



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

<b>File #:</b>	BL2022-1360	<b>Name:</b>	
<b>Type:</b>	Bill (Ordinance)	<b>Status:</b>	Passed
<b>File created:</b>	6/23/2022	<b>In control:</b>	Planning and Zoning Committee
<b>On agenda:</b>	8/16/2022	<b>Final action:</b>	8/16/2022
<b>Title:</b>	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 SCN to SP zoning for properties located at Ashland City Highway (unnumbered) and Clarksville Pike (unnumbered), approximately 800 feet south of Abernathy Road, (20.67 acres), located within the Planned Unit Development Overlay and Corridor Design Overlay districts, to permit a mixed-use development, all of which is described herein (Proposal No. 2022SP-028-001).		
<b>Sponsors:</b>	Kyonzte Toombs		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. 2022SP-028-001_sketch, 2. 2022SP-028-001_plans, 3. Amendment No. 1 to BL2022-1360		

Date	Ver.	Action By	Action	Result
9/9/2022	1	Metropolitan Council	effective	
8/16/2022	1	Metropolitan Council	passed on third reading	
8/15/2022	1	Planning and Zoning Committee	approved	
8/2/2022	1	Metropolitan Council	passed on second reading as amended	
8/2/2022	1	Metropolitan Council	amended	
8/2/2022	1	Metropolitan Council	public hearing	
7/8/2022	1	Metropolitan Council	advertised	
7/5/2022	1	Metropolitan Council	passed on first reading	
6/28/2022	1	Metropolitan Council	filed	
6/23/2022	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 SCN to SP zoning for properties located at Ashland City Highway (unnumbered) and Clarksville Pike (unnumbered), approximately 800 feet south of Abernathy Road, (20.67 acres), located within the Planned Unit Development Overlay and Corridor Design Overlay districts, to permit a mixed-use development, all of which is described herein (Proposal No. 2022SP-028-001).

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 SCN to SP zoning for properties located at Ashland City Highway (unnumbered) and

Clarksville Pike (unnumbered), approximately 800 feet south of Abernathy Road, (20.67 acres), located within the Planned Unit Development Overlay and Corridor Design Overlay districts, to permit a mixed-use development, being Property Parcel Nos. 001, 091 as designated on Map 069-12 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. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 3. Be it further enacted, that the uses of this SP shall be limited to 460 multi-family residential units across the entire project; nonresidential uses are limited to District 1 and District 2 only and shall be per MUL-A zoning. Total maximum square footage of nonresidential uses shall be limited to 30,000 square feet. Short Term Rental Property (STRP) - owner occupied and not-owner occupied, Alternative Financial Services, and Beer and Cigarette Market uses are prohibited in all districts.

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

1. Maximum building heights for non-split-level buildings shall be limited to three stories in 55 feet. Maximum building heights for split-level buildings (A, E, F, I, J, G) shall be limited to four stories in 60 feet.
2. On the corrected copy, update the language of Architectural Standards Note #2: Building facades fronting a public street or private drive shall provide a minimum of one principal entrance (doorway), except for the following: Building J shall provide a minimum of one principal entrance (doorway) for facades fronting open spaces, and Building C shall provide additional pedestrian level interest along the Ashland City Highway façade, if a principal entrance (doorway) is determined to be infeasible due to topography. Final details to be reviewed and approved by staff with the final SP.
3. On the corrected copy, remove Note #6 from the District Table on the Land Use-Regulations sheet, which currently states: District 2 non-residential uses to remain open landscaped area if the development is phased and the multi-family is built first. Replace with the following language: If multi-family residential portion is developed first, a landscape plan for District 2 shall be included with the final site plan that provides appropriate screening of the buildings from Clarksville Pike.
4. With the final SP, provide detailed landscape plan that demonstrates supplemental screening in areas where external-facing walls are taller at the pedestrian realm, including along the Clarksville Pike, where feasible.
5. With the final SP, additional landscape screening shall be provided to reduce visibility of the eastern-facing Building G façade from the corridor.
6. Building signage, perimeter screening, and building materials are subject to the minimum requirements of the Corridor District Overlay (CDO) standards of the Metro Zoning Ordinance.
7. In instances where the CDO standards and SP standards conflict, the standards of the SP shall govern.
8. Changes to the plan to accommodate requirements of NDOT may be required at the final SP.
9. With the final SP, staff will work with the applicant to determine appropriate conditions for public access easements, which shall be included on the final site plan. Prior to building permit approval, provide easement documentation. Comply with all conditions and requirements of Metro reviewing agencies.
10. Comply with all conditions and requirements of Metro reviewing agencies.
11. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
12. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

13. 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.
14. 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 Property Owners' Association.
15. 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 of any 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 MUL-A for Districts 1 and 2; RM20 for District 3 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.