

ORDINANCE NO. _____

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 for property located at 3839 Murfreesboro Pike, approximately 530 feet north of Old Hickory Boulevard, zoned SP and within the Murfreesboro Pike Urban Design Overlay District (65.1 acres), to permit a mixed use development, all of which is described herein (Proposal No. 2008SP-002-004).

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 for property located at 3839 Murfreesboro Pike, approximately 530 feet north of Old Hickory Boulevard, zoned SP and within the Murfreesboro Pike Urban Design Overlay District (65.1 acres), to permit a mixed use development, 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 made 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 as follows: Zone 1 limited to 120 residential units; Zone 2 limited to all uses permitted by MUL-A; Zone 3 limited to all uses permitted by IWD. Short term rental properties-owner occupied and short term, rental properties – not-owner occupied shall be prohibited in all zones.

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

1. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of

the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

2. 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.
3. Comply with all conditions and requirements of Stormwater, Water Services, and Public Works.
4. 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 MUL-A zoning district for Zones 1 and 2 and Zone 3 shall be subject to the standards, regulations and requirements of the IWD 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:

Councilmember Antoinette Lee

2008SP-002-004
STARWOOD TOWN CENTER
Map 164, Parcel(s) 041
Subarea 13, Antioch - Priest Lake
District 33 (Lee)
Application fee paid by: Starwood Commons

A request to amend a Specific Plan for property located at 3839 Murfreesboro Pike, approximately 530 feet north of Old Hickory Boulevard, zoned SP and within the Murfreesboro Pike Urban Design Overlay District (65.1 acres), to permit a mixed use development, requested by Kimley-Horn, applicant; PBR&T Partnership, owner.

