



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** BL2022-1447, **Version:** 1

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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 IR to SP zoning for property located at 1650 54th Avenue North, at the current terminus of 54th Avenue North (10.09 acres), to permit a mixed use development, all of which is described herein (Proposal No. 2022SP-048-001).

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 IR to SP zoning for property located at 1650 54th Avenue North, at the current terminus of 54th Avenue North (10.09 acres), to permit a mixed use development, being Property Parcel No. 008 as designated on Map 080-00 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 080 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 398 multi-family residential units and 5,500 square feet of non-residential uses limited to all uses of MUG-A, community garden, mobile vendor, artisan distillery, micro brewery, and tasting room. Short term rental property, owner occupied and short term rental property, 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. The final site plan can be approved conditionally with the condition that prior to the issuance of the building permit, an approved soil management plan for the stie remediation process from TDEC is provided. Subsequently, prior to the issuance of final U&Os for the first phase, the applicant shall provide documentation that the existing deed restriction has been terminated.
2. Bicycle parking per Metro Code shall be provided on the final site plan.
3. The ground level building facades along 54<sup>th</sup> Ave shall be lined with active uses as shown in the preliminary SP, prominent building entrances and glazing consistent with the architectural standards in the preliminary SP.
4. The proposed extension of 54<sup>th</sup> Ave N shall be platted and bonded for prior to the issuance of building permits.
5. No more than two levels of structured parking shall be located above grade. For any structured parking above grade, architectural screening shall be provided that is consistent with the materials utilized for the

main structures, building facades fronting the greenway shall fully screen any structured parking with interior amenity areas, units, or substantial art and design.

6. Prior to final site plan approval, the greenway easement shall be approved by Greenways and Open Space Commission, Parks Board, and Metro Council.
7. A corrected copy of the plan set with the following changes to the development standards chart on page 21: Parking requirements shall be per Metro Code; building heights shall be identified per building, Building A and B are limited to 6 stories in 85 feet, Building C is limited to 5 stories in 65 feet.
8. A corrected copy revising the labels on page 21 shall be changed from “10 foot building setback” to “10 foot building setback” on buildings A and B.
9. A corrected copy of the plan set with the following changes to page 22: Revise Note 16, “All parking regulations to meet Metro Code requirements and standards.”
10. On the corrected copy of the plan set, revise condition 11 under architectural standards to read, “Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, and glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
11. Comply with all conditions and requirements of Metro reviewing agencies.
12. 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.
13. 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.
14. 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 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.