



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2023-1820, **Version:** 1

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 CF to SP zoning for properties located at 1609 McGavock Street, 115 16th Avenue South, and 114 and 116 17th Avenue South, approximately 120 feet northwest of Division Street, located within the Music Row Urban Design Overlay District and Arts Center Redevelopment District, to permit a mixed use development with nonresidential uses and a maximum of 450 multi-family residential units (1.17 acres), all of which is described herein (Proposal No. 2023SP-010-001).

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 CF to SP zoning for properties located at 1609 McGavock Street, 115 16th Avenue South, and 114 and 116 17th Avenue South, approximately 120 feet northwest of Division Street, located within the Music Row Urban Design Overlay District and Arts Center Redevelopment District, to permit a mixed use development with nonresidential uses and a maximum of 450 multi-family residential units (1.17 acres), being Property Parcel Nos. 228, 229, 230 as designated on Map 092-16 and Property Parcel Nos. 006 as designated on Map 093-13 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 092-16 and 093-13 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 in the mixed use building to a maximum of 450 multi-family residential units or 300 multi-family residential units and 200 hotel rooms, and up to 35,300 square feet of nonresidential uses. Nonresidential uses shall be limited to all uses permitted by the CS zoning district. Permitted uses of the existing one-story building shall be limited to uses permitted by the CS zoning district. 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. Comply with all conditions and requirements of Metro reviewing agencies.
2. 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

3. 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.
4. 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.
5. 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.
6. Maximum building height shall not exceed that of elevations included in the preliminary SP.
7. Building elevations submitted with final SP shall have building design-including massing, glazing, building materials, and façade articulation-that is substantially similar to the elevations approved with the preliminary SP; however, the exposed portion of the garage shall meet zoning standards for screening and active liner.
8. No specific alterations to the Southern Ground building are approved with the preliminary SP. Any proposed alterations to the Southern Ground building shall require final SP review and approval and may also be subject to separate Metro historic review and approval.
9. Parking calculations shall be reviewed with final SP.
10. The applicant shall submit plans to MDHA DRC for review and obtain approval prior to final SP 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 CS 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.