



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** BL2021-787, **Version:** 1

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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 CL to SP zoning for properties located at 1505, 1509, 1511, 1513, 1601 and 1603 Dickerson Pike, 1600, 1608, 1612 and 1616 Luton Street and Dickerson Pike (unnumbered), to permit a mixed use development, all of which is described herein (Proposal No. 2021SP-022-001).

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 CL to SP zoning for properties located at 1505, 1509, 1511, 1513, 1601 and 1603 Dickerson Pike, 1600, 1608, 1612 and 1616 Luton Street and Dickerson Pike (unnumbered), to permit a mixed use development, being Property Parcel Nos. 011, 012, 013, 014, 015, 288, 289, 290, 291, 293, 294 as designated on Map 071-11 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 071 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 650 multi-family units and a maximum of 20,000 square feet of non-residential. The development shall include a minimum of 8,000 square feet of non-residential uses along Dickerson Pike and the western portion of Marshall Street. Short term rental property (STRP) owner occupied and short term rental property (STRP) 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. Prior to the approval of the first Final SP the site, the public road shall be platted.
2. Glazing requirements shall be 50 percent for ground floor non-residential, 30 percent for ground floor residential, and 20 percent for upper story residential.
3. The existing architectural standard, "Buildings shall avoid continuous uninterrupted blank facades" shall be revised to, "Buildings shall avoid continuous uninterrupted blank facades by providing changes in modulation and materials to be reviewed with elevations submitted with the final site plan."
4. The final site plan shall show sidewalks along all public rights-of-way consistent with the Major and Collector Street Plan (MCSP) and Public Works design standards.
5. With the submittal of the final site plan, the applicant shall provide architectural elevations complying with the character imagery submitted with the Preliminary SP for review and approval.
6. Parking shall comply with requirements of the Metro Zoning Code.

7. 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.
8. Comply with all conditions and requirements of Metro reviewing agencies.
9. 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.
10. 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.

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.