



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2021-923

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, to update the Gulch South Subdistrict Standards within Chapter 17.37, Downtown Code, all of which is described herein (Proposal No. 2021Z-014TX-001)

Sponsors: Freddie OConnell

Indexes:

Code sections:

Attachments: 1. BL2021-923 Exhibit A, 2. BL2021-923 Exhibit B

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	
11/16/2021	1	Government Operations and Regulations Committee	approved	
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	
8/26/2021	1	Planning Commission	approved	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, to update the Gulch South Subdistrict Standards within Chapter 17.37, Downtown Code, all of which is described herein (Proposal No. 2021Z-014TX-001)

WHEREAS, The Council of The Metropolitan Government of Nashville and Davidson County adopted the Downtown Code (DTC) on February 2, 2010; and

WHEREAS, The Metropolitan Government recognizes the importance of updating, clarifying, and refining the Downtown Code (DTC) standards to encourage high quality, sustainable urban development; and

WHEREAS, the DTC standards provide opportunities for businesses to thrive, while enhancing the character of Downtown through mixed-use development, housing choices, and commercial and entertainment opportunities; and

WHEREAS, the refinement of the DTC standards will continue to ensure a quality urban experience for the

citizens and businesses of Metropolitan Nashville and Davidson County; and

WHEREAS, The DTC requires updates from time-to-time as downtown continues to grow and evolve as a neighborhood; and

WHEREAS, the Mid-Gulch Supplemental Policy within the Downtown Community Plan supports the changes proposed as part of this text amendment.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: That Chapter 17.37 of the Metropolitan Code is hereby amended by replacing the “Gulch South: Regulating Plan” map on page 48 of DTC with Exhibit A.

Section 2: That Chapter 17.37 of the Metropolitan Code is hereby amended by revising the “Max. Height” section of “Gulch South: Building Regulations” on page 49 of DTC as follows:

Height

- Gulch South Intersections (12th Ave and Broadway, 12th Ave and Demonbreun, 12th Ave and Division, 8th Ave and Division) - 20 stories
- Mid-Gulch Intersections (11th Ave and Broadway, 11th Ave and Church, 11th Ave and Dr. MLK Boulevard) - 20 stories
- Mid-Gulch Properties - 10 stories

Section 3. That Chapter 17.37 of the Metropolitan Code is hereby amended by adding a new bullet point under the “Historic Building Preservation” section on page 95 of DTC as follows:

- In the Mid-Gulch Properties area (See the Gulch South section of the Subdistrict Standards), the number of square feet of Bonus Height earned shall be five times that of the development rights being forfeited by the preservation of the building, calculated as follows: the number of by-right stories permitted minus the number of stories of the historic building, multiplied by the square feet of the historic building footprint. The additional square footage may be used to the Bonus Height Maximum as determined on the BHP Chart.

Section 4. That Chapter 17.37 of the Metropolitan Code is hereby amended by adding a new bullet point under the “Publicly-Accessible Open Space” section on page 96 of DTC as follows:

- In the Mid-Gulch Properties area (See the Gulch South section of the Subdistrict Standards), the number of square feet of Bonus Height earned shall be ten times that of the number of square feet of open space provided. This can not be combined with the multiplier options in the previous bullet point. The additional square footage may be used to the Bonus Height Maximum as determined on the BHP Chart.
- To promote the cohesive integration of the Gulch Greenway into adjacent development proposals within the Mid-Gulch Properties area, the number of square feet of Bonus Height shall be...
 - Two times that of the number of square feet of multimodal vertical connection via a ramping system built to ADA requirements provided (as calculated by the footprint of the ramp in plan view - meaning segments of ramp that overlap with other segments of ramp only count once)
 - Two times that of the number of square feet of ground floor active use provided fronting the greenway (if the active use space is a minimum of 20' in depth).

Bonus height eligibility for these two bullet points is dependent on the final design being a collaborative effort between property owners, the Metro Nashville Department of Transportation, Metro Planning, and Metro Parks and Greenways. The additional square footage may be used to the Bonus Height Maximum as determined on the BHP Chart.

Section 5. That Chapter 17.37 of the Metropolitan Code is hereby amended by replacing the “Bonus

Height Chart” on page 99 of DTC with Exhibit B.

Section 6. Be it further enacted, that this ordinance shall 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.

Analysis

The ordinance amends Chapter 17.37 to update the Downtown Code (DTC) to increase the height maximum for areas located within 150 feet of the intersections of 11th Ave N. and Broadway, 11th Ave N. and Church Street, and 11th Ave N. and Dr. Martin Luther King Jr. Blvd (Charlotte Ave) to 20 stories. The ordinance also amends the DTC to increase the Bonus Height Program (BHP) multiplier available to developments that utilize the Publicly-Accessible Open Space bonus, and the Historic Building Preservation bonus. Developments that provide these public benefits in the Mid-Gulch area, as described within the BHP section of the DTC, may earn unlimited bonus height. However, the Bonus Height Maximums within the Gulch South subdistrict remain unchanged.

The DTC is intended for a broad range of residential and non-residential activities associated with an economically healthy, socially vibrant, and sustainable downtown. The DTC district seeks the efficient use of land capitalizing on a high level of services, reduced automobile dependence with enhanced usage of mass transit, and the creation of a vibrant and safe pedestrian streetscape.

This has been approved by the Planning Commission.