

ORDINANCE NO. BL2018-1241

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 from CS and RM20 to SP on properties located at 1201, 1203, 1205 and 1211 8th Avenue South, 1430 and 1501 Hillside Avenue, 809 and 929 Edgehill Avenue, at the southwest corner of Edgehill Avenue and 8th Avenue South, partially within a Planned Unit Development Overlay District, to permit 1,200 multi-family residential units and non-residential uses, (23.32 acres), all of which is described herein (Proposal No. 2018SP-026-001).

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 amending from CS and RM20 to SP on properties located at 1201, 1203, 1205 and 1211 8th Avenue South, 1430 and 1501 Hillside Avenue, 809 and 929 Edgehill Avenue, at the southwest corner of Edgehill Avenue and 8th Avenue South, partially within a Planned Unit Development Overlay District, to permit 1,200 multi-family residential units and non-residential uses, (23.32 acres), being Property Parcel Nos. 511, 512 as designated on Map 105-05 Parcel No. 024, 038-040, 042, 332 as designated on Map 105-06 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and 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 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 a maximum of 1,200 residential units and a maximum of 600,000 square feet of non-residential square footage. Non-residential uses shall be as specified on the plan. Short term rental property, owner occupied and non-owner occupied are prohibited.

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

1. Prior to the 1st final site plan approval within Zone 1, 2 or 3, the applicant shall prepare view shed modeling studies in consultation with Metro Planning, Metro Parks, and the Historical Commission staff to analyze the proposed height, massing, and location of tower elements in relation to views between Fort Negley/Rose Park and the Reservoir.
2. The height of Structure C of Zone 2 shall not exceed an elevation of 646' if visual modeling demonstrates significant impacts to views of Rose Park from the Reservoir ring road, as determined by the Planning Department. View shed studies shall be conducted prior to Final SP approval.
3. Prior to the 1st final site plan approval within Zone 1, 2 or 3, the applicant shall explore the feasibility of constructing and providing a public access easement and promenade between the planned future Reservoir Park and the Reservoir SP to allow elevated public access into the development to allow views of downtown, Fort Negley and Rose Park. Planning staff may relieve the applicant of this requirement if deemed unfeasible for a construction of programmatic standpoint.
4. To the extent permitted by Tennessee law, the developer desires to voluntarily use good faith efforts to designate 24.1667% of the units as affordable. This condition shall remain in place until the developer and/or subsequent developers have developed 290 new affordable housing units on the property, all of which such units are restricted by a recorded Land Use Restriction Agreement (LURA). Owner further agrees to pursue, as part of the foregoing 290 affordable units, to restrict 13.7931% of said units within the SP to 50% of AMI.
5. Comply with all conditions and requirements of Metro agencies.
6. On the corrected set, include the following: The 10th Avenue bikeway shall be extended from Acklen Avenue to Edgehill Avenue with infrastructure, signing, and striping upgrades. Coordinate with Planning and Public Works on the infrastructure design to achieve seamless bicycle connectivity from Acklen Avenue to Edgehill Avenue.
7. On the corrected set, indicate the following:
 - Provide required bike parking with development phases.
 - Provide a minimum of two bikeshare locations by coordinating with Nashville B-cycle. One location should be near 8th Avenue South and Edgehill Avenue. A second location should be near Summit Avenue and the existing pedestrian path/future 10th Avenue bikeway.
 - Coordinate with Planning and Public Works on Transportation Demand Management solutions that reduce traffic demand including, but not limited to parking adjustments, shower facilities, bike lockers/room, information kiosk, transit passes, and flex-scheduling.
8. 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.
9. 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 Zone 1, 2, 3-MUG-A, Zone 4, 5-RM40-A, Zone 6-RM20-A, Zone 7-RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described on the Council approved plan.

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:

Councilmember Colby Sledge