File #: BL2022-1446, **Version:** 2

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 DTC to SP zoning for properties located at 507, 509, 511, 515, 517, 519, and 521 President Ronald Reagan Way, 203 Peabody Street and 518 3rd Avenue South, at the southwest corner of Peabody Street and President Ronald Reagan Way and located within the Rutledge Hill Redevelopment District, (2.12 acres), to permit two multi-family residential buildings and one hotel building, all of which is described herein (Proposal No. 2022SP-044-001).

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 DTC to SP zoning for properties located at 507, 509, 511, 515, 517, 519, and 521 President Ronald Reagan Way, 203 Peabody Street and 518 3rd Avenue South, at the southwest corner of Peabody Street and President Ronald Reagan Way and located within the Rutledge Hill Redevelopment District, (2.12 acres), to permit two multi-family residential buildings and one hotel building, being various Property Parcels Nos.as designated on various Maps 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 093 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 per the Downtown Code -South Area. Short term rental property, owner occupied and short-term rental property, not-owner occupied shall be prohibited for the entire development.

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

1. The maximum building height of Tower 1 shall be 32 stories, of Tower 2 shall be 36 stories, and of Tower 3 shall be 18 stories.
2. The project shall obtain a minimum of LEED Silver certification, or equivalent, as described within the LEED section of the DTC.
3. The developer shall propose an agreement for reasonable public access (e.g. hours of operation and other operational expectations) to the privately-owned, publicly accessible open space. This shall be reviewed by Metro Planning and Metro Legal and recorded prior to the issuance of building permits.
4. The applicant shall coordinate with NDOT and WeGo Transit on future mobility needs on President Ronald Reagan Way and 3rd Avenue South prior to final site plan approval.

5. The final site plan shall include a minimum of 34,000 square feet of pervious area as identified on Section O.5.H of the Preliminary SP plan set. The amount of pervious area may be reduced commensurate with the amount of pervious area provided off site and associated with the Lea Avenue realignment should the Lea Avenue realignment not move forward with the final site plan application. If the realignment does not move forward with the final site plan application, then the amount of pervious area shall be a minimum of 24, 715 square feet.
6. On the corrected copy of the plan, indicate that existing overhead lines along all frontages shall be buried.
7. The requirements of the Metro Fire Marshall's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. 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 by Planning Staff.
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 DTC-Lafayette 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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