



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2023-2087 **Name:**

Type: Bill (Ordinance) **Status:** Passed

File created: 6/22/2023 **In control:** Planning and Zoning Committee

On agenda: 8/15/2023 **Final action:** 8/15/2023

Title: 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 MUG-A to SP for property located at 800 Main Street, approximately 210 feet west of South 9th Street, and located in the Gallatin Pike Urban Design Overlay District and East Bank Redevelopment District (3.72 acres), to permit a mixed-use development with multi-family residential uses, all of which is described herein (Proposal No. 2023SP-058-001).

Sponsors: Brett Withers

Indexes:

Code sections:

Attachments: 1. 2023SP-058-001_sketch, 2. 2023SP-058-001_plans, 3. Amendment No. 1 to BL2023-2087

Date	Ver.	Action By	Action	Result
9/1/2023	1	Metropolitan Council	effective	
8/28/2023	1	Mayor	approved	
8/15/2023	1	Metropolitan Council	passed on third reading as amended	
8/15/2023	1	Metropolitan Council	amended	
8/14/2023	1	Planning and Zoning Committee	approved with an amendment	
8/1/2023	1	Metropolitan Council	public hearing	
8/1/2023	1	Metropolitan Council	passed on second reading	
7/7/2023	1	Metropolitan Council	advertised	
7/6/2023	1	Metropolitan Council	passed on first reading	
6/27/2023	1	Metropolitan Council	filed	
6/8/2023	1	Planning Commission	approved with conditions, disapproved without	Pass

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 MUG-A to SP for property located at 800 Main Street, approximately 210 feet west of South 9th Street, and located in the Gallatin Pike Urban Design Overlay District and East Bank Redevelopment District (3.72 acres), to permit a mixed-use development with multi-family residential uses, all of which is described herein (Proposal No. 2023SP-058-001).

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 MUG-A to SP for property located at 800 Main Street, approximately 210 feet west of South 9th Street, and located in the Gallatin Pike Urban Design Overlay District and East Bank Redevelopment District (3.72 acres), to permit a mixed-use development with multi-family residential uses, being Property Parcel No. 018 as designated on Map 082-16 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 plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department 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 082-16 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 385 multi-family residential units and all other uses permitted in the MUG-A-NS zoning district. Short-term rental property (STRP) owner-occupied and not-owner occupied shall be prohibited in the entire development.

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

1. Maximum building height shall not exceed that shown in the preliminary SP. All buildings with frontage on Main Street shall not exceed four stories in height at the build to line. The building identified in the SP plan as Building 1B shall be permitted to have a maximum height of seven stories with a minimum stepback of ten feet above the fourth story. The building identified in the SP plan as Building 2 shall be permitted to have a maximum height of ten stories with a minimum stepback of ten feet above the fourth story. No building shall have a height greater than two stories along the Woodland Street frontage.
2. Building elevations submitted with final SP shall have building design-including massing, glazing, and façade articulation-that is substantially similar to the elevations approved with the preliminary SP.
3. Blank walls shall not be permitted on any street frontage. Façade breaks shall be required at minimum intervals of 30 feet. All building frontage on Woodland Street shall include a minimum of 20 percent glazing, regular façade breaks, and building articulation consistent with an urban street frontage.
4. Parking calculations shall be reviewed with final SP but shall not exceed the maximums permitted within the UZO.
5. Sidewalks shall be provided as shown in the preliminary SP.
6. With the final site plan, perimeter and internal landscaping shall be provided per the Metro Zoning Code.
7. The applicant shall submit plans to MDHA DRC for review and obtain approval prior to final SP approval.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. 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
10. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
11. 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.
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.

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 MUG-A-NS zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 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 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.