. Show greenway continuing on to connect to Drakes Creek.
7. Note any community mailbox kiosk sites. Verify with Postal Service individual mailboxes will be allowed, if planned instead.

Submitted by Grant Green, Senior Planner (March 27, 2019)

PUBLIC WORKS

1. No comments.

Submitted by Rick Mayo, Assistant City Engineer (March 28, 2019)

FIRE DEPARTMENT

1. No comments.

Submitted by Shane Nolan, Fire Inspector (March 28, 2019)

UTILITY DISTRICT

1. WHUD.

Submitted by David Brigance, HUD Construction Supervisor (March 13, 2019)

LEGEND

- V CROSSWALK
- W SOLAR FLASHING SIGN W/
ADVANCED WARNING STRIP
- X PARK DIRECTIONAL SIGN
- Y IN STREET PEDESTRIAN CROSSWALK
SIGN
- Z SPEED LIMIT SIGN
-  CITY PARK ROAD 15 MPH
SPEED LIMIT SIGN



ESTATE VILLA PRECEDENT STREETSCAPE



ESTATE VILLA PRECEDENT ELEVATION



ESTATE VILLA ELEVATION



CONCEPTUAL ENTRANCE ROUNDABOUT PERSPECTIVE

OWNER:
WFC Durham Holdings VII G.P.
c/o 500 Boylston St. Suite 2010
Boston, MA 02116

DEVELOPER:
Freeshall Communities
783 Old Hickory Blvd #120w
Brentwood, TN 37027

PREPARED BY:
HDBA
507 Main St.
Nashville, TN 37206

2019-03-21

A REVISED PRELIMINARY DEVELOPMENT PLAN
FOR A PORTION OF PHASES 1, 2, & 4 AT

DURHAM FARMS

HENDERSONVILLE, TN

2019

LEGEND

- A 20' BUFFER
- B ONE WAY STREETS
- C PARK
- D VILLAGE GREEN
- E ENTRY
- F EXISTING VEGETATION
- G DETENTION FACILITIES
- H BIKE/PEDESTRIAN TRAIL
- I ROUNDABOUT
- J MKR PD
- K RA ZONE (COUNTY)
- L ER ZONE
- M ESTATE A ZONE (COUNTY)
- N SR 1 ZONE (CITY)
- O DRAKES CREEK
- P VETERANS PARK
- Q DOG PARK
- R NEW PARK ROAD
- S NEW ROUNDABOUT
- T NEW SIGNAGE (EXHIBIT 4)
- U NEW OPEN SPACE
- V CROSSWALK
- W DETACHED ESTATE VILLA
- X COMMUNITY MAILBOX KIOSK
- Y FIRE HYDRANT
- Z 15 MPH SPEED LIMIT SIGN

Table 1 - Bulk Lot Standards

Lot Type	Minimum Lot Area (sq ft)	Minimum Lot Width (ft)	Minimum Lot Depth (ft)	Minimum Lot Area (sq ft)	Minimum Lot Width (ft)	Minimum Lot Depth (ft)
Carriage	10,000	40	100	10,000	40	100
Cottage	5,000	20	50	5,000	20	50
Estate Villa	15,000	50	150	15,000	50	150

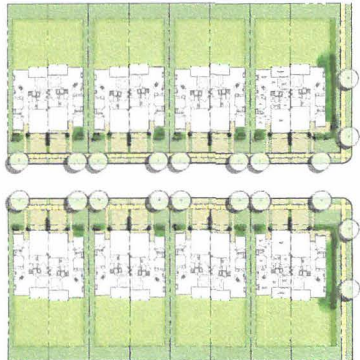
Table 2 - Garage Placement Standards

Lot Type	Garage Type	Garage Placement	Garage Placement
Carriage	Two-Car	Front or Side	Front or Side
Cottage	One-Car	Front or Side	Front or Side
Estate Villa	Two-Car	Front or Side	Front or Side

Table 3 - Minimum Dimensions for Streetlights

Lot Type	Minimum Dimensions	Minimum Dimensions
Carriage	10' x 10'	10' x 10'
Cottage	5' x 5'	5' x 5'
Estate Villa	15' x 15'	15' x 15'

ESTATE VILLA STREETSCAPE PLANTING

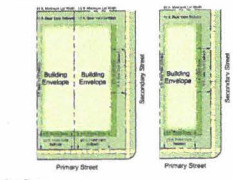


OWNER:
WFC Durham Holdings VII G.P.
c/o 500 Bayliss St. Suite 1010
Boston, MA 02116

DEVELOPER:
Freemhold Communities
781 Old Hickory Blvd #130w,
Brentwood, TN 37027

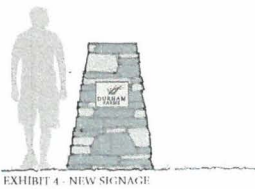
PREPARED BY:
HDA
507 Main St.
Nashville, TN 37206

Estate Villa Lots

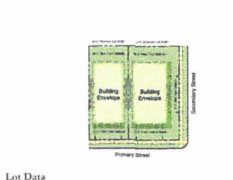


Lot Data

Lot Type	Minimum Dimensions	Minimum Dimensions
Carriage	10' x 10'	10' x 10'
Cottage	5' x 5'	5' x 5'
Estate Villa	15' x 15'	15' x 15'



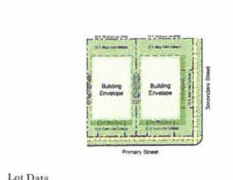
Cottage Lots



Lot Data

Lot Type	Minimum Dimensions	Minimum Dimensions
Carriage	10' x 10'	10' x 10'
Cottage	5' x 5'	5' x 5'
Estate Villa	15' x 15'	15' x 15'

Carriage Lots



Lot Data

Lot Type	Minimum Dimensions	Minimum Dimensions
Carriage	10' x 10'	10' x 10'
Cottage	5' x 5'	5' x 5'
Estate Villa	15' x 15'	15' x 15'

A REVISED PRELIMINARY DEVELOPMENT PLAN
FOR A PORTION OF PHASES 1, 2, & 4 AT
DURHAM FARMS
HENDERSONVILLE, TN

2019



BUILDING MATERIALS

- APPROPRIATE RESIDENTIAL MATERIALS
- APPROPRIATE COMMERCIAL MATERIALS
- APPROPRIATE INDUSTRIAL MATERIALS
- APPROPRIATE RESIDENTIAL MATERIALS
- APPROPRIATE COMMERCIAL MATERIALS
- APPROPRIATE INDUSTRIAL MATERIALS



EXHIBIT 5 - GREEN GIANT ARBORVITAE

EXHIBIT 4 - NEW SIGNAGE

LEGEND

- A

20' BUFFER
- B

ONE WAY STREETS
- C

PARK
- D

VILLAGE GREEN
- E

ENTRY
- F

EXISTING VEGETATION
- G

DETENTION FACILITIES
- H

BIKE/PEDESTRIAN TRAIL
- I

ROUNDBABOUT
- J

MIXR PD ZONE
- K

RA ZONE (COUNTY)
- L

ER ZONE
- FIRE HYDRANT
- 15 MPH SPEED LIMIT SIGN
- M

ESTATE A ZONE (COUNTY)
- N

SR-1 ZONE (CITY)
- O

DRAKES CREEK
- P

VETERANS PARK (EXHIBIT 2)
- Q

DOG PARK (EXHIBIT 3)
- S

NEW ROUNDBABOUT
- T

NEW SIGNAGE
- U

NEW OPEN SPACE
- V

CROSSWALK
- W

SOLAR FLASHING SIGN W/ ADVANCED WARNING STRIP
- X

PARK DIRECTIONAL SIGN
- Y

NO OUTLET SIGN
- Z

PEDESTRIAN CROSSWALK SIGN
- AA

IN STREET PEDESTRIAN CROSSWALK SIGN
- BB

SPEED LIMIT SIGN

GENERAL NOTES 3.1.19

Developer shall submit a Revised Preliminary Development Plan ("RPDP"), Final Development Plan ("FDP"), Preliminary Plan ("PP"), Construction Drawings ("CD") and Final Plan ("FP") for a total of 244 lots (the "Development Plan") for the development of the Property to the City for approval by the City. Upon the approval of the plan for the development of the Property by the City, the City agrees that the Developer shall be allowed to develop the Property through the final completion of the development of the Property in accordance with the approved plan. The City agrees to not modify the requirements for the development of the Property after the plan is approved without the written consent of Developer. City further agrees to not impose any new imperviousness, easements, or other restrictions on the Property in excess of the amount of construction in excess of the amount of the same then in effect at the time that the City approves Developer's master site plan. For and in consideration of the mutual promises of the parties as set forth, City and Developer hereby agree that the Developer agrees to contribute to the costs of the public infrastructure required to provide services and public infrastructure for the development and surrounding areas that include City Road and Drakes Creek Road (the "Road") as provided herein below.

Developer is contributing: \$677,650 / 111 new lots = \$6,104, plus the cost to add traffic claiming device to Avant road and Drakes Creek Road in the neighborhood.

1. Offsite Public Road Contribution Fee (\$550,000 - \$900,000 - \$127,500 - \$677,650)

(a)

Developer shall contribute an additional \$150,000 toward the road construction and replacement of the bridge generally located at the intersection of Drakes Creek Road, Anderson Road, and Courtyard Drive (the "Transportation Fee") (EXHIBIT 1). This increase fee is completed as:

i.

Developer shall pay a per unit fee for the lots approved on the "Area of Amendment" in the amount of \$2,435 (\$150,000 / 221 units) of the issuance of each individual building permit (the "Transportation Fee"). The Transportation Fee shall be paid into a City controlled account.

ii.

In addition to the above referenced Transportation Fee, the Developer shall continue the commitment of a \$250 per lot fee to be paid by the Developer at the time of issuance of the building permit for Drakes Creek Road, off-site road improvements. This results in an increase in the Transportation contribution of \$640,000 (\$250 x 111 = \$27,750).

iii.

In addition to the above referenced Transportation Fee and the \$600 per lot fee, a fee of \$250 per extra lot shall be paid by the Developer for Drakes Creek Road off-site improvements. This \$27,750 (111 x \$250 per lot) shall be paid by the Developer prior to the recording of the final plat for the sections, as part of this "Area of Amendment".

2. Drakes Creek Road Improvements to Drakes Creek Road

(a)

Developer shall be responsible to construct off-site public improvements to a portion of Avant Road that is intended to serve the surrounding community in accordance with plans approved by the City of Hendersonville for (1) new speed limit signs, (5) traffic calming devices (i.e. rumble strips), (2) stop signs and (1) road surface painted cross walk to the City Park ("Local Road Improvements").

Within 120 days of the City of Hendersonville issuing to Developer its notice of approval for the Construction Drawings and all easements being acquired, if any, for the Avant Road Improvements, the Developer shall provide to its contractor a notice to proceed for the construction of the improvements.

iii.

All amounts for the engineering and design fee for the Avant Road Improvements shall be paid by the Developer.

iv.

In the event any easements are required for the Avant Road Improvements the City agrees to acquire the easement(s). The costs of the easements shall be paid by the City.

3. Drakes Creek Road Improvements to Durham Farm Drakes Creek Road

(a)

Developer shall be responsible to construct road surface painted cross walks in (2) locations within Phase 1 of Durham Farms located on Drakes Creek Road in accordance with plans approved by the City of Hendersonville ("Durham Farms Cross Walk").

i.

Within 120 days of the City of Hendersonville issuing to Developer its notice of approval for the Construction Drawings and all easements being acquired, if any, for the Durham Farms Cross Walk, the Developer shall provide to its contractor a notice to proceed for the construction of the improvements.

4. Developer Community Contributions

(a)

Developer agrees to construct on a portion of its open space within Durham Farms consisting of 0.31 acres, more or less, for the use as a Dog Park (EXHIBIT 3) with the general location shown more particularly on the PMD ("Dog Park"). Developer shall be responsible to construct a fenced area with landscaping and a bench on site to serve the residents of Durham Farms in accordance with plans as delineated in this submittal.

(b)

Developer agrees to construct on a portion of its open space within Durham Farms, for a Veterans Flag Park (EXHIBIT 2) with the general location as shown more particularly on the PMD ("Veterans Park"). Developer shall be responsible to construct (1) flag (2) benches and landscaping on site to serve the residents of Durham Farms in accordance with plans as delineated in this submittal.

5. Builders will install forest plant Afforestation, spaced 15' apart, at year of lot adjacent to Long Hollow Pointe.

6. All lots shall have a 10' P.U.D.E. along road frontage and rear lot lines and a 5' P.U.D.E. along interior side lot lines.

Lot Type	Lot Mix Table, Phase 1 & 2			
	Approved PMD Lot Mix	Proposed Lot Mix	Percent of Mix	Percent Change
22 (Manufactured/Truckhomes)	170	13,400	171	-1.86%
40 (Other)	88	8,676	188	-5.33%
40 (Other)	8	1,000	127	-92.84%
40 (Other)	84	18,726	378	-1.73%
40 (Other)	145	17,496	180	-1.94%
40 (Other)	146	13,300	158	-8.43%
40 (Other)	117	10,760	0	10.76%
Total	558	1200	1201	10.00%

Open Space - Total Project		
Approved PMD	Proposed	% Change
188.2 Acres	212.33 Acres	11.23%

Open Space - Amendment Area		
Approved PMD	Proposed	% Change
17 Acres	1.22 Acres	-92.84%

OWNER:
WFC Durham Holdings VII G.P.
c/o 500 Bayliff St, Suite 2010
Boston, MA 02116

DEVELOPER:
Frederick Communities
783 Old Hickory Blvd #320W,
Brentwood, TN 37027

PREPARED BY:
HDA
507 Main St.
Nashville, TN 37206

2019-03-21

EXHIBIT 1 - ONSITE PUBLIC ROAD IMPROVEMENTS

EXHIBIT 2 - VETERANS PARK

EXHIBIT 3 - DOG PARK

A REVISED PRELIMINARY DEVELOPMENT PLAN
FOR A PORTION OF PHASES 1, 2, & 4 AT
DURHAM FARMS
HENDERSONVILLE, TN

2019

RECEIVED
04/17/2019
PLANNING