



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** BL2024-572, **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 amending a Specific Plan for properties located at 2nd Avenue North (unnumbered), 1st Avenue North (unnumbered), 1500 2<sup>nd</sup> Avenue North, 1508 2nd Avenue North, 100 Van Buren Street and two areas of railroad right-of-way, at the northwest corner of 1st Ave N and Van Buren Street, zoned SP (2.99 acres), to permit 395 multi-family residential units, all of which is described herein (Proposal No. 2022SP-013-002).

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 amending a Specific Plan for properties located at 2nd Avenue North (unnumbered), 1st Avenue North (unnumbered), 1500 2<sup>nd</sup> Avenue North, 1508 2nd Avenue North, 100 Van Buren Street and two areas of railroad right-of-way, at the northwest corner of 1st Ave N and Van Buren Street, zoned SP (2.99 acres), to permit 395 multi-family residential units, being Property Parcel Nos. 133-135 and 138-140 as designated on Map 082-05 and of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County and railroad right-of-way as described in the attached legal description, 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 082-05 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 a maximum of 395 multi-family residential units. Short term rental property owner-occupied and short term rental property 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. With the final site plan, submit elevations consistent with the architectural standards included with the Preliminary SP.
2. The areas of CSX right-of-way located within the SP boundary shall be deeded into parcels prior to submittal of the final SP.
3. Garage screening details to be reviewed at the final SP application.
4. Should the amended greenway easement fail to receive approval, changes to the plan will be required including but not limited to removal of the proposed aerial encroachment.
5. Parking shall be per the UZO maximums as established in the Zoning Code. Minor adjustments may be allowed with additional analysis by NDOT and Planning with final site plan submittal.
6. Prior to final site plan approval, a mandatory referral for the aerial encroachment over the greenway

must be approved.

7. Building elevations fronting the greenway shall provide a minimum of 15% glazing.
8. Add the following note to the corrected set: All mechanical units shall be screened from the right-of-way by landscaping or an enclosure, or a combination of both. Screening details are to be submitted with the final site plan.
9. Comply with all conditions and requirements of Metro reviewing agencies.
10. 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.
11. 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.
12. 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.
13. A final plat may be required prior to permitting.
14. No master permit or HPR shall be recorded on the property prior to final site plan 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 RM100-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.