

2015SP-033-001

BURKITT STATION

Map 183, Parcel(s) 012.01, 012, 060
Council District 33 (Robert Duvall)
Staff Reviewer: Latisha Birkeland

A request to rezone from AR2a to SP-MU zoning for property located at 13153, 13159, and 13167 Old Hickory Boulevard, approximately 640 feet south of Muci Drive, (18.74 acres), to permit up to 244 residential units and mixed use development, requested by Ragan-Smith Associates, Inc., applicant; Keach Investments, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit a mixed use development.

Preliminary SP

A request to rezone from Agricultural/Residential (AR2A) to Specific Plan-Mixed Use (SP-MU) zoning for property located at 13153, 13159, and 13167 Old Hickory Boulevard, approximately 640 feet south of Muci Drive, (18.74 acres), to permit up to 244 residential units and mixed use development.

Existing Zoning

Agricultural/Residential (AR2A) requires a minimum lot size of two 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 two acres. The AR2a District is intended to implement the natural conservation or rural land use policies of the general plan. *AR2a would permit a maximum of 9 lots with 2 duplex lots for a total of 13 units.*

Proposed Zoning

Specific Plan-Mixed Use (SP-MU) 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 commercial uses.

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods

This site has frontage on Old Hickory Boulevard, an active corridor, providing retail and services in Southeast Nashville. The SP will project will intensify development on an infill site and provide for a different housing type than currently exists in the immediate area. Sidewalks are being provided along Old Hickory Boulevard to increase walkability in the area and within the development.

SOUTHEAST COMMUNITY PLAN

Current Policy

T3 Suburban Community Center (T3 CC) policy is intended to enhance suburban community centers encouraging their redevelopment as intense mixed use areas that are compatible with the general character of suburban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Where not present, enhance infrastructure and transportation networks to improve pedestrian, bicycle and vehicular connectivity. T3 Suburban Community Centers are pedestrian friendly areas, generally located at prominent intersections.

DRAFT Preferred Future Policy

No changes are proposed.

Consistent with Policy?

Yes. The SP would permit residential uses and a variety of commercial mixed use consistent with the T3 Community Center land use policy. The placement of the proposed commercial uses and multi-family residential uses will provide a transition between the center and less intense suburban residential surrounding the SP.

PLAN DETAILS

The proposed SP will permit up to 244 multifamily residential units and mixed commercial uses. The intent of the mixed commercial portion is to encourage a neighborhood mixed use center to serve nearby residents.

Uses allowed in the commercial portion will be based on uses allowed in the MUN zoning district, excluding cash advance and cash checking. Additional uses permitted include day car – parent's days out, animal hospital, animal boarding facility, automobile convenience (permitted with conditions the same within MUL-A zoning district), fast-food restaurant and parking and recreation uses. Residential land uses will be based on uses allowed in the RM20 Zoning.

Commercial / Mixed Use Phase

The mixed use phase will occupy approximately four acres within the SP, along the western property line, with frontage along Old Hickory Boulevard. Standards have been established to ensure that the buildings will create a community center and provide a pedestrian friendly environment. These standards include that front yard setback, to the primary street, shall be 0 feet to 80 feet. The build shall occupy 45% of the lot and the first floor height of a one story building shall be 16 feet; multi-story shall be 14 feet in height. The intensity of development will be determined by the provided floor area ratio (0.60). Maximum height is three stories, within 45 feet. All buildings shall comply with glazing requirements and architectural standards.

This SP includes an eight foot sidewalk and a six foot planting strip along Old Hickory Boulevard as the Major and Collector Street Plan (MCSP) All internal sidewalks shall be a minimum of five feet. Sidewalk connections shall be made to the residential portion of the SP and Old Hickory Boulevard.

All ground and building signs must be approved under an overall signage plans for each phase of development with the SP District. Commercial signage will allow wall signs to be mounted flush or projecting, window signs, awning signs, ground signs, etc. The total sign area shall be determined based upon type of sign. Signs that are to be lighted shall be spotlighted, externally-lit, or back-lit with a diffused light source. Backlighting shall illuminate only the letters, character, or graphics on the sign, rather than the background of the sign. Backgrounds shall be opaque.

Multi-family signs shall be limited to the name of the multi-family development and/or insignia. Monument signs shall be allowed at the medium of the private access drive and the terminus of the central private drive.

Residential Phase

The proposed residential component of the SP will occupy 14 acres on the eastern portion of the site. The residential use would allow up to 244 multi-family units. These units will be in the form of apartment buildings and carriage units. The maximum height of the buildings will not exceed three stories. Amenities as a club house, pool and playground have been included. An extensive internal sidewalk network has been included to promote walkability.

Parking/Access

The required number of parking spaces shall be consistent with current requirements stipulated in the Metro Zoning Code. The amount of bedrooms per residential dwelling unit shall be submitted with the final site plan. It is possible that additional open space may be created by a reduction in parking stalls at that time. Three access points are proposed along Old Hickory Boulevard; access point "B" will provide the main access to the residential units and the mixed use space. Access points "A" and "C" will be used to access the commercial portion. Access locations will be determined with any final site plan and would be subject to Public Works approval.

Landscaping

A 10 foot type "A" scenic arterial landscape buffer yard will be installed along Old Hickory Boulevard. Parking areas will be separated from adjacent side and rear lot lines by a type "B" landscape buffer yard on commercial portion along the northern, eastern and southern property lines. All Landscaping shall meet the requirements in the Metro Code.

Infrastructure Deficiency Area

In 2004, a community plan update was prepared for the Southeast Community Plan. As part of the update, the Planning Commission noted that there were certain portions of the community that had insufficient infrastructure to meet development demands and expected growth. An Infrastructure Deficiency Area was established and any proposed developments within this area are required to improve major roadways, or construct an equivalent transportation improvement, to accommodate additional traffic volumes created by the development.

In order to accommodate traffic volumes, the applicant shall improve major roadways (or an equivalent transportation improvement) within the identified infrastructure deficiency area to a two-lane cross-section at a level acceptable to the Department of Public Works. Eligible roadways are identified in the Infrastructure Deficiency Area map. Such improvements shall be undertaken within available right-of-way and at a level commensurate with the development entitlements appropriate on the site. The rate of a commensurate requirement is calculated as 3,087 total required feet of roadway.

ANALYSIS

The SP provides a preliminary site plan and provides a development plan with the necessary conditions that will be used to regulate future development within the SP boundary.

The proposed SP is consistent with the T3 Community Center land use policy and staff recommends approval with conditions.

**FIRE MARSHAL'S OFFICE
Approved with conditions**

- Fire Code issues for the structures will be addressed at permit application review. Applicant states grades are adequate to meet our requirements.

PUBLIC WORKS RECOMMENDATION

Conditions if approved

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Comply with MPW Traffic Engineer conditions.
- All roadway and ROW improvements are to meet MPW and AASHTO standards prior to Final SP.
- Submit a plan indicating the roadway improvements on separate sheet. Include note indicating signal modifications, existing vs proposed EOP, new vs existing striping, etc.
- All roadway improvements that are required for the operation of any of the 3 driveways shown (A, B, or C) must be completed with the construction of Phase 1 and must be completed prior to the first U/o for the development.

TRAFFIC AND PARKING RECOMMENDATION

Conditions if approved

In accordance with TIS findings, the developer shall construct and install the following road improvements.

- Developer of the proposed SP apartment parcel shall construct 1 SB left turn lane from northern property line to the main access road opposite October Woods and extend the existing NB left turn lane at October Woods with TWTL striping to access C and provide adequate lane transitions.
- Developer of the proposed SP apartment parcel shall construct 1 NB thru/right travel lane along SP Old Hickory Blvd frontage and provide adequate lane transition.
- Developer of the SP apartment parcel shall modify the existing signal as required and provide pedestrian signals and infrastructure per ADA standards. Developer shall submit signal plan and modify signal when approved by Metro traffic engineer. The existing signal at this intersection should be modified to accommodate southbound, eastbound, and westbound left turn phases. Signal timing at this signalized intersection should be reviewed.
- The Proposed Burkitt Station Access "B" should include one lane for traffic entering the site and two lanes for traffic exiting the site. The lanes exiting the site should be designated as one left turn lane and one thru/ right turn lane each having a storage length of 100 feet at a minimum. This access will create a new east approach at the signalized intersection.
- Developer of the commercial parcels shall submit signal warrant analysis for the Old Hickory Blvd /BURKITT RD at Old Hickory Blvd intersection and provide signal plan and install traffic signal when directed by metro traffic engineer.
- Three access points are shown on the SP. No additional access drives will be allowed to OHB.
- Provide adequate sight distance at all access drives along OHB frontage. Proposed landscaping and development signage should be set back a minimum of 20 feet from the roadway edge to provide appropriate intersection sight distance from the proposed Burkitt Station Access.

STORMWATER RECOMMENDATION

Approved

WATER RECOMMENDATION

Approved

- The unit count in this SP package now matches the unit count in the latest availability study (244 units). Approved as a Preliminary SP only. Public construction plans must be submitted and approved prior to Final SP stage. The required capacity fees must be paid prior to Final SP approval.

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 Residential (210)	18.74	0.50 D	9 U	87	7	10

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
Multi-Family Residential (220)	18.74	-	248 U	1627	126	155

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 239 U	+1,540	+119	+145

METRO SCHOOL BOARD REPORT

Projected student generation existing AR2A district: 8 Elementary 5 Middle 6 High

Projected student generation proposed SP-MU district: 26 Elementary 21 Middle 17 High

The proposed SP-MU zoning district could generate 45 more students than what is typically generated under the existing AR2A zoning district. Students would attend A.Z. Kelley Elementary School, Marshall Middle School, and Cane Ridge High School. Marshall Middle School and Cane Ridge High School have been identified as over capacity. There is capacity within the cluster for middle school students, but there is no capacity within the adjacent clusters for high school students. This information is based upon data from the school board last updated October 2014.

The fiscal liability of 11 high school students is \$396,000.00 (11 x \$36,000 per student). This is only for information purposes to show the potential impact of this proposal, this is not a staff condition of approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Commercial uses within Phase 2 shall be limited to uses allowed in the MUN zoning district, excluding cash advance and cash checking. Additional uses permitted include day care – parent’s days out, animal hospital, animal boarding facility, automobile convenience (permitted with conditions the same within MUL-A zoning district), fast-food restaurant and parking and recreation uses. Uses in Phase 1 are limited to multi-family residential.
2. Roadway improvements that are a direct result of this specific project as determined by the approved Traffic Impact Study and the Department of Public Works shall be constructed.
3. Any required right-of-way within the project site that is identified as necessary to meet the adopted roadway plans shall be dedicated.
4. In order to accommodate traffic volumes, the applicant shall improve major roadways (or an equivalent transportation improvement) within the identified infrastructure deficiency area to a two-lane cross-section at a level acceptable to the Department of Public Works. Eligible roadways are identified in the Infrastructure Deficiency Area map. Such improvements shall be undertaken within available right-of-way and at a level commensurate with the development entitlements appropriate on the site. The rate of a commensurate requirement is calculated as 3,087 total required feet of roadway. IDA requirements shall be completed prior to the issuance of the first use and occupancy permit in Phase 1. Public Works shall be responsible for monitoring the completion of the IDA requirements in association with the first use and occupancy permit in Phase 1.
5. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN zoning district for Phase 2 and RM20 for Phase 1 as of the date of the applicable request or application.
6. All signs must be approved under an overall signage plans for each phase of development with the SP District. Signage standards shall meet the requirements within the SP plan.
7. 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.
8. 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. Blackshear recused herself and stepped out of the room at 8:00 p.m.

Ms. Birkeland presented the staff recommendation of approval with conditions and disapproval without all conditions.

Tom White, 36 Old Club Court, spoke in favor of the application and noted that his client has agreed to all conditions.

Peggy Johnson, 5917 Banning Circle, spoke in favor of the application and noted that it has generated a lot of support in the subdivision.

Terry Rucker, 329 Battle Road, spoke in opposition to the application and stated that he wants it to stay single-family.

March 26, 2015, Planning Commission Meeting

Mike (last name unclear), 7413 Golden Apple Dr, spoke in opposition due to traffic concerns and requested a deferral in order to hold more community meetings.

Tom White noted that this project will improve traffic capacities.

Chairman McLean closed the Public Hearing.

Councilman Hunt spoke in favor of the application and noted that this type of structure is needed in this area.

Ms. LeQuire asked Metro Storm Water what their recommendations are for addressing the floodplain.

Steve Mishu, Metro Storm Water, stated that detention will be required for this site based on how undeveloped it currently is.

Mr. Clifton moved and Mr. Haynes seconded the motion to approve with conditions and disapprove without all conditions. (8-0)

Ms. Blackshear stepped back in the room at 8:22 p.m.

Mr. Clifton stepped out of the room at 8:22 p.m.

Resolution No. RS2015-91

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-033-001 is **Approved with conditions and disapproved without all conditions. (8-0)**"

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