



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2023-2078

**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 and IWD to SP for properties located at 690, 1106, 1130 and 1400 Davidson Street, approximately 730 feet east of South 6th Street, (15.55 acres), to permit a mixed-use development, all of which is described herein (Proposal No. 2023SP-053-001).

**Sponsors:** Brett Withers

**Indexes:**

**Code sections:**

**Attachments:** 1. 2023SP-053-001\_sketch, 2. 2023SP-053-001\_plan, 3. Amendment No. 1 to BL2023-2078

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	Pass
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	
6/22/2023	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 and IWD to SP for properties located at 690, 1106, 1130 and 1400 Davidson Street, approximately 730 feet east of South 6th Street, (15.55 acres), to permit a mixed-use development, all of which is described herein (Proposal No. 2023SP-053-001).

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 and IWD to SP for properties located at 690, 1106, 1130 and 1400 Davidson Street,

approximately 730 feet east of South 6th Street, (15.55 acres), to permit a mixed-use development, being Property Parcel Nos. 082, 083 as designated on Map 093-08 and Property Parcel Nos. 107 and 113 as designated on Map 094-05 and 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 093 and Map 095 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 uses permitted in the MUG-A zoning district with the following exceptions being prohibited: short term rental properties, owner and not owner occupied; mobile storage unit; car wash; pawn shop; drive-throughs; adult entertainment stores; and tobacco shops

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

1. Should the residential unit count and/or use mix as scoped in the TIS change at the time of final site plan submittal, additional traffic analysis and roadway improvements may be required.
2. Maximum building height shall not exceed that included in the preliminary SP. Maximum building height shall be determined by zone per the "Proposed SP Zones" height exhibit in the SP application. Story shall be defined as per the Metro Zoning Code.
3. Parking calculations shall be reviewed with final SP. Parking shall not exceed the maximums permitted in the Urban Zoning Overlay district.
4. Sidewalks and related street improvements shall be provided on the final SP as shown in the street section details of the preliminary SP.
5. At final SP, buildings shall be oriented toward Davidson Street and shall include active first floor uses along the street frontage. Additionally, the building facades fronting the greenway and riverfront shall be designed appropriately to engage the public realm.
6. At final SP, on-site parking shall be located either beneath buildings or internal to the site. Any above-ground parking structures shall have a minimum of 75 percent of the lineal street frontage devoted to active uses at a minimum depth of 20 feet. A minimum of 50 percent of the wall area shall be glazed. Structured parking shall be seamlessly integrated into building architecture.
7. Facades visible from the public realm-including the river front and greenway-shall be designed to avoid long uninterrupted facades. Facades shall include projections, recesses, pilasters, material changes, and/or other methods that clearly break the mass of the building and support pedestrian interest and activity.
8. On the final site plan, perimeter and internal landscaping shall be provided per the Metro Zoning Code.
9. At final SP, provide plaza and open space plan and include access standards.
10. Utility lines shall be located underground if and where determined feasible by NES. Further coordination with NES may be required with final SP review.
11. Prior to or with submittal of final SP, applicant shall consult with the Planning Department on the following: building massing and articulation; interaction between buildings and open spaces; viewsheds, appropriate landscaping; and other design-related aspects of the plan.
12. Comply with all conditions and requirements of Metro reviewing agencies.
13. 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
14. The final site plan shall depict any 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.

15. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes that indicate that the site plan is illustrative, conceptual, etc.
16. 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 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.