

SUBSTITUTE ORDINANCE NO. BL2023-1961

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from CL and R8 to ~~MUL-A~~ SP zoning for properties located at 2605 and 2611 Old Buena Vista Road, and 1001 A & B W. Trinity Lane, at the northwest corner of Old Buena Vista Road and W. Trinity Lane (1.08 acres), all of which is described herein (Proposal No. 2023Z-073PR-001).

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from CL and R8 to ~~MUL-A~~ SP zoning for properties located at 2605 and 2611 Old Buena Vista Road, and 1001 A & B W. Trinity Lane, at the northwest corner of Old Buena Vista Road and W. Trinity Lane (1.08 acres), being Property Parcel Nos. 002, 003, 004, 005 as designated on Map 070-07 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 070 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to those permitted by the MUL-A zoning district.

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. The developer of parcel 07007000200 (2611 Old Buena Vista Road) shall construct a sidewalk along Old Buena Vista Road along the frontage of their property and extending southeast to the intersection of Old Buena Vista Road and West Trinity Lane. Such sidewalk shall conform to the Major & Collector Street Plan (MCSP) along parcel 07007000200. On parcels 07007000300 (2605 Old Buena Vista Road) and 07007000400 (1001A West Trinity Lane) shall be fully constructed within the existing right-of-way; at the time those parcels develop, the respective developers shall improve the sidewalk to meet MCSP standards and dedicate any needed right-of-way.
2. The developer of parcel 07007000200 (2611 Old Buena Vista Road) shall work with the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) to identify traffic calming initiatives on Old Buena Vista Road near 2611 Old Buena Vista Road. In working with NDOT, the developer shall construct the agreed upon traffic calming improvements or shall contribute funds to NDOT's traffic calming program at a cost not to exceed \$10,000.
3. The developers of parcels 07007000500 (1001B West Trinity Lane) and 07007000400 (1001A West Trinity Lane) shall improve the sidewalk along their West Trinity Lane frontage to meet MCSP standards and dedicate any needed right-of-way.

4. Planning and NDOT will evaluate the need for the collector as shown on the MCSP with the submittal of a final site plan for parcel 07007000200 (2611 Old Buena Vista Road). If needed, dedication or reservation of right-of-way may be required.
5. 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.

Section 5. Be it further enacted, 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.

Section 6. Be it further enacted, 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.

Section 7. Be it further enacted, 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 MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 3 ~~8~~. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 4 ~~9~~. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Kyonzté Toombs
Member of Council

2023Z-073PR-001
Map 070-07, Parcel(s) 002-005
Subarea 03, Bordeaux - Whites Creek - Haynes Trinity
District 02 (Kyonzté Toombs)
Application fee paid by: Fee waived by Council

A request to rezone from CL and R8 to ~~MUL-A~~ SP zoning for properties located at 2605 and 2611 Old Buena Vista Road, and 1001 A & B W. Trinity Lane, at the northwest corner of Old Buena Vista Road and W. Trinity Lane (1.08 acres), requested by Councilmember Kyonzté Toombs, applicant; Carla Brown, Janie Ganaway, Pasifica Investment, LLC and Ahmad Salem, owners.

