

**Planning and Codes Department** 

105 College Street ● White House, TN 37188 www.cityofwhitehouse.com/yourgovernment/planning-and-codes Phone (615) 672-4350 ext. 2121● Fax (615) 616-1050 "Valuing our Future while Protecting our Heritage"

# Memo

To: City of White House Planning Commissioners

From: Ceagus Clark, Director of Planning & Code

Re: Cover Page for the Planning Commission Staff Notes; meeting scheduled 1/14/2022

The agenda consists of bond acceptance, four final plat approvals, four rezonings, a site plan approval and a Preliminary Plat approval.

Item # 1	Settlers Ridge/RCB Properties, LLC: Street Acceptance
Item # 2	Fields at Oakwood-Phase 5/Dewey Engineering: Final Plat Approval
Item # 3	Copes Crossing-Phase 1B/Wilson & Associates: Final Plat Approval
Item # 4	Copes Crossing-Phase 2/Wilson & Associates: Final Plat Approval
Item # 5	The Parks-Phase 4, Section A/Ragan-Smith: Final Plat Approval
Item # 6	White House Shops/G. B. White House, LLC: Site Plan Approval
Item # 7	Core5 Industrial Partners, LLC-Lisa Ward: Rezoning
Item # 8	Cornfield Properties: Rezoning
Item # 9	Sherry L. Eden: Rezoning
Item # 10	Hutson & Lempicki Property: Rezoning
Item # 11	Burrus Ridge/Cesco.: Preliminary Plat Approval Request

615-672-4350 Ext 2119

Ceagus Clark

# Ci

#### City of White House, Tennessee

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Director, Planning and Codes

# Item # 1 Settlers Ridge/RCB Properties, LLC: Street Acceptance

<u>Applicant or Representative-</u> **Staff** 

Tax Parcel and ID
Zoning and Property

**Description Location Overview** 

Ben Albert Rd

# **Finding of Fact:**

Public Services has inspected the work needed to be done and is recommending the city accept the remainder of road and stormwater infrastructure.

#### **Staff Overview**

This is a request to accept the road/infrastructure acceptance for Settlers Ridge located on Ben Albert Rd. There was a \$119,102 bond held for improvements to be made on Property boundary landscaping, sections of retaining walls, drainage ditch installation and alteration, drainage headwall replacements, and sidewalk ramp replacement.





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# Item # 2 Fields at Oakwood-Phase 5:

Applicant or Representative-Overview: Dewey Engineering

Tax Parcel and ID
Zoning and Property

Robertson County Tax Map 96, Portion of Parcel 005.00

**Description Location Overview** 

Calista Rd/Wilkinson Lane

#### **Finding of Fact:**

Construction Plans have been reviewed and approved by staff. This is an approval of phase5 from the already approved Final Master Development Plan. There were no changes from the existing plan and these final plats.

#### **Staff Overview**

This is the fifth phase of the project in the Fields at Oakwood. The FMDP was approved in March 2018. The developer is requesting final plat approval of phase 5 in the Fields of Oakwood. This phase consists of 55 units. Currently of the 234 total units approved, there are 64 complete. 170 to be built.





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# **Item #3** Copes Crossing-Phase 1B/Wilson & Associates:

Applicant or Representative-Wilson & Associates

Tax Parcel and ID
Zoning and Property

Sumner County Tax Map 77, Parcel 84.00

Description Location Overview

Tyree Springs Rd

#### **Finding of Fact:**

Construction Plans have been reviewed and approved by staff. This is an approval of phase1B from the already approved Final Master Development Plan. There were no changes from the existing plan and these final plats. Staff had minor comments for the engineer to show the base flood elevations and Public Utility Easement specifics to the water and sewer main locations.

#### **Staff Overview**

The Final Master Development Plan for Copes was approved in July of 2021 for 103 units. Phase 1B will consist of 43 units.





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# Item #4 Copes Crossing-Phase 2/Wilson & Associates:

Applicant or Representative-Wilson & Associates

Tax Parcel and ID
Zoning and Property

Sumner County Tax Map 77, Parcel 84.00

<u>Description Location Overview</u>

Tyree Springs Rd

#### **Finding of Fact:**

Construction Plans have been reviewed and approved by staff. This is an approval of phase 2 from the already approved Final Master Development Plan. There were no changes from the existing plan and these final plats. Similar to phase 1B, staff had minor comments for the engineer to show the base flood elevations and Public Utility Easement specifics to the water and sewer main locations.

#### **Staff Overview**

The Final Master Development Plan for Copes was approved in July of 2021 for 103 units. Phase 1B will consist of 55 units.





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#### Item # 5 The Parks-Phase 4, Section A

Applicant or Representative-Wilson & Associates

Tax Parcel and ID
Zoning and Property

Sumner County Tax Map 77, Parcel 84.00

Description Location Overview

Tyree Springs Rd

#### **Finding of Fact:**

Construction Plans have been reviewed and approved by staff. This is an approval of phase 4A from the already approved Final Master Development Plan. There were no changes from the existing plan and these final plats. The comments shown have been addressed.

#### **Staff Overview**

The Final Master Development Plan for The Parks was approved in April of 2018 for 704 units. Phase 4A will consist of 67 units.

Comments to Engineer.

Dear Mr. Clark:

Enclosed please find the following:

- Two (2) copies of the Final Plat
- Twelve (12) 11"x17" copies
- Flash drive with digital files

After amending the following comments from Mr. Clark;

- Needs min FFE set on all lots (per grading plan design)
   Added to the Plat.
- Show all public water/sewer utility easements that are not part of the PUDE areas Erased proposed utilities from phase 4B, will be platted with 4B Plat.
- Needs to have final road names on final Plat (example, not "Road Q")
- The owner is working on finding the approved road names.
- Construction Plan review not included here and comments to be provided separately Construction Plans already approved.

we are still requesting placement on the upcoming November 14, 2022 Planning Commission Agenda. Please call if you have any questions or require additional information.

Sincerely,

RAGAN-SMITH ASSOCIATES, INC.



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# Item # 6 White House Shops/G. B. White House, LLC:

Applicant or Representative-Overview: Sembler Developers

Tax Parcel and ID

Robertson County Tax Map 107I, Group B, Parcel 054.00

Zoning and Property C-2

Description Location Overview Hwy 76/Raymond Hirsch

#### Finding of Fact:

Staff has reviewed the site plan and made comments to the developer as shown in the comments attached. The developer has been in contact with TDOT and has gotten positive feedback that this design should be ok when they submit formal plans.

#### **Staff Overview**

This is a grocery anchored shopping center with 78,000 square feet of retail space located at the intersection of Hwy 76 and Raymond Hirsch Pkwy. The site is located behind Dollar Tree, O'Reilly's on Hwy 76 and behind Simmons Bank, Prosperity Mortgage and Pappa John's on Raymond Hirsh Pkwy. The site will have a full access onto Hwy 76, with both left and right turns. There will be two access points from the development onto Raymond Hirsch Pkwy. The access point farthest south, close to the water tower will be a signalized intersection, while the intersection closest to Hwy 76 will have a left and right turn onto Raymond Hirsch. The developers will install an additional turn lane on Raymond Hirsch (left turn lane at the signal going onto Hwy 76).





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# Item # 6 White House Shops/G. B. White House, LLC:

Staff Comments to Developer

- Would it be feasible to move the lift station to South West Corner (or anywhere on site) to accommodate Publix and it's out-parcels for serviceability? This would have to be a commercial lift station to service the entire campus, not an E-One Grinder as mentioned on C5.0.
- Do not see dumpster location for the office outparcel 3,500 SF building.
- No more than twelve (12) contiguous parking spaces are provided without using a landscape island, as per #14 on the cheat sheet. No more than twelve (12) contiguous spaces are allotted. The row must be broken with a landscape island or roadway (minimum 8' wide as measured from the back of curb). A minimum of one (1) tree for each four (4) parking spaces shall be provided.
- Size, type, & details of the free-standing sign
- Location and details of any on-site streetscape furnishings Trashcans, benches, bike racks, etc
- This will be a further discussion during construction plan comments, but there needs to be a solution between the detention pond and sidewalk our regs state that for retention areas, if a perimeter pond fence is to be used, it shall have evergreen shrubs fronting the fence to reduce visual impact. The fence shall be a minimum of four (4) feet tall, black, and vinyl coated or as directed by the Planning Commission. This would be recommended since the sidewalk will connect to the greenway.
- Notation of maximum building height



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# Item # 7 Core5 Industrial Partners, LLC-Lisa Ward: Rezoning

Applicant or Representative-Overview:

Core 5 Industrial Partners

<u>Tax Parcel and ID</u>

Robertson County Tax Map 106, Parcel 175.00

<u>Description Location Overview</u> This site is located behind loves on what is known as the Bean property.

#### **Finding of Fact:**

Planning Commission By-Law: Rezoning Requests Review Criteria:

- A. Comprehensive Plan area designation
- B. Existing and adjacent property uses
- C. Future uses of area
- D. Permitted uses in the proposed zoning

district.

E. Major changes in the area created by public building projects, economic development, roadway and utility improvements, or other changes that are determined to necessitate a zoning change recommendation or denial

This request is within the comprehensive Plan Innovation area designation, it is adjacent to properties with similar zoning. The current property owner provided the roadway improvements connecting Love's to Union Rd as part of a major Thorofare plan improvement. (not shown on TN Property viewer yet, but is recorded)

#### **Staff Overview**

Property is located behind Loves Truck Stop.

This is a proposed request to a rezone of 21 acres from C-2 General Commercial to I-1, Light Industrial. The property was rezoned from I-1 to C-2 in 2015. The intent of this request is to do light manufacturing and warehousing. The proposed site is in the boundary of the Innovation District (description at the end of this document). The appropriate zonings for I-1 are I-1, I-2, C-4 and Special I-3 uses.





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# Item # 8 Cornfield Properties: Rezoning

<u>Applicant or Representative-</u> Overview:

Cornfield Properties

Tax Parcel and ID

Robertson County Tax Map

117, Parcel 058.05

Zoning and Property

# Currently R-20 Finding of Fact:

Planning Commission By-Law: Rezoning Requests Review Criteria:

- A. Comprehensive Plan area designation
- B. Existing and adjacent property uses
- C. Future uses of area
- D. Permitted uses in the proposed zoning

district.

E. Major changes in the area created by public building projects, economic development, roadway and utility improvements, or other changes that are determined to necessitate a zoning change recommendation or denial

This request is within the comprehensive Plan area designation, it is adjacent to properties with similar zoning.

#### **Staff Overview**

This property is located on the east side of I-65, This area was identified by TVA economic development division has a viable economic development site, targeted by several companies looking to locate to this area. This parcel is part of the Robertson County economic development industrial project.





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# Item # 9 Sherry L. Eden: Rezoning

Applicant or Representative-Overview:

**Sherry Eden** 

Tax Parcel and ID
Robertson County Tax Map
117, Parcel 058.04

Zoning and Property R-15

#### **Finding of Fact:**

Planning Commission By-Law: Rezoning Requests Review Criteria:

- A. Comprehensive Plan area designation
- B. Existing and adjacent property uses
- C. Future uses of area
- D. Permitted uses in the proposed zoning

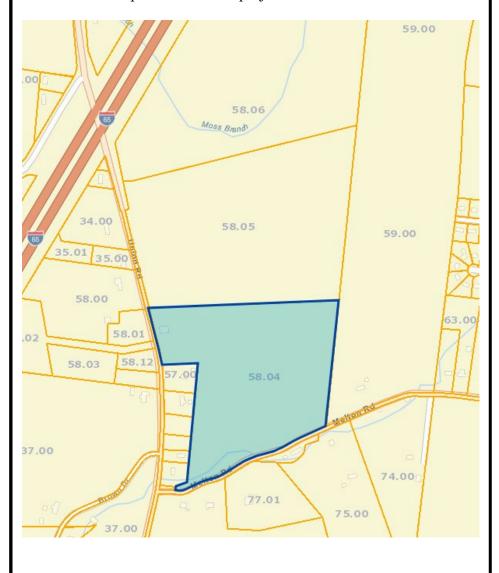
district.

E. Major changes in the area created by public building projects, economic development, roadway and utility improvements, or other changes that are determined to necessitate a zoning change recommendation or denial

This request is within the comprehensive Plan area designation, it is adjacent to properties with similar zoning.

#### **Staff Overview**

This property is located on the east side of I-65, This area was identified by TVA economic development division has a viable economic development site, targeted by several companies looking to locate to this area. This parcel is part of the Robertson County economic development industrial project.





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# Item # 10 Hutson & Lempicki Property: Rezoning

<u>Applicant or Representative-</u> Overview:

#### **Hutson & Lempicki**

Tax Parcel and ID
Robertson County Tax 117,
Parcel 058.06

Zoning and Property **R-20** 

#### **Finding of Fact:**

Planning Commission By-Law: Rezoning Requests Review Criteria:

- A. Comprehensive Plan area designation
- B. Existing and adjacent property
- C. Future uses of area
- D. Permitted uses in the proposed zoning

#### district.

E. Major changes in the area created by public building projects, economic development, roadway and utility improvements, or other changes that are determined to necessitate a zoning change recommendation or denial

This request is within the comprehensive Plan area designation, it is adjacent to properties with similar zoning.

#### **Staff Overview**

This property is located on the east side of I-65, This area was identified by TVA economic development division has a viable economic development site, targeted by several companies looking to locate to this area. This parcel is part of the Robertson County economic development industrial project.

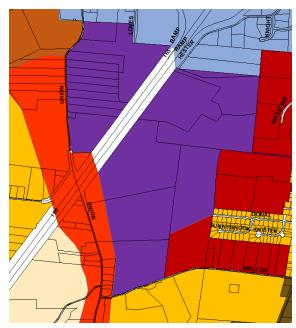




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#### Innovation District-Comprehensive Plan map and descripton



#### Innovation District

The intent of this Character Area is to enhance the business and employment base of White House, while allowing for a flexible mixture of office, light industrial, and similar uses. Character Area is specific to enhance and promote the needs of business, office, and industrial activities within the City.

#### General Description:

The Innovation District Character Area is characterized by a mix of uses that form and support the City's employment base. A concentration of uses is intended to focus an area for industrial and economic development; however, civic uses are also appropriate. The general development pattern reflects a high level of intensity allowable within the City for industrial, manufacturing, research, and similar type uses. The built environment consists of one- to multistory buildings and includes both single use and mixed use activities, including campus-style developments. networks and intersections are defined by site and transect context. Buildings have moderate to deep

#### Character Area Policy

#### Character:

The Innovation Character Area includes those industrial areas within the City. This Character Area reflects a change in the economy away from heavy industrial facilities and positions industrially zoned land as areas for entrepreneurship and job creation. The zoning pattern is in this Character Area is largely established for industrial uses. Changes to overall character of the area may occur and should focus on creating a safe and functional district for a wide range of industrial and related uses. This Character Area, while industrial in nature, is intended to provide for a transition and buffer from more intensive uses to less intensive uses such as residential or commercial.

#### Appropriate Zoning Category and Uses:

I-1 Light Industrial, I-2 Heavy Industrial, C-4 Office/Professional

I-3 Special Industrial uses are appropriate only in circumstances where the uses proposed for the site would benefit the community as a whole and a suitable area may be available.

#### Infrastructure:

Extensions to transportation, water, sewer, and other services should be expected. New service or extensive redevelopment of existing services should be vetted and reviewed by Planning Commission and Board of Mayor and Aldermen as a primary element of approval.

#### **Design and Context Principles:**

This character area represents an area with a flexible, innovative approach to Industrial, Manufacturing, Craft, or Artisanal made products. Buildings should be compatible with the established character of the area, while being functional for light industrial or office uses. Buildings should include quality materials that are functional but durable, with architectural details and features on street-facing facades. Parking should be scaled to the size, scale, and scope of the uses. Parking lots and loading areas should be mitigated by landscape.

In areas where there are residential commercial land uses in proximity to proposed industrial uses (such as Bill Moss Road and Sage Road), the scale of the building should transition to a residential scale. Additionally, in these areas appropriate screening and buffering should be applied in the site planning process to protect existing residential uses. If possible, less intensively industrial uses (light industrial, flex space, and/or office uses) are the most appropriate uses in areas that adjoin existing residential uses.



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#### 5.054.1 I-1, Light Industrial District

#### A. <u>District Description</u>

This district is designed for a wide range of industrial and related uses which conform to a high level of performance standards. Industrial establishment of this type, within completely enclosed buildings, provide a buffer between commercial districts and other industrial uses which involve more objectionable influences. New residential development is excluded from this district, both to protect residences from an undesirable environment and to ensure the reservation of adequate areas for industrial development. Community facilities which provide needed services to industrial development are permitted.

#### B. <u>Uses Permitted</u>

In the I-1, Light Industrial District, the following uses and their accessory uses are permitted:

- 1. Food and kindred products manufacturing, except meat products.
- 2. Textile mill products manufacturing except dying and finishing textiles.
- 3. Apparel and other finished products made from fabrics, leather, and similar materials manufacturing.
- 4. Furniture and fixtures manufacturing.
- 5. Printing, publishing and allied industries.
- Fabricated metal products manufacturing, except ordinance and accessories.
- 7. Professional, scientific, and controlling instruments; photographic and optical goods, watch and clock manufacturing.
- 8. Miscellaneous manufacturing including jewelry, silverware and plated ware, musical instruments and parts, toys, amusement and sporting goods manufacturing, pens, pencils, and other office materials, costume jewelry, novelties and miscellaneous notions; tobacco manufacturing, motion picture production.
- 9. All types of wholesale trade.
- 10. Signs and billboards as regulated in Article IV, Section 4.080.
- 11. Warehouse and storage uses.
- 12. Agricultural equipment sales and repair.



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- 13. All public utilities including buildings, necessary structures, storage yards and other related uses.
- 14. Animal health facilities including veterinary clinics.
- Building materials storage and sales.
- 16. Retail trade.
- 17. Professional, financial consulting and administrative services.
- 18. Communication services.
- 19. Commercial amusement services.
- 20. Auto repair body shops.
- 21. Essential municipal services.

# C. <u>Uses Permitted as Special Exception</u>

In the I-1, Light Industrial District, the following uses and their accessory uses may be permitted as special exceptions after review and approval by the Board of Zoning Appeals.

- 1. Day care centers.
- 2. Special institutional care facilities. (Added by Ordinance No. 97-15, December 20, 1997)
- Twenty (24) Hour Veterinarian Clinic Accessory Residential Quarter meeting requirements of 4.160, Excluding Medical Clinics. (Added by Ordinance No. 05-09, May 19, 2005)

#### D. <u>Uses Prohibited</u>

Uses not specifically permitted or uses not permitted upon approval as a special exception.

#### E. Dimensional Regulations

All uses permitted in the I-1, Light Industrial District, shall comply with the following requirements except as provided in Article VII, Section 7.020, (Nonconforming Uses).

#### 1. <u>Minimum Lot Size Requirements</u>

No minimum lot size is required in the I-1 District.

#### 2. Minimum Yard Requirements



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Front Yard 10 feet Side Yard 20 feet Rear Yard 15 feet

Front Building Setback 40 feet

#### 3. <u>Maximum Lot Coverage</u>

On any lot or parcel of land, the area occupied by all buildings including accessory buildings may not exceed fifty (50) percent of the total area of such lot or parcel.

# 4. <u>Height Requirements</u>

No building shall exceed fifty-three (53) feet in height, (Amended by Ordinance 15-09, May 21, 2015.) except as provided in Article VII, Section 7.060.

# 5. Parking Space Requirements

In addition to the provisions of this ordinance regulating parking spaces and loading areas (Article IV, Section 4.010 and 4.020), the following provisions shall apply to parking and loading areas for uses permitted in this district:

- a. All off-street parking lots and loading areas shall be surfaced with dustless, hard surfaced materials such as asphalt or concrete and so constructed to provide for adequate drainage and to prevent the release of dust.
- b. Each parking space shall be appropriately marked with painted lines or curbs.
- c. Entrances and exits onto and off of a public street shall be paved with a dustless, hard surfaced material for a distance which is at least the equivalent of the required front building setback line measured from the property line at which the access point is located.

#### 6. Landscaping Requirements

See Article III, Section 3.130.

# F. <u>Outdoor Storage</u>

- 1. All outdoor storage shall take place in the rear half (1/2) of the rear yard and shall be screened by fencing or landscaping.
- 2. Outdoor storage is prohibited in the front half (1/2) of the rear yard.



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# Item # 4 Burrus Ridge/Cesco, Inc.:

<u>Applicant or Representative-Overview:</u>

CESCO

Tax Parcel and ID

Robertson County Tax Map 117, Parcel 008.00

Zoning R-20

Ordinance Reference and Notes:

Article 4.140

#### **Findings of Fact:**

The current zoning allows for this use by-right. The developer will have to address traffic study comments from staff, adhere to zoning and subdivision regulations under the Alternative Provision for lot size and the location of open space development standards. Staff will address questions regarding the deferment of this agenda item from last month. Please bring plans from the October meeting. We will have a digital plan available on the boardroom monitors.

#### **Staff Overview**

This site is just west of I-65 off New Hall Road. The developer proposed a 959 unit Planned Unit Development back in April. The site was withdrawn by the applicant to address traffic concerns. The Planning Commission denied the SRPUD zoning request at the June 2022 Planning Commission meeting. This will be the alternative density design, used for the preservation of open space. The new proposed unit count is 653, on 412 acres. This will be a 6-phase development, with 16.7 acres of open space, not including easements and right of way.

The site is zoned R-20, which gives the developer the right to build under the R-20 zoning guidelines and development standards. Though this is by-right, the developer is still required to meet all city standards (zoning, subdivision regulation and traffic study impact warrants).





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#### Item # 4 Burrus Ridge/Cesco, Inc.:

September 27th, 2022

City of White House Planning & Codes 105 College Street White House, TN 37188 Attn: Ceagus Clark 615-672-4350, ext. 2120

RE: Lennar Burrus Ridge - Planning Commission Staff Comments

Dear Mr. Clark:

We are in receipt of your Planning Commission Staff Comments dated 09/15/2022 for the abovereference project, to which we provide the following responses. Your comments are reiterated below with corresponding responses for each. Please review these responses along with revised drawings, dated 09/27/2022, at your earliest opportunity so Lennar may obtain the permits necessary to begin construction.

 All requirements of the TIS must be constructed – most of these requirements are not on City owned ROW

Response: Understood.

The roadway within City owned ROW (Swift Rd) will need to be rehabilitated to ensure it can safely handle these traffic loads.

Response: Understood.

Sidewalks should be shown to reveal the design intent of the development.
 Response: 5' sidewalks have been shown on all major roads, not including alleys.

4) Although these details are not required within the preliminary plat.....some roads seem to have very tight radii and they will be required to accommodate the City's minimum design speed of 25 mph on new roadways. These potential issues will need to be resolved during the roadway design review. Response: The radii on the site have been updated to have a minimum radius of 154', per AASHTO design standards for 25MPH roadways.

We greatly appreciate your partnership through your prompt review of these responses and for working with us and Lennar to make the Permit(s) available as soon as possible, so construction may begin on this project.

Should you have any further questions, please do not hesitate to contact me.

Respectfully,

Matt Regenold Senior Engineering Manager Matt.regenold@cesoinc.com (615) 678-2229

cc: Mike Donoho – CESO, Inc. Dwight Kiser – KVD

Wendy Deats, Kevin Sturgill - Lennar



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# Item # 4 Burrus Ridge/Cesco, Inc.:

4.140 Alternative Provisions for Lot Size and the Location of Open Space (Added by Ordinance No. 02-16, July 18, 2002) (Amended by Ordinance 05-08, May 19, 2005)

The purpose of this section is to provide a permissive voluntary alternative procedure to be utilized in the placement of buildings and in the location of open spaces associated therewith. These provisions are intended to provide variations in lot size and open space requirements within the residential districts. The density standards established for individual districts are to be maintained on an overall basis and thereby provide desirable and proper open air space, tree cover, recreation areas or scenic vistas; all with the intent of preserving the natural beauty of the area, while at the same time maintaining the necessary maximum population density limitations of the district in which this procedure may be permitted.

#### A. General Provisions

The provisions contained within this section are intended to provide a flexible procedure for locating dwellings upon sites. As such, the provisions do not constitute a use, but an alternative procedure for the spacing of buildings and the use of open areas surrounding those buildings. It is necessary, however, that the purposes and intent of this ordinance be assured and that proper light, air, and privacy be made available for each dwelling unit.

A site development plan as provided for in this section is required not only as an accurate statement of the development, but as an enforceable legal instrument whereby the Planning Commission may be assured that the general purposes, standards, etc., contained in this section are being met.

In addition to the Site Master Development Plan, the procedures for plat approval under Section 2-101, of the White House Subdivision Regulations, shall apply to all subdivisions under the provisions of this ordinance.

#### B. Site Development Plan Required

#### 1. Contents

A site master development plan shall be prepared and submitted to the Planning Commission for its review and approval. The site master development plan shall be submitted at a scale no smaller than 1' = 100' and contain the following information:

- a. The actual shape, location and dimensions of the lot.
- The shape, size, and location of all existing buildings.
- c. The existing and intended use of the property and proposed location of structures other than single-family dwellings.
- d. Topographic features (contours not greater than five (5) foot intervals.
- e. Except for single-family dwellings, location of all driveways and entrances.



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- f. Location of all accessory off-street parking areas to include a plot plan showing design and layout of such parking facilities.
- g. Location, calculations and intended use of open space.
- h. Building setbacks and other yard requirements.
- Location of any fences and walls.
- j. Location of required screening.
- k. Proposed means of surface drainage.
- I. Location and calculations of all easements and rights-of-way.
- m. Location and availability to servicing utilities.
- Location and calculation of areas subject to flooding.
- o. Location and calculation of slopes twenty (20) percent or greater.
- p. Location of tree masses and any environmental limitations.

#### 2. Coordinated Review

Upon receipt of a site master development plan and preliminary plat containing information as required above, the Planning Commission may:

- a. Concurrently review the site development plan and preliminary plat;
- b. Jointly approve, approve with modification, or disapprove these documents; and
- c. In the instance of approval, or approval with modification, transfer the site development plan to the Building Inspector for enforcement.

#### 3. Enforcement

Upon approval of a site master development plan, the Zoning Administrator shall become responsible for enforcement of the plan. Except for single-family dwellings, only minimal adjustments involving the placement of any structure in common open space will be permitted once a site development plan has been approved. Any other change shall require submission of a proposed amendment to the approved site master development plan.

#### C. Development Standards

The following standards and requirements shall apply to all alternative density developments.



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#### 1. General Standards for Development

In the interest of promoting the most appropriate economical use of the land while assuring that the character of the residential district is maintained, the Planning Commission in its review of a proposed development shall consider the following:

The protection of the characters, property values, privacy and other characteristics of the surrounding neighborhood;

The provision for surface drainage control, sewage disposal, and water supply, recreation and traffic control; and

The preservation and protection of existing trees, ground cover, topsoil, streams, rock outcroppings and scenic or historic sites from dangers and damage caused by excessive and poorly planned grading for streets and building sites.

#### 2. Availability of Public Utilities

Generally all public utilities, specifically including water and a central sewage collection and treatment system, as defined by this ordinance, shall be available. Where public sewer is not available, no lot or housing site may be created which is less than twenty thousand (20,000) square feet in area and all septic fields for each dwelling unit shall be located within the area of fee simple ownership of said single family dwelling unit.

#### 3. Permitted Density

The density permitted is intended to be within the range of that permitted within more typical developments offering no common open space. The maximum number single-family dwelling units permitted shall be computed as follows:

- a. From the gross acreage available within the development shall be subtracted: (1) Any portion of the site which is within the right-of-way and/or easement for major utilities such as gas or electric transmission lines where the full use of the land is not available to the landowner, because of restrictions thereon; (2) Fifty (50) percent of any portion of the site which lies within a floodway district; (3) Fifty (50) percent of all areas with slopes exceeding twenty (20) percent.
- b. The area remaining after the above adjustments shall be divided by the minimum development area per dwelling unit for the district in which the dwelling unit is located. For developments located in more than one zoning district, the density shall be computed separately for that portion of the development lying within each district. No developmental density may be transferred across zoning district boundaries.

#### 4. Minimum Lot Area and Lot Width

Any development choosing to use standards established in this section shall have a minimum of twenty (20) acres in the development. No lot of record may be created within the district indicated which has less area than required for a single-family dwelling.



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No dedicated building lot shall include areas recognized as flood hazards or with slopes exceeding twenty (20) percent.

The following dimensional requirements shall be maintained in all alternative density

developments:

	<u>A</u>	<u>R-40</u>	<u>R-20</u>	<u>R-15</u>
Minimum Lot Size Lot Width at Building Line	15,000 85	15,000 85	8,500 70	7,500 65
Front Yard Setback	25	25	20	15
Rear Yard Setback	15	15	10	10
Side Yard Setback	10	10	7.5	6. <u>5*</u>

<sup>\*</sup>Five-feet side (5) minimum setback permitted where fire protection meets City's Fire Department requirements for reduced building separation.

The Planning Commission may allow a 10% reduction in all minimum lot areas, widths, and setback requirements in cases where innovative design is proposed, except that the R-15 side setback shall not be reduced.

#### 5. Yard Requirements

Within any development approved under the provisions of this section, the following yard requirements shall apply:

a. For units located along the periphery of the site, the basic yard provisions established for the district within which the development is located shall apply along all portions of such lots as may about the periphery.

# 6. <u>Lot Coverage</u>

Individual dwellings may exceed the maximum lot coverage provisions established for the district, but in no case shall the dwellings and accessory buildings exceed seventy (70) percent of the total area of such individual site. However, in no instance shall the aggregated site coverage of all dwellings exceed the coverage provisions established for the district in which such site is located. In the event a project lies within two or more zoning districts, the coverage ratio applicable to each zone district shall apply to these dwellings located within it. No transfer of bulk is permitted among zoning districts.



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# 7. Access to Dwellings

Access to each lot shall be in compliance with Section 3.030, of the zoning ordinance.

#### 8. <u>Pedestrian Circulation</u>

All dwelling units will be served by sidewalks along the public right-of-way and to the rear or side by a trail system that connects each lot with the common open space. Any improved open space will be designed to meet all ADA requirements for access.

#### D. Open Space Requirements

Any common open space provided within a development this type shall:

- 1. Quality Use and Improvement of Common Open Space
  - a. Common open space must be for amenity or recreational purposes. Subject to approval by the Planning Commission, the open space shall consist of either improved or unimproved land. The uses authorized for common open space must be appropriate to the scale and character of the development considering its size, density, expected population, topography and other factors.
  - b. No common open space may be put to any use not specified in the approved site master development plan, unless such plan has been amended and approved by the Planning Commission. However, no change authorized may be considered as a waiver of any of the covenants limiting the use of common open space areas, and all rights to enforce these covenants against any use permitted are expressly reserved.
  - c. Common open space may, subject to approval by the Planning Commission, consist of either improved or unimproved land. In this regard, the approving agency may permit only fifty (50) percent of stream areas, bodies of water and slopes in excess of twenty (20) percent to be counted as required common open space.
  - d. In all developments providing improved open space, a recreation plan shall be developed and presented with the Site Master Development Plan for any proposed residential planned unit development. Any development aimed at a certain demographic shall supply additional information.
- 2. <u>Mandatory Provisions Governing Organization and Operation of Maintenance Association</u>

In an instance where common open space is to be deeded to a maintenance organization, the developer shall file a declaration of covenants and restrictions that will govern the association. This document is to be submitted with the application for final approval of the development plan. The provisions shall included but not be limited to, the following:



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- a. The maintenance organization must be established and operational before any homes are sold.
- b. Membership must be mandatory for each homebuyer and must run with the land so that any successive purchaser will automatically become a member.
- c. The restrictions covering the use, etc., of the open space must be permanent, not just for a period of years.
  - d. The association(s) must be responsible for liability insurance, local taxes and the maintenance of all facilities and lands deeded to it.
  - e. Homeowners must pay their pro rata share of the cost assessed by the maintenance association; said assessment by the association can become a lien on the homeowner's property for failure to pay.
  - f. The association must be able to adjust the assessment of fees to meet changing needs.
  - g. Reserved
  - h. Any are reserved for environmental open space shall be preserved in its natural state.