

2015SP-084-001

BURKITT PLACE COMMONS

Map 186, Parcel(s) 014, 021, 026
Council District 31 (Fabian Bedne)
Staff Reviewer: Brett Thomas

A request to rezone from SP-C to SP-MU zoning for properties located at 7022 Nolensville Pike and Nolensville Pike (unnumbered) and 7105 Burkitt Road, approximately 720 feet south of Old Burkitt Road (17.98 acres), to permit a mixed use development with up to 200 multi-family residential units and up to 10,000 square feet of nonresidential uses, requested by Smith Gee Studio, applicant; James and Ruth McFarlin and Newco-Burkitt, LLC, owners.

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

APPLICANT REQUEST

Preliminary SP to permit mixed use development.

Preliminary SP

A request to rezone from Specific Plan-Commercial (SP-C) to Specific Plan-Mixed Use (SP-MU) zoning for properties located at 7022 Nolensville Pike and Nolensville Pike (unnumbered) and 7105 Burkitt Road, approximately 350 feet south of Old Burkitt Road (17.98 acres), to permit a mixed use development with up to 200 multi-family residential units and up to 10,000 square feet of nonresidential uses.

Existing Zoning

Specific Plan-Commercial (SP-C) 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 commercial uses.

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 office and/or commercial uses.

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods
- Provides a Range of Housing Options

This proposal meets two critical planning goals. The mixed use development provides commercial destinations that can be walked to from existing and proposed residences. In addition, the development proposes a range of building types, including commercial, live/work, multifamily, and townhomes.

SOUTHEAST COMMUNITY PLAN

T3 Suburban Community Center (T3 CC) is intended to enhance and create suburban community centers that serve suburban communities generally within a 10 to 20 minute drive. They are pedestrian friendly areas, generally located at prominent intersections that contain mixed use, commercial and institutional land uses, with transitional residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T3 CC areas are served by highly connected street networks, sidewalks and existing or planned mass transit leading to surrounding neighborhoods and open space. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle and vehicular connectivity.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils. The guidance for preserving or enhancing these sensitive features varies with what Transect they are in and whether or not they have already been disturbed.

Consistent with Policy?

Yes. The proposed SP is consistent with the Community Character Policies. The plan creates a mixed use development with pedestrian-friendly features. In addition, the plan preserves the stream in the southern portion of the development as open space.

PLAN DETAILS

The 17.98 acre site is located at the southeast corner of Nolensville Pike and Burkitt Road. A portion of the proposed development is located in Williamson County and is not part of the requested SP.

Site Plan

The original SP was approved in 2010 for a 179,800 square foot commercial development. The plan included a 133,000 square foot anchor tenant with additional commercial tenants and pad sites.

This request proposes up to 200 multi-family units and 10,000 square feet of nonresidential uses within a mixed use development. The SP provides standards for a mix of building types, including commercial, live/work, multi-family, townhomes, carriage units, and single-family with detached garages. The site plan as presented does not identify the building types, and appears to only include commercial, multi-family, and townhomes. As the site plan does not match the standards included within the SP, a condition of approval is included that the applicant identifies proposed building types on the site plan and removes the standards for building types that are not included.

Buildings front onto streets or open space, with parking lots located behind the commercial and multi-family buildings. Streets within the development are to be private. In addition, garages are accessed via a network of alleys.

A Traffic Impact Study was submitted and reviewed with this project. Primary access to the site is provided from Burkitt Road; two additional entrances provide access from Nolensville Pike to the commercial core within the Town of Nolensville. Public Works is requiring a minimum full three lane access road, to be constructed or included as part of the Final SP, for the northern entrance on Nolensville Pike within the town limits. Additional traffic analysis is required prior to final SP approval to identify road improvements at the Burkitt Road and Nolensville Pike intersection in order to mitigate impacts prior to the TDOT roadway widening project construction.

The Town of Nolensville is in support of the requirement for the three lane access road, and has indicated a site plan for the street and commercial development would need to be submitted five weeks prior to Nolensville's Planning Commission date.

In addition, a future connection is proposed in the northwest corner of the development to connect to the property at the intersection of Nolensville Pike and Burkitt Road.

The applicant is proposing a 25 foot undisturbed buffer along the eastern property line to screen the development from the existing Burkitt Place subdivision. A pedestrian connection is provided from this development to the Burkitt Place Development located to the east.

In addition, the SP references a required 6 foot planting strip and 8 foot sidewalk along Nolensville Pike, consistent with the requirements of the Major and Collector Street Plan. Per the MCSP, staff is also including a condition of approval for a 6 foot planting strip and 8 foot sidewalk to be constructed along Burkitt Road.

A cemetery is currently located on a portion of this property. The applicant is working with a consultant and the State Archaeologist to relocate the cemetery to an area along Nolensville Pike at the Williamson County line.

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 3,075 total required feet of roadway.

ANALYSIS

The plan is consistent with the Community Character policies. The proposal enhances the development pattern of the community and provides a mix of uses and housing types. Buildings front onto streets and open space and an enhanced sidewalk network will improve pedestrian connectivity. The existing stream is located in an area identified as open space.

FIRE DEPARTMENT RECOMMENDATION

Approve with conditions

- The plan shows the 2nd access point to be in Williamson County. Approved per Steve Holt.
- Fire Code issues for the structures will be addressed at permit application review.
- Fire hydrants to be located within 100' of the Fire Department Connections on any structure that is required to be sprinklered

METRO HISTORIC ZONING COMMISSION RECOMMENDATION

No exception taken

STORMWATER RECOMMENDATION

Approved

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP, on the following 4 conditions:
 1. Regarding sanitary sewer, this approval applies to the entire development. Public sewer construction plans must be submitted and approved prior to Final SP approval.
 2. Regarding water, this approval only applies to the residential area of the development. The commercial area lies in the jurisdiction of Nolensville-College Grove Utility District, which only provides water. A revised capacity fee letter will be sent to the applicant shortly reflecting this fee structure. Public water construction plans for the residential area must be submitted and approved prior to Final SP approval.
 3. Should the applicant choose to have Metro Water serve the commercial area with water, written permission must be provided by Nolensville-College Grove, allowing this water service arrangement.
 4. The required capacity fees must be paid prior to Final SP approval

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- 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
- All roadways within the proposed development are to maintain 10' or 11' lanes, depending on the hierarchy of the roadway.
- MPW standard ST-200 curb and gutter is to be used on all roadway cross section as well as ST-210 sidewalks.
- All drives within the project will be private property, but constructed per MPW standard road/ alley pavement cross sections. Design team should indicate signage, entry features, etc. to clearly define this as private property.
- Sidewalks on Nolensville Pike and Burkitt Road are to be constructed to MPW standards and meet the MCSP.
- Coordinate with MPW and TDOT to confirm the future roadway plans correspond with the comments listed above.
- Indicate on the plans cross access to the corner property (at the intersection of Nolensville Pike and Burkitt Road)

TRAFFIC AND PARKING RECOMMENDATION

Conditions if approved

- Additional traffic analysis will be required prior to final SP approval to identify road improvements at the Burkitt Road and Nolensville Pike intersection in order to mitigate project's traffic impact prior to the TDOT roadway widening project construction.
- ROW shall be reserved along Nolensville Pike and Burkitt Road in accordance with the TDOT construction plans.
- Prior to Final SP approval at a minimum a full 3 lane access road from Nolensville Pike shall be already constructed or part of Final SP plan.
- Town Blvd cross section as shown in the regulatory SP document shall show 2 exiting lanes for right and left turning traffic at Nolensville Pike and a left turn lane at first parking area drive.
- Travel lanes shall be an adequate width without including the gutter pan.
- On street parking shall be located an appropriate distance from Nolensville Pike in order that traffic flow is not adversely impacted at the Nolensville Pike intersection.
- Burkitt Road access shall be constructed with 2 exiting lanes and 1 entering lane.
- Burkitt Rd shall be constructed at a minimum as a 3 lane cross section between Nolensville Pike and Old Burkitt Rd.
- In accordance with TIS dated August 2015, Developer shall construct at a minimum a left turn lane and a right turn lane at each access drive with a minimum of 100 ft of storage and transitions per AASHTO standards.
- Provide adequate sight distance at all access drives on Nolensville Pike and Burkitt Road.
- All pavement markings and turn lane construction documents shall be designed per MUTCD and AASHTO standards and will require approval by TDOT.
- Parking per metro code shall be provided on site.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (820)	17.98	-	179,800 SF	9944	218	943

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

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)	17.98	-	200 U	1336	102	128

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	17.98	-	10,000 SF	466	16	46

Traffic changes between maximum: **SP** and **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-8,142	-100	-769

TOWN OF NOLENSVILLE COMMENTS

- We appreciate the opportunity to comment on this project. As to the condition being considered to require construction of the access street into the commercial section, we fully support this idea.
- The Nolensville portion of the property is zoned for commercial development and we believe it would be beneficial to all to get this access built early. The developers would need to meet with Town staff in a pre-application conference before applying to the Town; then submit a site plan regarding the new street and any related commercial development five weeks before the Planning Commission date that they wanted to be considered. The Commission meets the second Tuesday of each month.

METRO SCHOOL BOARD REPORT

Projected student generation existing SP-C district: 0 Elementary 0 Middle 0 High
 Projected student generation proposed SP-MU district: 24 Elementary 14 Middle 14 High

The proposed SP-MU zoning district could generate 52 more students than what is typically generated under the existing SP-C zoning district. Students would attend Maxwell Elementary School, Marshall Middle School, and Cane Ridge High School. Both Maxwell Elementary and Cane Ridge High have been identified as over capacity; however, there is capacity for elementary school students within the cluster. There is no capacity for high school students within adjacent clusters. This information is based upon data from the school board last updated October 2014.

Fiscal Liability

The fiscal liability of 14 new high school students is \$504,000 (14 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. Permitted land uses shall be limited to up to 200 multi-family residential units and up to 10,000 square feet of nonresidential uses.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the application request or application.
3. Approval of this SP applies to the Davidson County portion of the project only.
4. 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.
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. 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 3,075 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.

7. The following revisions shall be made to the SP plan dated September 11, 2015:

- a. Revise the SP boundary to include only the property within Davidson County.
- b. Revise the Site Data Table to clearly identify only the information specific to Davidson County.
- c. Replace all reference of "Commercial" use with "Nonresidential."
- d. Identify the building type for each building.

8. The following revisions shall be made to the SP booklet dated September 10, 2015:

- a. Remove all standards and reference to building types that are not identified on the SP plan
- b. Revise the Site Concept exhibit to be consistent with the SP plan.
- c. Revise the Site Design exhibit to be consistent with the SP plan.

9. Detailed landscape plans for the stormwater facilities along Nolensville Pike and Burkitt Road shall be reviewed and approved by Planning Staff with the final site plan.

10. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.

11. Comply with all Public Works conditions.

12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

13. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

14. 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.

15. 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.

Approve with conditions and disapprove without all conditions. (4-0-2), Consent Agenda

Resolution No. RS2015-331

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-084-001 is **Approved with conditions and disapproved without all conditions. (4-0-2)**"

CONDITIONS

1. Permitted land uses shall be limited to up to 200 multi-family residential units and up to 10,000 square feet of nonresidential uses.

2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the application request or application.

3. Approval of this SP applies to the Davidson County portion of the project only.

4. 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.

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. 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 3,075 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.

7. The following revisions shall be made to the SP plan dated September 11, 2015:

- a. Revise the SP boundary to include only the property within Davidson County.**
- b. Revise the Site Data Table to clearly identify only the information specific to Davidson County.**
- c. Replace all reference of "Commercial" use with "Nonresidential."**
- d. Identify the building type for each building.**

8. The following revisions shall be made to the SP booklet dated September 10, 2015:

- a. Remove all standards and reference to building types that are not identified on the SP plan**
- b. Revise the Site Concept exhibit to be consistent with the SP plan.**
- c. Revise the Site Design exhibit to be consistent with the SP plan.**

9. Detailed landscape plans for the stormwater facilities along Nolensville Pike and Burkitt Road shall be reviewed and approved by Planning Staff with the final site plan.

10. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.

11. Comply with all Public Works conditions.

12. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

13. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

14. 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.

15. 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.
