

SUBSTITUTE BILL BL2019-1727

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 district on property located at 206 Vaughn Street and 900, 901, 903, and 908 Meridian Street and 307 and 309 Cleveland Street (3.23 acres), to permit an additional restaurant in a mixed use development, all of which is described herein (Proposal No. 2016SP-024-003).

WHEREAS, Substitute Ordinance No. BL2016-204 (Proposal No. 2016SP-024-001) applied a preliminary Specific Plan (SP) district to the subject property permitting “a maximum of two restaurants” among other uses; and

WHEREAS, procedural Rule 21 of the Metropolitan Council does not preclude the introduction of this ordinance prior to obtaining a recommendation from the Metro Planning Commission because the SP has already been applied to the subject property; and

WHEREAS, it is desirable and appropriate to increase the maximum number of restaurants to three without increasing the size of the development.

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 206 Vaughn Street and 900, 901, 903 and 908 Meridian Street and 307 and 309 Cleveland Street, zoned SP District (3.23 acres), to change from “a maximum of two restaurants” to “a maximum of three restaurants” without any further changes to the SP, being Property Parcel Nos. 229, 231, 415, 416, 417, 551 and 568 as designated on Map 082-03 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 previously approved 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 is though fully 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 082-03 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 no other changes to the original SP are intended by this ordinance.

Section 4. Be it further enacted, that uses of this SP shall be as indicated in BL2016-204 with the exception that a maximum of three, not two, restaurants shall be permitted at any one time within the SP.

Section 5. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. Comply with all conditions of BL2016-204 as applicable.
2. Final approval for the pool is not granted with approval of this preliminary SP. Final approval may be granted with the final site plan dependent on additional details being provided to staff including finalized location and screening plans.
3. No opaque fencing shall be permitted to screen the pool.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. 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 4 6. 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 5 7. 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 6 8. 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 MUL-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 7 9. 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 Scott Davis

2016SP-024-003
MCGAVOCK HOUSE SP (AMENDMENT)
Map 082-03, Parcel(s) 229, 231, 415-417, 551, 568
Subarea 05, East Nashville
District 05 (S. Davis)
Application fee paid by: Sterling National Bank

A request to amend a Specific Plan on properties located at 206 Vaughn Street and 900, 901, 902, 903, and 908 Meridian Street and 219, 307, and 309 Cleveland Street, north of Cleveland Street (3.39 acres), to permit an additional restaurant, requested by Tune, Entrekin & White, PC, applicant; various property owners.

