



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2024-273, **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 CS to SP zoning for properties located at 475, 481, 483, 485, and 487 Humphreys Street, approximately 115 feet east of Chestnut Street, (0.93 acres), to permit a nonresidential development, all of which is described herein (Proposal No. 2023SP-059-001).

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 to SP zoning for properties located at 475, 481, 483, 485, and 487 Humphreys Street, approximately 115 feet east of Chestnut Street, (0.93 acres), to permit a nonresidential development, being Property Parcel Nos. 058, 060, 061, 062, 063 as designated on Map 105-07 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 105 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 all uses permitted in the MUL-A-NS zoning district with the following exceptions, which shall be prohibited: alternative financial services; automobile convenience; beer and cigarette market; donation center, drop-off; mobile storage unit, and commercial amusement (outside). The first story shall be limited to non-office uses and maker spaces such as artisan manufacturing. Office uses-other than accessory offices necessary for the support of primary retail, restaurant, and maker spaces-shall not be permitted on the first floor. Short-term rental property, owner-occupied, and short-term rental property, non-owner occupied, shall not be permitted.

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

1. General note 1 shall be revised to reflect permitted uses.
2. Maximum building height shall not exceed that shown in the preliminary SP. Building height shall be measured from the average elevation (average of four most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (vertical distance from eave to midpoint) or to the top of the parapet for a flat roof. Ancillary roofs shall not be higher than the primary roof.
3. Building elevations submitted with final site plan shall have building design-including massing, glazing, building materials, and façade articulation-that is substantially similar to the elevations approved with the preliminary SP.
4. Maximum floor area ratio shall be 2.35.

5. Vehicular access shall be provided from the alley only. No vehicular access shall to the site shall be permitted from Humphreys Street.
6. No individual tenant space on the first floor shall exceed 10,000 square feet.
7. Any on-site parking shall be located either beneath or behind the building and shall be accessed from the public alley.
8. Final site plan shall show proposed locations of all ground-mounted transformers and mechanical, electrical, and HVAC units. All ground-mounted units shall be fully screened from public view and shall not obstruct sidewalk or otherwise impede access to the building or public plaza.
9. Parking calculations shall be reviewed with final site plan and shall not exceed the maximums permitted in the Urban Zoning Overlay.
10. Sidewalks shall be provided as shown in the preliminary SP.
11. Perimeter and internal landscaping shall be provided per the Metro Zoning Code.
12. Uncovered exterior stairs shall be permitted to extend five feet into the rear setback.
13. With corrected copy of preliminary SP, revise parking note on site section sheet to limit parking to garage and rear surface lot as shown on preliminary SP.
14. With corrected copy of preliminary SP, revise ground floor uses as nonresidential rather than retail. Uses shall be consistent with those permitted in condition 1.
15. 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 MUL-A-NS 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.