



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2020-446, **Version:** 2

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 properties located at 515 and 516 Foster Street, at the eastern terminus of Foster street and partially located with a Planned Unit Development Overlay District (9.51 acres), to permit a mixed use development (9.51 acres), all of which is described herein (Proposal No. 2020SP-021-001).

Map 082-11, Parcel(s) 083, 085, Foster Street Partners, LLC

Application fee paid by: Foster Street Partners, LLC

Requested by: Barge Cauthen and Associates

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 properties located at 515 and 516 Foster Street, at the eastern terminus of Foster street and partially located with a Planned Unit Development Overlay District (9.51 acres), to permit a mixed use development, being Property Parcel Nos. 083, 085 as designated on Map 082-11 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 082 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 490 multi-family units, 125 hotel rooms, 123,000 square feet of office space, and 62,000 square feet of mixed use commercial space. The permitted commercial and office uses for this project are identified on the plans. 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. Applicant shall work to engage the surrounding neighborhood and District 5 Council Member to identify and install appropriate traffic calming measures in the area bounded by Cleveland Street, Dickerson Pike, Ellington Parkway, and Spring Street. The cost to the applicant to install the traffic calming measures shall not exceed \$60,000. ~~The traffic calming measures shall be identified and reviewed by Public Works prior to the building permit process.~~ The study to

identify the appropriate traffic calming measures shall be initiated prior to any Final Site Plan approval and be concluded with approval from Public Works prior to the issuance of any Use & Occupancy Permit. Public Works may alter the final design of the traffic calming measures.

2. The Commission urges Council to adopt conditions that, prior to final site plan approval, the applicant shall coordinate with Metro Greenways and the District Councilmember, to identify the planned greenway on the project site and identify opportunities for construction.

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. 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.