

ORDINANCE NO. BL2018-1155

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 on property located at 3839 Murfreesboro Pike, at the southeast corner of Hobson Pike and Murfreesboro Pike, zoned SP and within the Murfreesboro Pike Urban Design Overlay District (65.1 acres), to permit up to 200 single-family residential units, up to 350 multi-family residential units and 421,500 square feet of non-residential uses, all of which is described herein (Proposal No. 2008SP-002-003).

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 on property located at 3839 Murfreesboro Pike, at the southeast corner of Hobson Pike and Murfreesboro Pike, zoned SP and within the Murfreesboro Pike Urban Design Overlay District (65.1 acres), to permit up to 200 single-family residential units, up to 350 multi-family residential units and 421,500 square feet of non-residential uses, being Property Parcel No. 041 as designated on Map 164-00 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 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 on Map 164 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 maximum of 200 single-family residential units, up to 350 multi-family residential units and 421,500 square feet of non-residential uses. Non-residential uses shall be as specified on the plan.

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

1. On the corrected set, indicate that uses within Phase 5 (Park) shall be limited to Recreation Facilities and Outside Commercial Amusement (Temporary).
2. On the corrected set, add the following condition: Outside Commercial Amusement events shall be limited to a maximum 12,000 people. All facilities and structures needed for the temporary event shall be portable, and permanent structures for the temporary event shall not be permitted.
3. The applicant shall coordinate with MTA to determine the transit stop location along Murfreesboro Pike prior to submission of Final Site Plan application.
4. Comply with all conditions from Public Works and Traffic and Parking.
5. With final site plan for Phase 1, the applicant shall analyze with Planning and Public Works the feasibility of a pedestrian refuge for the pedestrian crossing at the signal on Murfreesboro Pike. If determined feasible, install a pedestrian refuge in accordance with Metro Public Works and Planning.
6. With final site plan for Phase 1, the applicant shall analyze with Planning and Public Works the feasibility of reducing the number of deceleration lanes at all access points. If determined feasible, work with Metro Public Works and Planning to determine locations of deceleration lanes.
7. The developer shall work with staff at Final SP to ensure that buildings orient toward streets and open space to the greatest extent possible.
8. At Final SP for each phase the applicant shall be required to provide an exact breakdown of the number of units and number of bedrooms so that parking and other requirements can be accurately reviewed.
9. Elevations for all building types consistent with the bulk and architectural standards in the Preliminary SP shall be provided with the submittal of the Final Site plan for each phase for review and approval by staff.
10. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
11. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units
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.

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 mixed use subdistrict: MUL-A, residential subdistrict: RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. 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:

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Councilmember Antoinette Lee