



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2021-983, **Version:** 1

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 R10 to SP zoning for properties located at Lincoln Avenue (unnumbered) and Curtis Street (unnumbered), at the northwest terminus of Curtis Street (31.58 acres), to permit 300 multi-family residential units, all of which is described herein (Proposal No. 2021SP-041-001).

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 R10 to SP zoning for properties located at Lincoln Avenue (unnumbered) and Curtis Street (unnumbered), at the northwest terminus of Curtis Street (31.58 acres), to permit 300 multi-family residential units, being Property Parcel No. 045 as designated on Map 069-00 and Property Parcel No. 003 as designated on Map 069-08 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 069 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 a maximum of 300 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.

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

1. On the correct set add the following note: Two connections to existing ROW will be immediately available to the finished development prior to final site plan approval.
2. Provide name and position of the person who signed the owner authorization letter.
3. On the corrected set, change purpose note to read: "The purpose of this plan is for preliminary approval of Specific Plan zoning to permit 300 multi-family residential units."
4. On the corrected set, provide a scale bar on the plan.
5. With the submittal of the final site plan, provide map with the development's relation to the already approved SP along Clarksville Pike to the southwest to ensure ROW alignment.
6. On the corrected set, show slopes greater than 20% and conservation policy areas overlaid onto the plan with note stating that conservation areas shall remain undisturbed.
7. On the corrected set, provide pavement width of existing streets.
8. With the submission of the final site plan, provide additional information regarding the construction of Easy Street and the extension of Lincoln Avenue.

9. With the submittal of the final site plan, in addition to the opaque wall, screen parking areas along the northwestern and southeastern property lines per Section 17.24.150.B and C.
10. On the corrected set, provide Bufferyard C along property boundaries abutting R10 zoned properties. Bufferyard B-2 may be used where a local street is planned for the edge of the property line (see Section 17.24.240).
11. Prior to issuance of building permits, record a standard Conservation Greenway Agreement easement across the property that would include at a minimum, the Whites Creek floodway plus an additional 75' to the floodway. Coordinate with the Greenways and Open Space Division on that process.
12. The following design standards shall be added to the plan:
 - a. Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 15% glazing.
 - b. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers.
 - c. Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
 - d. Porches shall provide a minimum of six feet of depth.
 - e. A raised foundation of 18"- 36" is required for all residential structures.
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 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.
15. 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.
16. Comply with all conditions and requirements of Metro reviewing agencies.
17. On the corrected set, relocate trailhead to the area labeled as "Proposed Metro Park."
18. Prior to issuance of any building permits, developer shall coordinate with Metro Parks to determine desirability for extension of park space into the site for those areas indicated on the plan as trailhead, trail to greenway, and public parking. Should Parks decline the offer of the areas to Metro, the developer shall propose an agreement for reasonable public access (e.g. hours of operation and other operational expectations) to this privately-owned, publicly accessible open space and appropriate easements shall be recorded. This shall be reviewed by Metro Planning and Metro Legal and recorded prior to issuance of building permits
19. On the corrected set, add note to the plan: "Conservation area to remain undisturbed."

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 RM15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change

be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.