



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2021-948      **Name:**

**Type:** Bill (Ordinance)      **Status:** Passed

**File created:** 9/24/2021      **In control:** Metropolitan Council

**On agenda:** 11/16/2021      **Final action:** 11/16/2021

**Title:** 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 IWD to SP zoning for properties located at 920 and 1000 Hawkins Street, at the northeast corner of 12th Avenue South and Hawkins street (6.79 acres), to permit a mixed use development, all of which is described herein (Proposal No. 2021SP-023-001).

**Sponsors:** Freddie OConnell

**Indexes:**

**Code sections:**

**Attachments:** 1. BL2021-948 Plans, 2. BL2021-948 Sketch

Date	Ver.	Action By	Action	Result
11/26/2021	1	Metropolitan Council	effective	
11/17/2021	1	Mayor	approved	
11/16/2021	1	Metropolitan Council	passed on third reading	
11/15/2021	1	Planning and Zoning Committee	approved	
11/2/2021	1	Metropolitan Council	public hearing	
11/2/2021	1	Metropolitan Council	passed on second reading	
10/8/2021	1	Metropolitan Council	advertised	
10/5/2021	1	Metropolitan Council	passed on first reading	
9/28/2021	1	Metropolitan Council	filed	
9/23/2021	1	Planning Commission	approved with conditions, disapproved without	Pass

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 IWD to SP zoning for properties located at 920 and 1000 Hawkins Street, at the northeast corner of 12th Avenue South and Hawkins street (6.79 acres), to permit a mixed use development, all of which is described herein (Proposal No. 2021SP-023-001).

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 IWD to SP zoning for properties located at 920 and 1000 Hawkins Street, at the northeast corner of 12th Avenue South and Hawkins street (6.79 acres), to permit a mixed use development, being Property Parcel No. 557 as designated on Map 093-13 and Property Parcel No. 590 as designated on Map 93

-14 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 093 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 the following: a maximum of 730 multi-family residential units with a minimum requirement of 400 units; a maximum of 400,000 square feet of non-residential uses with a minimum requirement of 22,000 square feet of retail. Within the 4000,000 square feet of nonresidential square footage, permitted uses shall be per the MUG-A zoning district with the following uses prohibited: Alternative Financial Services; Automobile Repair; Automobile Sales, New; Automobile Sales, Used; Automobile Convenience. Short term-rental properties, owner occupied and short term rental properties, not owner occupied are prohibited within this SP.

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

1. Buildings A & B are approved at 9 stories contingent on a lease being secured for an urban retailer at a minimum of 18,000 square feet in Building E (at the corner of Hawkins and 12<sup>th</sup> Avenue S). If a lease is not secured, then Buildings A & B shall be limited to 8 stories.
2. On the corrected set, update the permitted uses as follows: Within the 4000,000 square feet of nonresidential square footage, permitted uses shall be per the MUG-A zoning district with the following uses prohibited: Alternative Financial Services; Automobile Repair; Automobile Sales, New; Automobile Sales, Used; Automobile Convenience. Short term-rental properties, owner occupied and short term rental properties, not owner occupied are prohibited within this SP.
3. On the corrected set, update the FAR note as follows: FAR 3.0 max. Exemptions as noted in 17.12.070.C, D, E, and F of the Zoning Ordinance as permitted
4. On the corrected set, add the following note: Except for limited areas of structured parking that will be fully lined, all parking shall be located underground.
5. On the corrected set, add the following note: Facades of buildings A, B, and C along the northern property line adjacent to the pedestrian path shall be designed with glazing and entrances to provide for architectural interest. Black walls shall be avoided.
6. Final architectural elevations shall be submitted with the initial submittal of the final site plan. Elevations shall comply with all required architectural standards as noted in the plan.
7. On the corrected set, update the material specifications as follows: Building facades shall be constructed of brick, brick veneer, stone, cast stone, glass, and steel, or materials substantially similar in form and function, as authorized by BL2021-949.
8. With the submittal of the final site plan, detailed landscape plans shall be submitted, including for the central open space area.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. 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.
11. 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 or Property Owner's Association.
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. The developer shall propose an agreement for reasonable public access (e.g. hours of operation and other operational expectations) to the privately-owned, publicly accessible open space. This shall be reviewed by Metro Planning and Metro Legal and recorded prior to the issuance of 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 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.