



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2021-943

**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 CS and MUG-A to SP zoning for properties located at 2410, 2412 and 2416 West End Avenue and 2413 Elliston Place, at the northeast corner of West End Avenue and 25th Avenue South (0.87 acres), to permit a mixed used development, all of which is described herein (Proposal No. 2021SP-045-001).

**Sponsors:** Brandon Taylor

**Indexes:**

**Code sections:**

**Attachments:** 1. BL2021-943 Plans, 2. BL2021-943 Sketch, 3. Amendment BL2021-943

Date	Ver.	Action By	Action	Result
11/26/2021	2	Metropolitan Council	effective	
11/17/2021	2	Mayor	approved	
11/16/2021	2	Metropolitan Council	passed on third reading	
11/15/2021	1	Planning and Zoning Committee	approved	
11/2/2021	1	Metropolitan Council	passed on second reading	
11/2/2021	1	Metropolitan Council	amended	
11/2/2021	1	Metropolitan Council	public hearing	
10/8/2021	1	Metropolitan Council	advertised	
10/5/2021	1	Metropolitan Council	passed on first reading	
9/28/2021	1	Metropolitan Council	filed	
8/26/2021	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 CS and MUG-A to SP zoning for properties located at 2410, 2412 and 2416 West End Avenue and 2413 Elliston Place, at the northeast corner of West End Avenue and 25th Avenue South (0.87 acres), to permit a mixed used development, all of which is described herein (Proposal No. 2021SP-045-001).

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 and MUG-A to SP zoning for properties located at 2410, 2412 and 2416 West End

Avenue and 2413 Elliston Place, at the northeast corner of West End Avenue and 25th Avenue South (0.87 acres), to permit a mixed used development, being Property Parcel Nos. 131, 132, 133 as designated on Map 092-15 and Property Parcel No. 016 as designated on Map 104-03 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 092 and 104 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 375 multi-family residential units, 70,000 square feet of non-residential uses permitted by the MUG-A zoning district, Short term rental property (owner and not owner occupied) are permitted uses.

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

1. Elevations submitted with the Final SP shall be consistent with the elevations submitted with the preliminary SP.
2. With the submittal of the final site plan, illustrate how the building facades along West End Avenue and Elliston Place provide prominent and ample pedestrian entrances.
3. At the time of Final SP, coordination with Planning and NDOT to provide a bike lane consistent with the MCSP shall be required.
4. All public roadways shall meet local standards or Major and Collector Street Plan standards depending on classification
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
7. Prior to issuance of a building permit, the developer shall design and submit plans for pedestrian mobility and safety improvements at the locations identified below. The developer shall commit \$1.25 million dollars to construct the improvements in the following order of priority:
  1. A pathway along the eastern section of Centennial Park
  2. West End at 25th Avenue North intersection
  3. West End at Natchez Trace intersection
  4. West End at Louise Avenue intersection
  5. Elliston Place at 24th Avenue North intersection

The improvements shall be completed prior to issuance of a Certificate of Occupancy. Allocation of the funds shall be overseen and agreed to by Metro Parks, NDOT, and the district council member, with input given by surrounding property owners. Adjustments to the abovementioned priorities may be made as necessary to meet the \$1.25 million budget.

8. The developer shall comply with the State's blasting requirements and must provide blasting summaries of the seismic readings and how they compare to the State's requirements to surrounding property owners and tenants, as requested.
9. The developer shall develop a project website and will post key project updates and a contact person during construction.
10. Prior to the issuance of a grading permit, the developer shall work with surrounding property owners and the district council member to develop a construction parking plan. The construction parking plan shall include an off-site parking area and must be posted to the project website.

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.