



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2023-1709

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

File created: 1/25/2023 **In control:** Planning and Zoning Committee

On agenda: 3/21/2023 **Final action:** 3/21/2023

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, ORI, RM20 and RS5 to SP zoning for various properties located west of Gallatin Avenue and north of Douglas Avenue, located within the Nashville Auto Diesel College Institutional Overlay District (16.35 acres), to permit a mixed-use development, , all of which is described herein (Proposal No. 2022SP-075-001).

Sponsors: Sean Parker

Indexes:

Code sections:

Attachments: 1. 2022SP-075-001_sketch, 2. 2022SP-075-001_plan

Date	Ver.	Action By	Action	Result
3/31/2023	1	Metropolitan Council	effective	
3/23/2023	1	Mayor	approved	
3/21/2023	1	Metropolitan Council	passed on third reading	
3/20/2023	1	Planning and Zoning Committee	approved	
3/7/2023	1	Metropolitan Council	passed on second reading	
3/7/2023	1	Metropolitan Council	public hearing	
2/10/2023	1	Metropolitan Council	advertised	
2/7/2023	1	Metropolitan Council	passed on first reading	
1/31/2023	1	Metropolitan Council	filed	
1/12/2023	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, ORI, RM20 and RS5 to SP zoning for various properties located west of Gallatin Avenue and north of Douglas Avenue, located within the Nashville Auto Diesel College Institutional Overlay District (16.35 acres), to permit a mixed-use development, , all of which is described herein (Proposal No. 2022SP-075-001).

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 chnging from CS, ORI, RM20 and RS5 to SP zoning for various properties located west of Gallatin Avenue and north of Douglas Avenue, located within the Nashville Auto Diesel College Institutional Overlay District

(16.35 acres), to permit a mixed-use development, being Property Parcel Nos. 083, 187, 188, 189, 190, 195, 196, 198, 199, 201, 228, 229, 230, 232, 236, 237, 369, 372, 376, 377, 439 as designated on Map 072-13 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 072 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 950 multi-family residential units and 300,000 square feet of commercial space as defined on the plan. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited in the entirety of the SP

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

1. To encourage the use of Public Transit and reduce the impact of any increased vehicular delays associated with the proposed development, the developer shall construct a new transit stop consistent with a Rapid Service Stop along the western side of the property frontage on Gallatin Pike commensurate with the construction of the contiguous/adjacent parcel. Final design to be worked out with WeGo consistent with their Transit Design Guidelines. If, however, another more appropriate site is found by the City, or if Planning staff and the developer collectively determine it is not feasible to design the stop at this location in a fashion acceptable to Planning/NDOT/WeGO and consistent with the intent of this SP, then the developer shall contribute funds to the City to help facilitate the construction of a stop in another location along Gallatin Pike, rather than constructing the stop, and these funds shall be donated to the City prior to the issuance of the first temporary certificate of occupancy for this property's redevelopment. No final site plans for properties with frontage on Gallatin Pike shall be approved until a determination is made relative to inclusion of a stop or contribution of funds.
2. The location of the new transit stop shall be coordinated with the location of the enhanced cross walk.
3. Provide a plan for the relocation of the Renraw house that includes the timing of the proposed relocation in relation to the other elements of the project, including when Historic Landmark Zoning Overlay status will be requested.
4. Parking in the mixed use district shall be per the UZO maximum standards or an approved shared parking agreement while parking in the residential district is set at 1.5 spaces per unit, to be provided by private garages, surface parking behind units, and on-street parking.
5. Remove all references to stucco on the plans and add the standard Metro architectural note.
6. 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.
7. 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.
8. 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.
9. Comply with all conditions and requirements of Metro reviewing agencies.

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 in the Mixed Use District; R6-A in the Residential District zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. 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 9. 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.