



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2023-2038 **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 R8 to SP zoning for properties located at 2500, 2506 Buena Vista Pike, and Buena Vista Pike (unnumbered), approximately 400 feet south of the intersection of Buena Vista Pike and W. Trinity Lane (6.51 acres), to permit a mixed-use development, all of which is described herein (Proposal No. 2023SP-039-001).

Sponsors: Kyonzte Toombs

Indexes:

Code sections:

Attachments: 1. 2023SP-039-001_sketch, 2. 2023SP-039-00_plans

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	
8/14/2023	1	Planning and Zoning Committee	approved	
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 R8 to SP zoning for properties located at 2500, 2506 Buena Vista Pike, and Buena Vista Pike (unnumbered), approximately 400 feet south of the intersection of Buena Vista Pike and W. Trinity Lane (6.51 acres), to permit a mixed-use development, all of which is described herein (Proposal No. 2023SP-039-001).

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 R8 to SP zoning for properties located at 2500, 2506 Buena Vista Pike, and Buena Vista Pike (unnumbered), approximately 400 feet south of the intersection of Buena Vista Pike and W. Trinity Lane

(6.51 acres), to permit a mixed-use development, being Property Parcel Nos. 001, 002, 002.01, 003, 009 as designated on Map 070-10 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 070-10 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 District 1 shall be limited to a maximum of 10,000 square feet of nonresidential land uses and 280 multi-family units. Non-residential land uses within District 1 are limited to all uses of MUG-A-NS with the exception of those outlined in the SP document as prohibited. Permitted uses in District 2 shall be limited to 20 multi-family units. Short term rental properties, owner occupied and short term rental properties, not owner occupied are prohibited throughout the entire development.

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

1. As the proposed development will connect to the adjacent Riverside development, consistency along the roadways will be required. With the first final site plan submittal, the final street sections shall be coordinated with NDOT and Planning Staff.
2. The proposed right-of-way dedications shall be complete prior to the issuance of building permits.
3. On the corrected copy, update the district 2 fallback zoning on page to RM20-A-NS.
4. On the corrected copy, update note 8 under architectural standards: Street Level Parking Decks: Structured parking shall be lined with residential units, commercial uses, or spaces with a functional use shared by the residents (i.e. shared amenity or office space) for any façade facing toward a public street. Structured parking above the ground floor along public streets, if not lined with active uses, shall be screened with vertical and horizontal integration of the architecture of the building, using the same materials and glazing systems across the building.
5. 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.
6. 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.
7. 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.
8. Comply with all conditions and requirements of Metro reviewing agencies.

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 District 1 is subject to the MUG-A-NS zoning district, and District 2 is subject to the RM20-A zoning district _ 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.