

2. **2008SP-002U-13**

Starwood Commons SP  
Map: 164-00 Parcel: 041  
Subarea: 13  
Council District: 32 – Sam Coleman

A request to change from AR2a to SP-MU zoning property located at 3839 Murfreesboro Pike, approximately 230 feet north of Old Hickory Boulevard (65.1 acres), to permit the development of up to 250 multi-family residential units and up to 421,500 square feet of commercial uses, requested by R. Chris Magill Consulting, LLC, applicant, for Vastland Starwood Development LLC, owner

**Staff Recommendation: Approve with conditions, subject to approval of the associated Community Plan Policy Amendment**

**APPLICANT REQUEST** - A request to change from Agricultural/Residential (AR2a) to Specific Plan-Mixed Use (SP-MU) zoning property located at 3839 Murfreesboro Pike, approximately 230 feet north of Old Hickory Boulevard (65.1 acres), to permit the development of up to 250 multi-family residential units and up to 421,500 square feet of commercial uses.

**History** This item was deferred at the February 28, 2008, Planning Commission meeting at the request of the council representative to allow the applicant and staff to agree upon a site layout that respects the land use policies while meeting the access and visibility needs of potential retailers.

**Existing Zoning**

AR2a District - Agricultural/Residential requires a minimum lot size of 2 acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a District is intended to implement the natural conservation or interim nonurban land use policies of the general plan.

**Proposed Zoning**

SP-MU District - Specific Plan-Mixed Use is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes residential uses in addition to office and/or commercial uses.

**ANTIOCH-PRIEST LAKE COMMUNITY PLAN**

**Existing Policy Corridor General (CG)** CG is intended for areas at the edge of a neighborhood that extend along a segment of a major street and are predominantly residential in character. CG areas are intended to contain a variety of residential development along with larger scale civic and public benefit activities. Examples might include single family detached, single-family attached or two-family houses; but multi-family development might work best on such busy corridors. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

**Commercial Mixed Concentration (CMC)** CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

**Staff Recommended Policy**

**Community/Corridor Center (CC)** CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in

these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

**Consistent with Policy?** Yes. With the approval of the staff recommended associated plan amendment, the proposed SP district would be consistent with policy. The preliminary SP site plan is a step towards creating a plan that embodies the characteristics of Community Center (CC) policy. Design elements, such as sidewalks, mixed-use buildings, alleys and higher density housing help to bring the plan into conformance with CC policy. Efforts have also been made to create the structure for a “Main Street” style of development. The plan incorporates a block structure street pattern with the buildings placed to line the drives. Street trees are planned along all public streets and the major internal drives to enhance the pedestrian areas, and several commercial buildings are arranged to address a common green space to create a sense of place or a common point of interest within the development.

The plan, however, still possesses some elements of a traditional suburban style layout that contradicts the design principles encouraged by CC policy. The residential and commercial uses are largely segregated from each other, with the exception of one mixed use building planned to provide residential units on the third floor. The plan also limits housing choice to attached single-family units. A variety of housing options to include higher intensity multi-family and more residential units above retail would be more characteristic of CC policy. Although there are pedestrian connections located throughout the commercial development, the site is dominated by surface parking and is clearly automobile oriented. The CC policy encourages design principles that accommodate both transit and the automobile.

On balance, the preliminary SP site plan is appropriate at this location with the approval of the Community Center policy. The plan strives to create a mixed center of activity that will serve multiple neighborhoods in the surrounding area. Significant effort has been made to promote design principles characteristic of CC policy. While several principles are incorporated into the plan, the form of development for the most part, remains suburban in scale and intensity. However, the plan sets a framework for future infill should the market support additional intensity.

**PLAN DETAILS** The site plan has been designed to accommodate residential and commercial uses on a total of 65.1 acres. The residential section of the plan consists of attached single-family units. Approximately half of the units will have rear access, while all others are designed with front loaded access to each unit. A three-story mixed use building is also planned to serve as a transition to the attached single-family units. This building will front Hobson Pike and will consist of ground floor retail and office, with residential units above.

The commercial component is planned to consist of 421,500 square feet. The site is designed to accommodate a big box retail tenant with out parcels planned for stand alone retailers, banks and restaurants. The commercial uses in the SP application include all uses permitted and permitted with conditions within the Commercial Limited (CL) zoning district with the exception of adult entertainment, title loans, flea markets, cash advance, check cashing, pawn shops and auction houses, transient housing and warehousing and storage.

**Design Standards** The Design Standards section of the plan states a maximum commercial square footage of 421,500 square feet, with a maximum of a 0.40 floor area ratio per lot. Commercial buildings will have a maximum height of three-stories with a minimum front and rear setback of 20 feet, and 0 or 10 feet side yard setbacks. The building standards for the residential uses include a maximum height of 2.5 stories, and building setbacks of 10 to 12 feet for rear-loaded units, 20 to 22 feet for front-loaded units, and no side yard setback requirements.

**Access/Parking** The site is accessible via Hobson Pike and Murfreesboro Pike. Four points of access onto Hobson Pike are shown on the plan. Three access points are planned for Murfreesboro Pike. The structure plan suggests the internal street network will consist of private drives in both the residential and commercial portions of the development. Pedestrian access will be accommodated by five-foot sidewalks along Hobson Pike and Murfreesboro Pike. Internal to the site, pedestrian connections are shown within

the residential and commercial sections. Sidewalks will be constructed on both sides of the street within the residential development.

The plan proposes 2.15 parking spaces per unit for the residential uses. Parking spaces for the commercial uses are not outlined by use, but the plan indicates that parking will be based on the requirements of the Metro Zoning Code.

**Landscape Buffers** The plan identifies specific landscaping requirements for both the residential and commercial uses. A standard “B” landscaping buffer as defined by the Metro Zoning Ordinance will screen the residential uses from the commercial uses. The plan also proposes a standard “C” landscaping buffer between this site and any surrounding properties not currently zoned commercial. A scenic landscape easement is also shown on the plan to provide a buffer along Hobson Pike which is designated as a scenic arterial in the Major Street and Collector Plan.

**PUBLIC WORKS RECOMMENDATIONS** The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions. Approval subject to Tennessee Department of Tennessee approval.

In accordance with the recommendations of the traffic impact study the following improvements are required:

1. Widen Hobson Pike at the intersection of Murfreesboro Road to provide one additional through lane in both the NB and SB direction. The additional lanes shall extend 500 ft north and south of Murfreesboro Road with transitions per AASHTO/MUTCD standards.
2. Widen Hobson Pike at the intersection of Murfreesboro Road to provide one additional left turn lane in both the NB and SB direction and with tapers per AASHTO/MUTCD standards. Each of the northbound left turn lanes shall provide a total of 250 ft of storage. Each of the southbound left turn lanes shall provide a total of 150 ft of storage.
3. Widen Hobson Pike south of the intersection of Murfreesboro Road to provide a continuous center two-way left turn lane (TWLTL). The TWLTL shall extend from the NB dual left turn lanes at Murfreesboro Road to the proposed SBLT lane at the intersection of Old Hickory Boulevard, which is to be constructed by a separate development.
4. Modify the traffic signal at Murfreesboro Road and Hobson Pike as needed to accommodate the road widening and the dual left turn movements.
5. Developer shall conduct a signal warrant analysis on Hobson Pike at the middle/main commercial access drive as directed by the Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission.
6. All access drives onto Hobson Pike and Murfreesboro Road should be constructed with a minimum of one entering and two exiting lanes. At the middle/main drive onto Hobson Pike, consideration and coordination should be given to providing three exit lanes to align with future development opposite Hobson Pike.
7. Developer shall conduct a signal warrant analysis on Murfreesboro Road at the middle/main commercial access drive as directed by the Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission.

8. As shown on the submitted site plan, provide a dedicated northbound right turn lane on Hobson Pike at the proposed residential access drive with 100 ft of storage and transition per AASHTO/MUTCD standards.
9. As shown on the submitted site plan, provide a dedicated northbound right turn lane on Hobson Pike at the proposed service access drive with 75 ft of storage and transition per AASHTO/MUTCD standards.
10. As shown on the submitted site plan, provide a dedicated northbound right turn lane on Hobson Pike at the main/middle access drive with 150 ft of storage and transition per AASHTO/MUTCD standards.
11. On Murfreesboro Road, extend the existing eastbound right turn lane from Hobson Pike to the main (second) entrance into the site.
12. Relocate proposed northernmost access drive on Hobson Pike along the existing property line and provide a cross access easement to Map 164 Parcel 173. Show this drive as a full-access.
13. Relocate proposed westernmost access drive on Murfreesboro Road along the existing property line and provide a cross access easement to Map 164 Parcel 173.
14. Along Hobson Pike and Murfreesboro Pike, construct a six (6') foot furnishing zone and eight (8') foot sidewalk, consistent with the Strategic Plan for Sidewalks & Bikeways. Sidewalks to be located within right of way.
15. Along Hobson Pike and Murfreesboro Pike, construct bike lanes, consistent with the Strategic Plan for Sidewalks & Bikeways.

**Typical and Maximum Uses in Existing Zoning District: AR2a**

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	65.1	0.5	32	307	24	33

**Typical Uses in Proposed Zoning District: SP**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820 )	65.1	N/A	421,500	17,301	372	1618

**Typical Uses in Proposed Zoning District: SP**

Land Use (ITE Code)	Acres	Density	Total Dwelling Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230 )	65.1	N/A	250	1494	115	136

**Change in Traffic Between Typical Uses in Existing and Proposed Zoning District**

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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**MAXIMUM Uses in Proposed Zoning District: SP**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820 )	65.1	N/A	646,430	22,845	480	2146

**MAXIMUM Uses in Proposed Zoning District: SP**

Land Use (ITE Code)	Acres	Density	Total Dwelling Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230 )	65.1	N/A	250	1494	115	136

**Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District**

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour

**STORMWATER RECOMMENDATION**

1. There is a possible stream located on site that we will need a stream determination. If a stream, show undisturbed buffers or provide hydraulic determination.
2. Buffer Note (if there is a drain buffer): The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations.

**FIRE MARSHAL RECOMMENDATION**

1. Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46 m) from fire department access roads.
2. The final plat shall show location for all fire hydrants before plat approval.
3. A fire department access road shall extend to within 50 ft of at least one exterior door that can be opened from the outside and that provides access to the interior of the building.
4. Actual or projected flow data shall be provided on plat showing compliance with 2006 edition of NFPA1 table H.
5. Provide a Master Water Plan which shows water mains, fire hydrants, the proposed flow from the fire hydrant with the highest elevation and most remote in this project, street access and topographic elevations.
6. No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface road. Dead end fire mains over 600 feet in length are required to be no less than 10 inch in diameter. If this is to be a public fire main, a letter from Metro Water is required excepting the length and size.
7. All roadways with-two way traffic shall be 20 feet in width minimum.

**METRO SCHOOL BOARD REPORT**

**Projected student generation     10 Elementary   8 Middle     5 High**

**Schools Over/Under Capacity** Students would attend Mt. View Elementary School, Antioch Middle School, and Antioch High School. All three schools have been identified as being over capacity by the Metro School Board. Another middle school within the cluster has capacity. There is neither capacity within the cluster to accommodate the projected number of elementary students, nor within a neighboring cluster to accommodate the projected number of high school students. The fiscal liability is \$200,000 for

the elementary students and \$145,000 for the high school students. This information is based upon data from the school board last updated April 2008.

**STAFF RECOMMENDATION** Staff recommends approval of the zone change request to allow the proposed SP-MU zoning district at this location, subject to the approval of the associated Community Plan Policy Amendment. The proposed mix of commercial and residential land uses is generally appropriate for this location. The arrangement of the buildings and the form of development adhere to key principles of Community Center policy.

#### **CONDITIONS**

1. All buildings shall be constructed in accordance with the bulk standards outlined in the preliminary SP plan.
2. Prior to or in conjunction with final site plan approval, elevations illustrating the commercial buildings and the residential units shall be reviewed and approved by the Planning Commission in accordance with the standards and intent as outlined in the preliminary SP plan. Residential buildings shall have a minimum three sides clad in brick and/or cement-fiber board. Front loaded garage buildings shall be designed so as to minimize the visual impact of the garage from the street.
3. Stormwater requirements must be met prior to or in conjunction with final site plan approval.
4. Public Works requirements must be met prior to or in conjunction with final site plan approval.
5. Commercial uses shall be limited to all uses permitted and permitted with conditions within the Commercial Limited (CL) district with the exception of the following prohibited uses: adult entertainment, title loans, flea markets, cash advance, check cashing, pawn shops and auction houses, transient housing, warehousing and storage.
6. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the CL zoning for the commercial portions of the plan and RM9 zoning district for the residential portion of the plan as of the date of the applicable request or application.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Ms. Cummings requested that Councilmember Coleman readdress the Commission regarding his traffic concerns in an effort to determine whether additional conditions should be included in their motion.

Councilmember Coleman explained that he would like assurance that the Public Works Department based their traffic studies on the required commercial components of this development and the totality of all the projects proposed for this area.

Mr. Scott McCormick, Public Works, explained that the traffic impact study submitted included all of the projects proposed for this area and that the study contained many added conditions and recommendations to further mitigate any additional traffic.

Mr. Tyler requested clarification on the requirements placed on the commercial and residential components contained in this proposal.

Ms. Nedra Jones explained this concept to the Commission.

Mr. Gee acknowledged the number of conditions placed on this development and questioned what process was in place if the conditions were to change prior to final approval.

Ms. Nedra Jones explained this process to the Commission.

Ms. Hammond offered that any major changes that were made to the plan it would require approval from Council.

Mr. Gee requested clarification on the stream that is located on site and how it would impact the plan.

Mr. Bernhardt offered that the applicant is made aware that any major changes made to the plan would require Council approval.

Mr. Steve Mishu, Metro Stormwater, explained the conditions associated with the stream that is located within this development.

Mr. Gee requested additional clarification on the total square footage that is required in the commercial component of this development.

Mr. Gee then offered his comments on how this plan would change and accommodate future development for the area. He requested additional clarification on the uses of SP zoning in relation to the final outcomes of walkable communities.

Mr. Bernhardt offered additional information on the potential of utilizing various phasing in SP zoning.

Mr. Gotto acknowledged that the traffic impact study has taken into account the entire development proposed for this area. He then spoke of the latitude that Council has over SP zoning and the ability to amend the proposal prior to its third reading. He acknowledged the diligent work displayed by Councilmember Coleman and how he will continue to work with community members to insure that this project will be an enhancement for the entire community.

Mr. Ponder spoke in favor of the plan. He offered caution in trying to plan too far ahead with SP zoning.

Mr. Dalton spoke in favor of the proposal and too recognized the diligent work of Councilmember Coleman.

Ms. LeQuire acknowledged the progress this project has undertaken since its original submittal. She then commented on the importance of including the residential component contained in the development. Ms. LeQuire then requested clarification on whether this development would have any impact on neighborhood schools.

Mr. Bernhardt explained the school site dedication policy to the Commission. He further explained that this project is below the threshold that would require a school site dedication.

Ms. LeQuire questioned whether the public works study included or would be able to include any future public transportation sites to this area.

Ms. Nedra Jones offered she was unsure as to whether the requirement to include public transportation would be addressed by the Public Works Department.

Mr. Gotto left the meeting at 5:00 p.m.

Mr. Bernhardt offered that the Commission could add a condition that would require that public transportation be reviewed for this development.

Ms. Nedra Jones offered the sidewalk improvements that are required with this development.

Mr. Ponder moved and Mr. Dalton seconded the motion, which passed unanimously, to approve with conditions Zone Change 2008SP-002U-13 including the additional condition that the developer develop a plan for transit access and stops acceptable to the MTA and implement said plan during the construction of the site infrastructure. **(9-0)**

**Resolution No. RS2008-128**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007CP-021U-13 is **APPROVED. (10-0)**”

**Resolution No. RS2008-129**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008SP-002U-13 is **APPROVED WITH CONDITIONS, including an additional condition that the developer develop a plan for transit access and stops acceptable to the MTA and implement said plan during the construction of the site infrastructure. (9-0)**

**Conditions of Approval:**

1. All buildings shall be constructed in accordance with the bulk standards outlined in the preliminary SP plan.
2. Prior to or in conjunction with final site plan approval, elevations illustrating the commercial buildings and the residential units shall be reviewed and approved by the Planning Commission in accordance with the standards and intent as outlined in the preliminary SP plan. Residential buildings shall have a minimum three sides clad in brick and/or cement-fiber board. Front loaded garage buildings shall be designed so as to minimize the visual impact of the garage from the street.
3. Stormwater requirements must be met prior to or in conjunction with final site plan approval.
4. Public Works requirements must be met prior to or in conjunction with final site plan approval.
5. Commercial uses shall be limited to all uses permitted and permitted with conditions within the Commercial Limited (CL) district with the exception of the following prohibited uses: adult entertainment, title loans, flea markets, cash advance, check cashing, pawn shops and auction houses, transient housing, warehousing and storage.
6. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the CL zoning for the commercial portions of the plan and RM9 zoning district for the residential portion of the plan as of the date of the applicable request or application.

7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**The proposed SP-MU district is consistent with the Antioch/Priest Lake Community Plan's Community/Corridor policy which is intended for dense, predominately commercial areas at the edge of neighborhoods that serves as a town center."**