

**2009SP-031-001**

Silver Spring Valley  
Map: 187-00 Parcels: 010, 038, 166  
Southeast Community Plan  
Council District 31 – Parker Toler  
Staff Reviewer: Jason Swaggart

A request to change from AR2a to SP-R zoning for properties located at 6887 and 6891 Burkitt Road and at Kidd Road (unnumbered), approximately 6,250 feet east of Nolensville Pike (91.67 acres), to permit 362 single-family lots, requested by Anderson, Delk, Epps & Associates, applicant, for Y & H Tennessee Partnership G.P. and Rachel and Amy Yazdian, owners.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Preliminary SP- Rezone to permit 362 single-family residential lots.**

A request to change from Agricultural/Residential (AR2a) to Specific Plan – Residential (SP-R) zoning for properties located at 6887 and 6891 Burkitt Road and at Kidd Road (unnumbered), approximately 6,250 feet east of Nolensville Pike (91.67 acres), to permit 362 single-family lots.

**Existing Zoning**

AR2a District - Agricultural/Residential requires a minimum lot size of 2 acres and 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. *Approximately 45 lots would be permitted under AR2a.*

**Proposed Zoning**

SP-R District - Specific Plan-Residential 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 several variations on the single family residential building type.*

**CRITICAL PLANNING GOALS**

**Preserves/Creates Open Space**

**Creates Walkable Neighborhoods**

As proposed, the plan provides passive and active open space. The passive areas protect some environmental features such as the stream near the county line, and provide space for stormwater detention. A large portion of the open space is classified as active and will provide residents with opportunities for gathering and outdoor recreation.

The proposed plan provides for future connectivity to surrounding properties, which will provide for a better street network when development occurs in the area. Internal street connectivity is moderate, and will permit sufficient vehicular dispersal within the development. Sidewalks are proposed along all streets and with additional mid-block sidewalk connections, pedestrians should be able to sufficiently and safely navigate throughout the development.

**SOUTHEAST COMMUNITY PLAN**

**Suburban Neighborhood Evolving(T3-NE)** “T3 NE” policy is intended to create suburban neighborhoods that are compatible with the general character of classic suburban neighborhoods as characterized by their building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than classic suburban neighborhoods and/or smaller lot sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing - challenges that were not faced when the original classic suburban neighborhoods were built.

**Consistent with Policy?** Yes, the proposed SP district is consistent with the area’s T3-NE policy. While the plan consists of only single-family lots, it offers two different housing options as well as two estate lots. The new lots along Burkitt Road are in keeping with existing lots along Burkitt and help maintain the rural character. The layout provides good street and pedestrian connectivity, and open space is provided throughout the site.

**PLAN DETAILS**

**History** This plan is associated with a previously approved plan amendment to the Southeast Community Plan. On February 25, 2010, the Planning Commission approved a policy amendment for this site and other adjacent property from Rural to Suburban Neighborhood Evolving (T3-NE). This SP application was deferred to the April 22, 2010, Planning Commission meeting so that the applicant would have time to work with staff on design issues.

**Current Site Conditions** The three properties proposed for rezoning are located on the south side of Burkitt Road just east of Nolensville Pike, which is in southeast Davidson County near the county line with Williamson County. The properties are mostly vacant with the exception of a few structures located close to Burkitt Road. The land is primarily open field with some wooded areas. It contains rolling hills with a few steep slopes. A stream runs along sections of the western property line and through a portion of the property closer to Williamson County.

**Site Plan** The plan calls for 362 single-family lots with an overall density of approximately four units per acre. There are 153 front loaded lots (42%) and 209 alley loaded lots (58%). Lot types include cottage, house and estate with the cottage being the smallest and the estate being the largest in size. There are only two estate lots which are located along Burkitt Road. The cottage lots are all alley loaded, and the house and estate lots are all front loaded. A majority of the lots front on public streets, but some of the cottage lots front onto open space, with vehicular access to lots at the rear by an alley.

**Access and Sidewalks** The development's main entrance in Davidson County is from Burkitt Road. The plan provides for future connectivity to adjacent properties to the south, east and west. Phase One is located at the opposite end of the site from Burkitt Road, and access will be from Williamson County. The property in Williamson County is not currently developed, and access to Phase One will be dependent on the development of the adjacent site, as well as the Burkitt Place Development which is in Williamson and Davidson County. If the adjacent areas are not developed, then the phasing plan will have to be revised. Sidewalks are shown along all streets.

**Open Space** Approximately 22 acres (25%) of the site is proposed for open space. Approximately 14 (63%) of these acres are designed to be usable space for residents with the remaining acres in landscape easements, stream buffers and detention areas.

**STORMWATER RECOMMENDATION** Preliminary SP approved

#### **PUBLIC WORKS RECOMMENDATION**

1. The sight distance at Burkitt Rd and the project access must be improved prior to any construction permits being issued.
2. Proposed roundabouts shall have a center radius of 35' or greater.
3. Road C at roundabout with Road A appears to have inadequate sight distance and may require significant grading.
4. Alleys shall have concrete ribbon curb.
5. Canopy street trees will not be allowed in the public right-of-way, understory trees are acceptable.
6. Evergreen street trees must not be planted in close proximity to an intersection in such a way as to interfere with adequate sight distance.
7. All lots must have public street frontage, or the alley frontage must be 24' in width. Specifically the entire alley system between roads C, A, G., H, and F. The alley from lot 147 to lot 159 and the connection to road F.
8. Stub street Road K south of Middlewick Lane should be removed or constructed to the property line.
9. The phasing plan shown is unacceptable and requires major revision.
10. Construction traffic shall enter through Burkitt Rd and not be routed through the adjacent development.

11. The building setback must be revised to provide a minimum distance of 5' or a minimum distance of 20' or greater to prevent parked vehicles from overlapping the sidewalk system.

**Traffic**

1. Developer shall construct an eastbound right turn deceleration lane on Burkitt Road at the project access with 100 ft of storage and transitions per AASHTO standards.

2. Developer shall construct a westbound left turn lane on Burkitt Road at the project access with 100 ft of storage and transitions per AASHTO/MUTCD standards.

3. Construct the project access road at Burkitt Road with one entering and two exiting lanes (LT and RT) each with a minimum 100 ft of storage and transitions per AASHTO/MUTCD standards.

4. As part of the development of construction plans, provide and document adequate sight distance from the project access at the intersection of Burkitt Road. Any required improvements on Burkitt Road shall be completed at the beginning of the project to address sight distance at the project access.

5. Developer shall conduct a signal warrant analysis at the intersection of Burkitt Road and the project access with the final platting of each phase (beginning with the platting of the 200th lot) or 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. To address traffic calming on Road 'A' within the development, geometric modifications will be required where Road 'A' intersects with Road 'C' and with Road 'G'. The developer's site engineer shall coordinate with the developer's traffic engineer to determine appropriate design strategies at each location.

7. Developer shall modify traffic signal at Nolensville Pike and Burkitt Road to include a westbound right turn overlap during the protected SB left turn phase.

8. Developer may be required to extend the existing southbound left turn lane on Nolensville Road at Burkitt Road to address queuing concerns at this intersection. Additional analysis of the intersection shall be provided to address this prior to approval of any construction plans.

9. In keeping with the Planning Department's IDA policy, other infrastructure improvements will be required by this development. The length of these improvements are to be as established by the Planning Department staff. The design is to be by the developer's engineer and approved by the Public Works Department.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	91.67	0.5 D	45 L	499	42	53

**Maximum Uses in Proposed Zoning District: SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	91.67	-	362 L	3500	272	352

**Traffic changes between maximum: AR2a and proposed SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+317 L	+3001	+230	+299

### METRO SCHOOL BOARD REPORT

Projected student generation 57 Elementary 41 Middle 37 High

**Schools Over/Under Capacity** Students would attend Maxwell Elementary School, Marshal Middle School, and Cane Ridge High School. Maxwell and Marshall have been identified as over capacity. There is capacity within the cluster for middle school students, but there is no capacity within the cluster for additional elementary students. This information is based upon data from the school board last updated September 2009.

**Fiscal Liability** The fiscal liability of 58 new elementary students is \$1,160,000 (58 X \$20,000 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

**School Site Dedication** Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students.

This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Cane Ridge High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.

**STAFF RECOMMENDATION** Staff recommends approval with conditions. As proposed the Specific Plan district is consistent with the T3-NE policy.

### CONDITIONS

1. Uses in this SP district are limited to community facilities and 362 single-family lots.
2. Planning Commission approval shall include a variance from Section 3-4.2.b of the Subdivision Regulations which requires that residential lots have frontage directly on a public or private street for all lots fronting onto open space.
3. Understory trees are proposed within the planting strip along all streets. The final site plan shall show all utility locations, and ensure that utilities do not conflict with the final site location for trees.
4. Because access for Phase One is dependent on the development of adjacent projects, then the streets associated with those projects shall be completed prior to Phase One having final site plan approval, or the phasing plan shall be revised in order to accommodate access to the site.
5. Any required right-of-way within the project site that is identified as necessary to meet the adopted roadway plans shall be dedicated.
6. 2,658 feet of major roadways (or an equivalent transportation improvement) shall be improved by the applicant within the identified infrastructure deficiency area to a two-lane cross section at a level acceptable to the Department of Public Works. Such improvements shall be undertaken within available right-of-way and at a level commensurate with the development entitlements appropriate on the site. Improvements are to accommodate additional traffic volumes within the Infrastructure Deficiency Area. When appropriate improvements can not be physically made, then the applicant may make a financial contribution for future

roadway improvements within the identified infrastructure deficiency area. The Department of Public Works shall determine the appropriate contribution based on the linear feet of roadway to be improved.

7. Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students. This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Cane Ridge High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.
8. 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 standards, regulations and requirements of the RS3.75 zoning district as of the date of the applicable request or application.
9. 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. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. 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.
10. 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.
11. The following note shall be added to the Plan: "This development shall meet the requirements of the Americans with Disabilities Act", and shall be included in the corrected copy of the preliminary plan.
12. 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.
13. The sight distance at Burkitt Rd and the project access must be improved prior to any construction permits being issued.
14. Proposed roundabouts shall have a center radius of 35' or greater.
15. Road C at roundabout with Road A appears to have inadequate sight distance and may require significant grading.
16. Alleys shall have concrete ribbon curb.
17. Canopy street trees will not be allowed in the public right-of-way, understory trees are acceptable.
18. Evergreen street trees must not be planted in close proximity to an intersection in such a way as to interfere

with adequate sight distance.

19. Stub street Road K south of Middlewick Lane should be removed or constructed to the property line.
20. The phasing plan shown is unacceptable and requires major revision.
21. Construction traffic shall enter through Burkitt Rd and not be routed through the adjacent development.
22. The building setback must be revised to provide a minimum distance of 5' or a minimum distance of 20' or greater to prevent parked vehicles from overlapping the sidewalk system.
23. Developer shall construct an eastbound right turn deceleration lane on Burkitt Road at the project access with 100 ft of storage and transitions per AASHTO standards.
24. Developer shall construct a westbound left turn lane on Burkitt Road at the project access with 100 ft of storage and transitions per AASHTO/MUTCD standards.
25. Construct the project access road at Burkitt Road with one entering and two exiting lanes (LT and RT) each with a minimum 100 ft of storage and transitions per AASHTO/MUTCD standards.
26. As part of the development of construction plans, provide and document adequate sight distance from the project access at the intersection of Burkitt Road. Any required improvements on Burkitt Road shall be completed at the beginning of the project to address sight distance at the project access.
27. Developer shall conduct a signal warrant analysis at the intersection of Burkitt Road and the project access with the final platting of each phase (beginning with the platting of the 200th lot) or 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.
28. To address traffic calming on Road 'A' within the development, geometric modifications will be required where Road 'A' intersects with Road 'C' and with Road 'G'. The developer's site engineer shall coordinate with the developer's traffic engineer to determine appropriate design strategies at each location.
29. Developer shall modify traffic signal at Nolensville Pike and Burkitt Road to include a westbound right turn overlap during the protected SB left turn phase.
30. Developer may be required to extend the existing southbound left turn lane on Nolensville Road at Burkitt Road to address queuing concerns at this intersection. Additional analysis of the intersection shall be provided to address this prior to approval of any construction plans.

**Approved with conditions, including the revised Public Works conditions. (10-0)**

**Resolution No. RS2010-49**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2009SP-031-001 is **APPROVED WITH CONDITIONS, including the following conditions with the revised Public Works conditions as follows (10-0):**

**Conditions of Approval:**

1. Uses in this SP district are limited to community facilities and 362 single-family lots.
2. Planning Commission approval shall include a variance from Section 3-4.2.b of the Subdivision Regulations which requires that residential lots have frontage directly on a public or private street for all lots fronting onto open space.

3. Understory trees are proposed within the planting strip along all streets. The final site plan shall show all utility locations, and ensure that utilities do not conflict with the final site location for trees.
4. Because access for Phase One is dependent on the development of adjacent projects, then the streets associated with those projects shall be completed prior to Phase One having final site plan approval, or the phasing plan shall be revised in order to accommodate access to the site.
5. Any required right-of-way within the project site that is identified as necessary to meet the adopted roadway plans shall be dedicated.
6. 2,658 feet of major roadways (or an equivalent transportation improvement) shall be improved by the applicant within the identified infrastructure deficiency area to a two-lane cross section at a level acceptable to the Department of Public Works. Such improvements shall be undertaken within available right-of-way and at a level commensurate with the development entitlements appropriate on the site. Improvements are to accommodate additional traffic volumes within the Infrastructure Deficiency Area. When appropriate improvements can not be physically made, then the applicant may make a financial contribution for future roadway improvements within the identified infrastructure deficiency area. The Department of Public Works shall determine the appropriate contribution based on the linear feet of roadway to be improved.
7. Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students. This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Cane Ridge High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.
8. 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 standards, regulations and requirements of the RS3.75 zoning district as of the date of the applicable request or application.
9. 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. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. 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.
10. 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.
11. 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.

**Revised Public Works Conditions:**

This development will require Public Works approval of detailed construction plans prior to permit issuance. Final design and improvements may vary based on actual field conditions.

1. All construction traffic, including equipment and workers shall enter the site from Burkitt Rd or through Williamson County. There shall be no construction traffic entering the site through the Davidson County portion of Burkitt Place.
  2. The phase lines for Phase 1 shall be redrawn to include a maximum of 50 lots.
  3. Prior to work on Phase 2, Burkitt Rd must be improved at the sight access to provide the required turn lanes and adequate intersection sight distance as per the AASHTO guidelines.
  4. The proposed roundabouts shall have a center radius of 35' or greater, and accommodate all anticipated vehicles.
  5. Alleys that service lots with no road frontage, specifically the alleys between roads C, A, G, H, and F, and the alley from lot 147 to lot 159 and the connection to road F, shall be 22 feet in width total, with 20 feet of paving and a one foot concrete ribbon curb on each side.
  6. All alleys shall be posted "No Parking in Alley."
  7. Homes along the above mentioned alleys facing common areas must be served by mail kiosks, and provide a minimum of 20 feet wide driveways at least 20 feet in length from the right-of-way.
  8. Street trees must be understory trees, no evergreens, and cannot be planted in close proximity to an intersection in such a way as to interfere with adequate sight distance.
- Traffic
9. Developer shall construct an eastbound right turn deceleration lane on Burkitt Road at the project access with 100 ft of storage and transitions per AASHTO standards.
  10. Developer shall construct a westbound left turn lane on Burkitt Road at the project access with 100 ft of storage and transitions per AASHTO/MUTCD standards.
  11. Construct the project access road at Burkitt Road with one entering and two exiting lanes (LT and RT) each with a minimum 100 ft of storage and transitions per AASHTO/MUTCD standards.
  12. As part of the development of construction plans, provide and document adequate sight distance from the project access at the intersection of Burkitt Road. Any required improvements on Burkitt Road shall be completed prior to construction in Phase 2, or any connection to Burkitt Rd.
  13. Developer shall conduct a signal warrant analysis at the intersection of Burkitt Road and the project access with the final platting of each phase (beginning with the platting of the 200th lot) or 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.
  14. Developer shall modify traffic signal at Nolensville Pike and Burkitt Road to include a westbound right turn overlap during the protected SB left turn phase.
  15. Developer may be required to extend the existing southbound left turn lane on Nolensville Road at Burkitt Road to address queuing concerns at this intersection. Additional analysis of the intersection shall be provided to address this prior to approval of any construction plans.
  16. In keeping with the Planning Department's IDA policy, other infrastructure improvements will be required

by this development. The length of these improvements is to be as established by the Planning Department staff. The Department of Public Works will establish what the IDA improvements are to be with the approval of the final construction plans.

**The proposed SP district is consistent with the Southeast Community Plan's Suburban Neighborhood Evolving policy."**