



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2022-1143, **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 R6 to SP zoning for property located at 1020 Southside Court, at the southeast corner of South Street and 12th Avenue South (4.5 acres), to permit 355 multi-family residential units, all of which is described herein (Proposal No. 2021SP-078-001).

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 R6 to SP zoning for property located at 1020 Southside Court, at the southeast corner of South Street and 12th Avenue South (4.5 acres), to permit 355 multi-family residential units, being Property Parcel No. 494 as designated on Map 105-01 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 a maximum of 355 multi-family residential units, and a maximum of 5,000 square feet of general office uses. 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. On the corrected plan set, update permitted uses on page 10 as follows: Permitted uses shall be limited to a maximum of 355 multi-family residential units and a maximum of 5,000 square feet of general office uses. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.
2. On the corrected plan set, update the Zoning Information table on page 7 with the following changes: permitted uses shall include multi-family and office, under non-residential uses remove "9,000 sf leasing/amenities."
3. On the corrected plan set, dimension building setbacks on page 7. These setbacks shall be updated in the Zoning Information table on page 7.
4. On the corrected plan set, on Page 11, replace bullet 6 with the following, "Developer shall coordinate with WeGo to upgrade the nearby bus stops on Dickerson Pike with the Final SP submittal."
5. On the corrected copy, the fallback zoning shall be updated from MUG-A to RM80-A-NS on page 10 and where else located in the document.
6. Elevations submitted with the Final SP shall be consistent with the elevations submitted with the

preliminary SP.

7. With the Final SP, applicant shall coordinate with WeGo on improved bus stop.
8. With the elevations for the final site plan, there shall be no portion of the parking structure visible from the street. Any unlined structure shall be screened with appropriate architectural screening.
9. The Final SP elevations shall include prominent street level entrances at the corner of the structure at 12th Avenue South and South Street.
10. The eastern portion of the structure along Southside Court shall be setback 20 feet.
11. 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.
12. 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.
13. Comply with all conditions and requirements of Metro reviewing agencies.
14. The ground floor courtyard on Southside Court at the southeast portion of the site, shall be open and accessible to the public.

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 RM80-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.