



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** BL2025-735, **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 IR to SP zoning for properties located at 1205 and 1223 3rd Avenue North, at the northwest corner of 3rd Avenue North and Madison Street (1.67 acres), to permit a mixed-use development, all of which is described herein (Proposal No. 2024SP-054-001).

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 IR to SP zoning for properties located at 1205 and 1223 3rd Avenue North, at the northwest corner of 3rd Avenue North and Madison Street (1.67 acres), to permit a mixed-use development, being Property Parcel Nos. 336 and 344 as designated on Map 082-09 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 082-09 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 47 multi-family residential units and a maximum of 1,200 square feet of nonresidential uses. 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. Nonresidential uses are limited to those permitted within MUN-A-NS zoning.
2. On the corrected copy, correct the Max Allowable Residential Density count to reflect the actual density being requested with 47 units.
3. On the corrected copy, update pedestrian entrance locations on site plan to be consistent with locations shown on conceptual elevations on the preliminary SP.
4. Nonresidential uses shall be limited to the ground floor of the residential units if SP is developed with the maximum number of residential units.
5. Additional glazing shall be provided on the ground level of the corner unit at 3<sup>rd</sup> Avenue North and Madison Street along the Madison Street façade, if developed without nonresidential uses.
6. For ground floor nonresidential uses, a minimum of 40% glazing shall be provided. A separate

pedestrian entrance for nonresidential uses shall be provided. Architectural details to be reviewed at the time of final site plan.

7. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
8. With submittal of the final site plan, provide landscape plan with planting details for the open space areas. Trees or other taller vegetation shall be provided in the open space areas adjacent to 3<sup>rd</sup> Avenue North.
9. No master permit/HPR shall be recorded prior to final SP approval.
10. Final plat may be required prior to permitting.
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 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.
13. 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.
14. 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 MUN-A 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.