

ORDINANCE NO. BL2011-885

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 RS15 to SP zoning for properties located at 4124, 4140, 4144 and 4156 Central Pike and at 6002 S. New Hope Road, approximately 1,200 feet west of S. New Hope Road (25.93 acres), to permit a mixed-use development consisting of office, retail, commercial, restaurant, multi-family and live/work uses, all of which is described herein.
(Proposal No. 2011SP-005-001)

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 RS15 to SP zoning for properties located at 4124, 4140, 4144 and 4156 Central Pike and at 6002 S. New Hope Road, approximately 1,200 feet west of S. New Hope Road (25.93 acres), to permit a mixed-use development consisting of office, retail, commercial, restaurant, multi-family and live/work uses, being Property Parcel Nos. 157, 160, 161, 162 as designated on Map 086-00 and Property Parcel No. 073 as designated on Map 098-00 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 attached sketch, which is attached to 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 Maps 086 and 098 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 those shown on the plan.

Section 4 Be if further enacted, that a maximum of one ground sign per driveway entrance along the Central Pike frontage shall be permitted within the SP.

Section 5. Be if further enacted, that driveway access points to the site shall be limited to the number and general location as shown in the preliminary site plan.

Section 6. Be it further enacted, that the parking standards shall be revised to require non-UZO parking standards of the Metro Zoning Code for allowed uses.

Section 7. Be it further enacted, that following shall be included on the corrected copy of the SP Plan:

1. The land uses listed within the permitted uses table shall be revised as uses permitted with conditions specified by the Zoning Code:
 - a. Day care center (less than 75 students)
 - b. Day care center (more than 75 students)
 - c. Day care home
 - d. Vocational school
 - e. Veterinarian
 - f. ATM
 - g. Automobile convenience
 - h. Home improvement sales
 - i. Mobile storage unit
2. The “custom assembly”, distributive business/ wholesale”, “hospital” and “car wash” land uses shall be removed as permitted land uses.
3. The ground sign standards proposed within the SP for the Central Pike frontage shall apply throughout the entire site. The plan shall be revised to eliminate the on-premises sign standards on page 3 of the SP drawing set. All other signage shall follow the standards of the MUL zoning district. Billboard standards shall apply as stated within the SP.

Section 8. Be it further enacted, that the following conditions shall be completed bonded or satisfied as specifically required:

1. A minimum of 50 percent of the SP frontage along Central Pike for each lot within the SP shall be occupied by building frontage. Building frontage is defined as a building façade that:
 - a. Faces onto Central Pike.
 - b. Is located within the required build-to zone.
 - c. Has a minimum length along Central Pike that is longer than the depth of the same building.
 - d. Provides primary pedestrian access to the building.
2. A maximum of one row of parking shall be permitted in front of buildings constructed within the Central Pike build-to zone.
3. A phasing plan for the SP boundary shall be submitted prior to any future final SP approvals.

4. A site plan illustrating the intended street/driveway pattern for each phase shall be submitted prior to any final SP approvals within that phase.
5. Future development of the SP shall include vehicular cross-connectivity throughout the SP via private streets/driveways that provide continuous sidewalk connectivity and landscaping (including street trees) along their edges.
6. Future development shall provide strong pedestrian frontage, including the provision of primary building entrances and walkway connections, to a primary internal street/driveway with a sidewalk. A maximum of two rows of parking may separate a building frontage from any private street/driveway.
7. All requirements of Chapter 17.24 (Landscaping, buffering and tree replacement) of the Metro Zoning Code for MUL zoning shall be met with any final site plan within the SP.
8. Driveway ramps per Metro ST-324 shall be constructed.
9. Although the proposed SP bulk requirements permit a more intense development, the traffic impact study and associated conditions are based on the following land-use development figures: 61,183 square feet of retail, 122,367 square feet of office and 680 multi-family residential units as stipulated in the traffic study. Any development intensity beyond these figures shall require additional traffic analysis and may require additional mitigations.
10. With the submittal of each final SP plan, the developer shall analyze the anticipated impact at the intersection of Central Pike and Old Hickory Boulevard. Construction of a double left turn lane on the westbound approach of Central Pike or other mitigations may be required as determined by the analysis as directed by the Metro traffic engineer. Modification to the existing traffic signal shall be required if the construction of a double left turn lane is recommended.
11. Developer shall conduct an intersection capacity and signal warrant analysis at the intersection of Central Pike and South New Hope Road at 4,500 SP generated daily trips or as directed by the Metro traffic engineer. Upon approval by the Traffic and Parking Commission, the developer shall design and install the traffic signal as approved by Public Works. The signal plan may include the installation of pedestrian signals and signal interconnect cable with other traffic signals in the vicinity.
12. With the approval and installation of a traffic signal at the intersection of Central Pike and South New Hope Road, a westbound left turn lane on Central Pike shall be constructed with tapers per MUTCD and AASHTO standards. The storage length shall be determined at the time construction plans are developed. Additional improvements to New Hope Road may be required as determined by the intersection analysis.

13. The dedicated westbound left turn lanes at all four proposed driveway connections recommended by the traffic impact study shall be constructed with a minimum of 100 feet of storage and tapers per MUTCD and AASHTO standards. Because of the close proximity of each proposed driveway connection to the Tulip Grove intersection and to one another, the Central Pike improvements may require the construction of a continuous two-way left turn lane between the intersection of Tulip Grove and each of the proposed driveways.
14. Access drive A shall be constructed with a minimum of 1 entering lane and 2 exiting lanes marked for separate left and right turn lanes.
15. At access drive A, a westbound left turn lane on Central Pike with a minimum of 100 feet of storage and tapers per MUTCD and AASHTO standards shall be constructed.
16. At access drive A, an eastbound right turn lane on Central Pike with a minimum of 100 feet of storage and 180 feet taper per MUTCD and AASHTO standards shall be constructed.
17. At access drive A, adequate sight distance shall be provided. Any landscaping, grading, or signage/structure shall not be placed within the intersection sight triangles per AASHTO standards.
18. Access drive B shall align with Valley Grove Drive and shall be constructed with a minimum of 1 entering lane and 3 exiting lanes marked for separate left, thru and right turn lanes. Storage lengths shall be determined at the time construction plans are developed.
19. At access drive B, a westbound left turn lane on Central Pike with a minimum of 100 ft of storage and tapers per MUTCD and AASHTO standards shall be constructed. As part of this improvement, an eastbound left turn lane with a minimum of 50 ft of storage and tapers per MUTCD and AASHTO standards shall be constructed.
20. At access drive B, an eastbound right turn lane on Central Pike with a minimum of 100 feet of storage and 180 feet of taper per MUTCD and AASHTO standards shall be constructed.
21. At access drive B, adequate sight distance shall be provided. Any landscaping, grading, or signage/structure shall not be placed within the intersection sight triangles per AASHTO standards.
22. A signal warrant analysis at the intersection of Central Pike and access drive B/Valley Grove Drive shall be conducted at 6,000 SP generated daily trips or as directed by Metro traffic engineer. Upon approval by the Traffic and Parking Commission, the traffic signal as approved by Public Works shall be designed and installed. The signal plan may

include the installation of pedestrian signals and signal interconnect cable with other traffic signals in vicinity.

23. Access drive C shall be constructed with a minimum of 1 entering lane and 2 exiting lanes marked for separate left and right turn lanes.
24. At access drive C, a westbound left turn lane on Central Pike with a minimum of 100 feet of storage and tapers per MUTCD and AASHTO standards shall be constructed.
25. At access drive C, an eastbound right turn lane on Central Pike with a minimum of 100 feet of storage and 180 feet of taper per MUTCD and AASHTO standards shall be constructed.
26. At access drive C, adequate sight distance shall be provided. Any landscaping, grading, or signage/structure shall not be placed within the intersection sight triangles per AASHTO standards.
27. Access drive D shall be constructed with a minimum of 1 entering lane and 2 exiting lanes marked for separate left and right turn lanes.
28. At access drive D, a westbound left turn lane on Central Pike with a minimum of 100 ft of storage and tapers per MUTCD and AASHTO standards shall be constructed.
29. At access drive D, an eastbound right turn lane on Central Pike at access drive A with a minimum of 100 feet of storage and 180 feet of taper per MUTCD and AASHTO standards shall be constructed.
30. At access drive D, adequate sight distance shall be provided. Any landscaping, grading, or signage/structure shall not be placed within the intersection sight triangles per AASHTO standards.
31. Cross access to adjacent properties and parcels within and adjacent to the proposed SP shall be provided.
32. Any future connection of SP to South New Hope Road may require road improvements to New Hope Road.
33. The site shall be evaluated and facilities provided to accommodate future transit/bus service.

Section 9. Be it further enacted, that prior to the recording of final plat if the development warrants dedication of a school site based on the number of students projected, a school site in compliance with the standards of Section 17.16.040 as determined by the Metro School Board shall be offered for dedication. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the McGavock High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. Failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.

Section 10. Be it further enacted, that prior to the issuance of building permits and arterial sidewalk per Metro ST-210 (8 foot sidewalk with 6 foot grass strip), paved shoulder and curb and gutter per Metro ST-200 shall be constructed along whole project frontage.

Section 11. Be it further enacted, that a corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

Section 12. Be it further enacted, that 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 in the plan that is part of this ordinance.

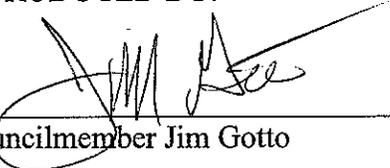
Section 13. Be it further enacted, that for any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning district as of the date of the applicable request or application.

Section 14. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

APPROVED ON March 24 2011 BY THE Councilmember Jim Gotto
METROPOLITAN PLANNING COMMISSION.

AWC (60)



Richard Bennett
EXECUTIVE DIRECTOR & SECRETARY