Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #:	BL2023-97		
Type:	Bill	**Status:**	Passed
File created:	10/26/2023	**In control:**	Planning and Zoning Committee
On agenda:	12/19/2023	**Final action:**	12/19/2023
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 MUG to SP zoning for property located at 206 N. 1st Street, at the northwest corner of N. 1st Street and Oldham Street, (0.80 acres), to permit a mixed-use development with nonresidential uses, all of which is described herein (Proposal No. 2023SP-070-001).		
Sponsors:	Jacob Kupin		
Indexes:			
Code sections:			
Attachments:	1. 2023SP-070-001_sketch_dt, 2. 2023SP-070-001_plan_dt		

Date	Ver.	Action By	Action	Result
12/29/2023	1	Metropolitan Council	effective	
12/21/2023	1	Mayor	approved	
12/19/2023	1	Metropolitan Council	passed on third reading	
12/18/2023	1	Planning and Zoning Committee	approved	
12/5/2023	1	Metropolitan Council	passed on second reading	
12/5/2023	1	Metropolitan Council	public hearing	
11/10/2023	1	Metropolitan Council	advertised	
11/7/2023	1	Metropolitan Council	passed on first reading	
10/31/2023	1	Metropolitan Council	filed	
10/26/2023	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 MUG to SP zoning for property located at 206 N. 1st Street, at the northwest corner of N. 1st Street and Oldham Street, (0.80 acres), to permit a mixed-use development with nonresidential uses, all of which is described herein (Proposal No. 2023SP-070-001).

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 MUG to SP zoning for property located at 206 N. 1st Street, at the northwest corner of N. 1st Street and Oldham Street, (0.80 acres), to permit a mixed-use development with nonresidential uses, being Property Parcel No. 046 as designated on Map 082-14 of the Official Property Identification Maps of The

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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 082-14 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 235 hotel rooms, 8,000 square feet of non-residential uses permitted in the MUG-A with the exception of those identified as prohibited uses in the SP document. Short term rental properties, owner occupied and short term rental properties, not-owner occupied shall be prohibited.

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

1. Shared access agreement for service drive on Oldham shall be recorded prior to the approval of the final SP or with a proposed plat.
2. On the corrected plan set, update the prohibited use list on sheet C2-00 to include short term rental properties, owner occupied and short term rental properties, not-owner occupied.
3. On the corrected plan set, replace "retail" on the site data table with "non-residential uses."
4. With the final SP submittal, the road frontages will be required to meet the Major and Collector Street Plan and the East Bank Complete Streets document. Final design and streetscape details will be reviewed by Planning and NDOT with the Final SP.
5. The final building elevations shall show habitable liner space around the parking garage along both street frontages. The final building elevations shall show a seamless integration of all architecturally-lined parking areas with the non-parking fabric of the building.
6. Applicant shall continue to work with Planning Staff to simplify material and color palette of the building elevations.
7. 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.
8. 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.
9. 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.
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.

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 MUI-A 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.

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