

PLANNING COMMISSION CASE REPORT

Case Number: 2015-070

PC Meeting Date: 05-11-15

Applicant Request**Rezone from R-1 Residential Zone to R-3 Residential Zone**

Property Location:	137 & 200 Oyler Lane; 5510 Moody Sawyer Road
Property Owner:	Ronald Speicher and Ben O' Daniel
Applicant:	Asa Engineering - Allen Jones

Project Description

- Proposal: Develop 19.57-acre site with 308 apartments units.
- Proposed Access: Oyler Lane.
- Proposed Development Form: Site plan shows eleven buildings, between three and four stories in height.
- Proposed Density: Approximately 15.7 dwelling units per acre.

Site Analysis**Site Description**

- Location: The site is located on the west side of Highway 153 at the west end of Oyler Lane approximately 800 feet from the intersection with Highway 153.
- Current Access: Currently, access to the site is from Oyler Lane.
- Tennessee Department of Transportation Functional Classification: Urban Principal Arterial (Highway 153)
- Current Development Form: one and two-story homes to the north and south of the site. Existing two-story apartments adjacent to the east.
- Current Land Uses: Single-family homes to the north and south; Vacant land to the west; Apartments to the east.
- Current Density: Average residential density of the neighborhood to the south is approximately 2.78 dwelling units per acre (46 lots/16.5 acres). The density of the existing adjacent apartments is approximately 12 dwelling units per acre (24 units/2 acres).

Zoning History

- Four acres of the 19.57-acre project site is currently zoned R-3 Residential. The remaining 15.58 acres is currently zoned R-1 Residential and is the area of this rezoning request.
- The four-acre portion of the site was rezoned to R-3 Residential in 1979 and 1980 (Ordinances #7517 & #7736).
- The property to the north is zoned R-1 Residential. The property to the east is zoned R-3 Residential. The property to the south is zoned R-1 Residential. The property to the west is zoned R-1 Residential.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The Hixson-North River Community Plan (adopted by City Council in 2005) recommends Low-Density Residential for this area. For this land use classification, the Plan states, "detached single-family dwellings dominate; some exceptions made for townhouses, patio homes and two-family dwellings if density is compatible."
- The R-1 Residential Zone permits single-family homes only.
- The R-3 Residential Zone permits single-family homes and multi-family residential (apartments).

Key Findings

- The proposal is not supported by the recommendations of the adopted Land Use Plan for the area. The proposed use of the site is multi-family residential dwellings with a density of 15.7 dwelling units per acre. The adopted Land Use Plan recommends Low Density Residential. Low density

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residential typically has a density range of 1 to 5 dwelling units per acre. The proposed use of the site as multi-family residential development with a density greater than 5 dwelling units an acre is not supported by the adopted Land Use Plan.

- The adopted Land Use Plan also states that “proper maintenance and preservation of the area’s natural and historic resources, specifically water quality and slope issues, must be taken into consideration when determining land use categories and rezoning requests.” All natural environmental impacts should be considered with any proposed development. The proposed development is located along a ridge with steep slopes that if not properly protected and managed could impact the topography of this site and ridge.
- The proposed use could be appropriate as an extension of the existing apartments to the east, but the site is also surrounded by existing single family subdivisions. Site design and buffering will be important to minimize any potential impacts to these bordering subdivisions.
- The proposed residential density is generally significantly higher than the surrounding densities. The proposed density of this proposed development is 15.7 dwelling units per acre. The adjacent multi-family dwelling development has a density of 18.5 dwelling units per acre (37/2). The adjacent single-family detached residential neighborhood to the south of the site has a density of 2.7 dwelling units per acre (46/16.56). The adjacent single-family detached residential neighborhood to the north of the site has a density of 1.8 dwelling units per acre (44/80).
- The proposed structure does raise concerns regarding location, lighting, or height. The site plan indicates that the structures will be a 3 or 4 story buildings. Because this site is along a ridge line the 3 or 4 story buildings could impact the topography of the ridge line and negatively impact the adjacent single-family detached residential neighborhood. Proposed access to the site is by way of one existing access point from Oyler Lane. Oyler Lane is presently a dead-end street that may be substandard with necessary improvements required by the Transportation Department. A traffic study may be required to assess the impact on traffic and the Oyler Lane and Highway 153 Intersection.
- The proposal would be an extension of an existing zone.
- The proposal would set a precedent for future requests.

Staff Recommendation

Defer

RPA staff is recommending a deferral to give the applicant time to submit detailed grading plans, traffic study, and elevation drawings to RPA staff for review. The recommendations of the adopted Land Use Plan state that “proper maintenance and preservation of the area’s natural and historic resources, specifically water quality and slope issues, must be taken into consideration when determining land use categories and rezoning requests.” Based on the submitted site plan, RPA staff cannot make a determination if the rezoning request and the proposed development of the site respects, maintains and preserves the topography and steep slope of this ridge. All natural environmental impacts should be considered with any proposed development, as well as the impacts on existing residential areas. The proposed development is located along a ridge with steep slopes that if not properly managed could have a significant impact on the slopes of this ridge line; therefore, RPA staff would like to see and review detailed grading plans and elevation drawings of the site to determine the amount and extent of required grading and how the proposed building placement and height (3/4 Story Buildings) affect the

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view and topography of this ridge, as well as providing appropriate screening/buffering for the adjoining residential subdivisions.

