



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2021-815, **Version:** 3

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 CS, IWD, MUL, and MUL-A to SP zoning for properties located at 1214, 1216, 1218, 1220, 1230, and 1232 Martin Street, 1309 Brown Street, 441, 447, 448, 449, and 451 Humphreys Street and Humphreys Street (unnumbered), along Houston Street, down Brown Street and along either side of Humphreys Street (6.12 acres), to permit a mixed use development, all of which is described herein (Proposal No. 2021SP-010-001).

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 CS, IWD, MUL, and MUL-A to SP zoning for properties located at 1214, 1216, 1218, 1220, 1230, and 1232 Martin Street, 1309 Brown Street, 441, 447, 448, 449, and 451 Humphreys Street and Humphreys Street (unnumbered), along Houston Street, down Brown Street and along either side of Humphreys Street (6.12 acres), to permit a mixed use development, being various Property Parcels Nos.as designated on various Maps 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 105 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 all uses shown on the plan and a maximum of 429 multi-family units and a maximum FAR of 2.5 across the total site. Short term rental property - owner occupied and short term rental property - 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. Parking shall comply with requirements of the Metro Zoning Code. A reduction may be permitted based on the review and approval of Public Works of a shared parking study.
2. The requirement for a minimum of 40 percent glazing required from grade to 14 feet shall be revised to be the first floor, regardless of height.
3. Upper floors facing public streets, private streets or drives, and common open space shall have a minimum glazing of 25 percent.
4. All provisions for a functional entry and glazing shall apply to facades fronting public streets and private streets or drives.
5. Consult with historic commission staff regarding relocation of the historic mansion from the current site

- to the proposed site, including on the method of moving the structure.
6. Following relocation of the historic mansion, developer shall apply for a Historic Landmark Overlay District to be applied to the mansion property.
 7. Comply with all conditions and requirements of Metro reviewing agencies.
 8. The Final SP 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.
 9. 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.
 10. 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.
 11. The site plan for the SP shall be updated to include a bike lane along Chestnut Street from Lafayette St to 8th Avenue S that will be built and funded by the developer prior to issuance of any Use & Occupancy Permits.
 12. A public access easement shall be recorded for the approximately two acres of greenspace on the site plan that surrounds the Merritt Mansion.
 13. The developer will submit a construction phasing and parking plan designed to minimize street closures and residential access issues in conjunction with submission of the first final site plan.
 14. Construction of the development shall include sustainable and green building standards similar or equivalent to those outlined for LEED Silver.
 15. 2,000-3,000 square feet of the retail space shall be designated for Community Engagement and Education spaces, with uses similar to those of civil support spaces.
 16. 2,000 square feet within the SP shall be designated for artisan manufacturing space.
 17. Five live / work residential units within the permitted residential units shall be included in the development. For the purposes of this legislation, "live / work" shall be defined as a residential unit space that combines commercial / office and residential uses in one unit.
 18. If the Merritt Mansion is damaged during relocation, it will be restored and preserved to standards agreed upon with the Metro Historic Zoning Commission. If the Merritt Mansion cannot be moved, the mansion will be preserved and restored to standards agreed upon with the Metro Historic Zoning Commission. Under no circumstances will a demolition permit be issued for the Merritt Mansion.

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-NS 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.