

**METROPOLITAN COUNCIL**

Metro Council Office

**PROPOSED  
SUBSTITUTE ORDINANCES  
AND  
AMENDMENTS  
ON FILE WITH THE METRO CLERK  
FOR THE  
COUNCIL MEETING OF  
TUESDAY, AUGUST 4, 2015**

SUBSTITUTE ORDINANCE NO. BL2015-1098

An ordinance amending Chapters 17.08 and 17.16 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to "Community Education" siting and to allow Community Education as a permitted use in the CN, SCN, and IWD zoning districts (Proposal No. 2015Z-008TX-001).

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Section 17.08.030 of the Metropolitan Zoning Code, District Land Use Table, is hereby amended by adding "Community education" as a permitted (P) use in the CN, SCN, and IWD zoning districts.

Section 2. Section 17.16.040 of the Metropolitan Zoning Code is hereby amended by adding the following new subsection A.7.:

"7. Required school site dedications. All required school site dedications shall follow the zoning requirements in effect at the time the dedication requirement was approved by the metropolitan council through the adoption of an amendment to the official zoning map, or the current requirements of Section 17.16.040, whichever is the least restrictive."

Section 3. Section 17.16.040 of the Metropolitan Zoning Code is hereby amended by adding the following new subsection A.8.:

"8. Adaptive reuse. Community education facilities shall be permitted to operate within an existing structure, regardless of lot size, subject to the following conditions:

- a. A valid use and occupancy permit was issued for the structure for use as a community education facility or a religious institution at any point within the previous five year period.
- b. The property upon which the structure is located has not been subdivided since the cessation of the previous use as a community education facility or religious institution in such a manner so as to reduce the lot size below the minimum lot size for community education facilities provided in this section."

Section 4. 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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Emily Evans  
Member of Council

Amendment No. 1

To

Ordinance No. BL2015-1098

Madam President:

I move to amend Ordinance No. BL2015-1098 by deleting Section 2 in its entirety and substituting with the following new Section 2:

Section 2. Section 17.16.040 of the Metropolitan Zoning Code is hereby amended by deleting subsection A.5. in its entirety and substituting with the following new subsection A.5.:

5. Reduced Lot Size. The board of zoning appeals may permit new school facilities on smaller lot sizes than set forth above as a special exception subject to demonstrating compliance with Section 17.16.150, and provided the total lot size is not less than three acres..

Introduced By:

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Davette Blalock  
Member of Council

SUBSTITUTE ORDINANCE NO. BL2015-1145

An ordinance amending Chapters 10 and 16 of the Metropolitan Code of Laws to adopt updated fire, building, dwelling, energy, gas/mechanical, and plumbing codes with amendments.

WHEREAS, the applicable codes for fire, building, dwelling, energy, gas/mechanical, and plumbing standards are updated by international bodies on a periodic basis; and,

WHEREAS, such updates are adopted by the Metropolitan Council into the Metropolitan Code of Laws as the governing standards for Davidson County, Tennessee; and,

WHEREAS, the amendment of these sections of Metropolitan Code of Laws § 10 and 16 is in the best interests of the citizens of Nashville and Davidson County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Chapter 10.64 of the Metropolitan Code is hereby amended by deleting Section 10.64.010 in its entirety and substituting in lieu thereof the following new section 10.64.010:

10.64.010 Fire Prevention Code adopted.

The metropolitan government adopts the 2012 International Fire Code published by the International Code Council, as amended in this chapter, and Appendix B, Appendix D, and Appendix F of the International Fire Code, as amended in this chapter, to be applicable throughout the metropolitan government. A copy of the International Fire Code, including Appendices B, D, and F, is attached to the ordinance codified in this section and hereof, the same as if copied verbatim herein. The International Fire Code and Appendices B, D, and F thereto, with amendments indicated herein, and with the addition of the 2012 Life Safety Code for certain occupancies, shall be known as the Metropolitan Fire Prevention Code.

Section 2. Chapter 10.64 of the Metropolitan Code is hereby amended by deleting Section 10.64.012 in its entirety and substituting in lieu thereof the following new section 10.64.012:

10.64.012 Life Safety Code (NFPA 101-2012) adopted for certain occupancies. The metropolitan government adopts the NFPA 101 Life Safety Code 2012 edition, published by the National Fire Protection Association, as amended in this chapter, for new and existing state buildings and metropolitan government owned buildings, and for the following new and existing occupancies as defined in the NFPA 101 Life Safety Code 2012 edition:

1. educational occupancies;
2. day-care occupancies;
3. residential board and care occupancies; and
4. health care occupancies.

A copy of the 2012 NFPA 101 Life Safety Code is attached to the ordinance codified in this section and hereof, the same as if copied verbatim herein.

Section 3. Chapter 10.64 of the Metropolitan Code is hereby amended by deleting Section 10.64.015 in its entirety and substituting in lieu thereof the following new section 10.64.015:

10.64.015 Amendments to the 2012 International Fire Code and Appendices.

Amendment No. \_\_\_\_

To

Ordinance No. BL2015-1280

Madam President:

I move to amend Ordinance No. BL2015-1280 by deleting Section 1 in its entirety and substituting with the following new Section 1:

Section 1. Section 16.24.330 of the Metropolitan Code is hereby amended by adding the following new subsection Q.:

“Q. Wood chips/Mulch. No owner or occupant of any parcel of property one-half (1/2) acre in size or greater shall permit more than five percent (5%) of the lot area to be covered with wood chips/mulch. Piles or mounds of wood chips/mulch placed within this five percent lot area limitation shall not exceed two feet in height. This subsection shall not apply to commercial establishments engaged in the sale of wood chips/mulch, nor to any government-owned property used for the collection and/or sale of mulch.”

Introduced By:

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Robert Duvall  
Member of Council

Amendment No. 1

To

Ordinance No. BL2015-1312

Madam President:

I move to amend Ordinance No. BL2015-1312 by amending Section 1 thereof by substituting the following for the list of Map/Parcel Numbers and Street addresses included in that section:

Map & Parcel:	Address:
10409014000	3606 West End Avenue
10409014300	3622 West End Avenue
10409012100	151 Craighead Avenue
Original Map/Parcel No. 10409014400	3626 West End Avenue

Introduced By:

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Jason Holleman  
Member of Council

AMENDMENT NO. 2

TO

ORDINANCE NO. BL2015-1053

Madam President:

I move to amend Ordinance No. BL2015-1053 by amending Section 2 to substitute the Exhibit A referenced with the attached Exhibit A.

INTRODUCED BY:

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Councilmember Erica Gilmore

# Nashville

## DOWNTOWN CODE

Amended by Ordinance No. BL2013-376  
as adopted on April 02, 2013

Amended by Ordinance No. BL2012-142  
as adopted on May 21, 2012

Amended by Ordinance No. BL2011-896  
as adopted on May 26, 2011

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Attachment to Ordinance No. BL2009-586  
as adopted on February 02, 2010






## Document Contact Information

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Planning Department staff provides consultations for developing within the Downtown Code. Call (615) 862-7190 or email [planningstaff@nashville.gov](mailto:planningstaff@nashville.gov) to schedule a meeting.

 The Planning Department does not discriminate on the basis of age, race, sex, color, national origin, religion or disability in access to, or operation of, its programs, services, and activities, or in its hiring or employment practices. For ADA inquiries, contact Josie Bass, ADA Compliance Coordinator, at 862-7150 or e-mail her at [josie.bass@nashville.gov](mailto:josie.bass@nashville.gov). For Title VI inquiries contact Shirley Sims-Saldana or Denise Hopgood of Human Relations at 880-3370. For all employment-related inquiries call 862-6640.

# Section I: Introduction

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Amendment No. \_\_\_\_\_

To

Substitute Ordinance No. BL2015-1120

Madam President:

I move to amend Substitute Ordinance No. BL2015-1120 by amending Section 1 by adding the following provision as subsection A. of the new Code Section 17.36.650, and re-lettering the remaining subsections of Section 17.36.650 accordingly:

- A. Minimum Size Requirements. A DADU Overlay District shall consist of a minimum of 30 contiguous lots.

Introduced By:

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Burkley Allen  
Member of Council

Amendment No. \_\_\_\_\_

To

Substitute Ordinance No. BL2015-1120

Madam President:

I move to amend Substitute Ordinance No. BL2015-1120 by amending Section 1 by adding the following provision as subsection A. of the new Code Section 17.36.660 at the end thereof:

17.36.660      Preservation of Contributing Historic Structures.

All applications for demolition permits of principal single-family structures located within a DADU overlay shall be submitted to the metropolitan historical commission staff for review and determination as to whether the structure meets the criteria of a contributing historic structure in a Neighborhood Conservation Zoning Overlay. If the historical commission staff determines that the principal single-family structure on property located within a DADU overlay is a contributing historic structure, no demolition permit shall be issued for the principal structure for a period of three years from the date a use and occupancy permit was issued for a detached accessory dwelling on the property. No permits for the construction of a DADU shall be issued for a period of three years on a property where a structure that meets the criteria of a contributing structure in a Neighborhood Conservation Zoning Overlay has been demolished within the preceding three years.

Introduced By:

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Jason Holleman  
Member of Council

SUBSTITUTE ORDINANCE NO. BL2015-1153

An ordinance to amend various sections of Title 17 of the Metropolitan Zoning Code to add alternative zoning districts and modify alternative zoning district standards. (Proposal No. 2015Z-012TX-001).

WHEREAS, there is a need to create non-site plan based zoning districts to implement the bulk standards necessary to create the walkable communities envisioned by the citizens of Davidson County through the general plan;

WHEREAS, encouraging and fostering development and reinvestment that promotes alternative modes of transportation such as walking, bicycling and transit are important to enhancing the quality of the life of the citizens of Metropolitan Nashville and Davidson County;

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 17.08.010.F (Commercial Districts:) of the Metropolitan Code is hereby amended by deleting items 1-3, inserting the following districts as items 1-6 and renumbering the remaining items accordingly:

1. CN Commercial Neighborhood.
2. CN-A Commercial Neighborhood Alternative.
3. CL Commercial Limited.
4. CL-A Commercial Limited Alternative.
5. CS Commercial Service.
6. CS-A Commercial Service Alternative.

Section 2. That Section 17.08.020.F (Zoning Districts Described: Commercial Districts) of the Metropolitan Code is hereby amended by retaining the introductory paragraph, deleting Sections 17.08.020.F.1, 17.08.020.F.2, 17.08.020.F.3 and inserting in their place the following descriptions:

1. CN, Commercial Neighborhood District and CN-A, Commercial Neighborhood District Alternative. The CN and CN-A districts will implement the local convenience and neighborhood retail policies of the general plan. These districts are designed to provide for the recurring shopping and personal service needs of nearby residential areas. The range of permitted uses is limited to those which are generally patronized on a frequent basis by neighborhood residents. The bulk and buffering standards are intended to insure good compatibility between the commercial uses and adjacent residential properties.
2. CL, Commercial Limited District and CL-A, Commercial Limited District Alternative. The CL and CL-A districts are designed to provide for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices. The uses in this district serve a moderately wide market area, and therefore ease of automobile access is requisite.

SUBSTITUTE FOR ORDINANCE NO. BL2015-1205

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 CF to SP zoning for property located at 1512, 1514, 1516, 1522, 1524, 1528, 1530 Demonbreun Street; 112 and 118 16th Avenue South and 1529, 1531 and 1533 McGavock Street, at the southeast corner of 16th Avenue South and McGavock Street, (3.38 acres), to permit a 22 story mixed use development with up to 590 multi-family residential units, all of which is described herein (Proposal No. 2015SP-048-001).

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 CF to SP zoning for property located at 1512, 1514, 1516, 1522, 1524, 1528, 1530 Demonbreun Street; 112 and 118 16th Avenue South and 1529, 1531 and 1533 McGavock Street, at the southeast corner of 16th Avenue South and McGavock Street, (3.38 acres), to permit a 22 story mixed use development with up to 590 multi-family residential units, being Property Parcel Nos. 203, 204, 205, 206, 255, 256, 257, 259 as designated on Map 093-09 and Property Parcel Nos. 007, 010, 011, 013 as designated on Map 093-13 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 093 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 up to 590 multi-family units and all other uses permitted in the CF district.

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

1. The maximum heights of the buildings are limited to 22 stories in 289 feet.

2. Finalized landscape plans shall be submitted with the final site plan and shall meet or exceed the standards of the Zoning Code for the CF district.
3. Bicycle parking shall be provided in accordance with Section 17.20.135 of the Zoning Code.
4. Sidewalk widths shall be as per the adopted Major and Collector Street Plan.
5. Plans for highly visible crosswalks shall be reviewed and approved by Planning and Public Works prior to approval of the final site plan.
6. Comply with all Public Works conditions.
7. The anchor tenant on the corner of McGavock Street and 16<sup>th</sup> Avenue South is permitted one façade mounted sign with a maximum size of 280 square feet along McGavock Street, and one projection sign along 16<sup>th</sup> Avenue South with a maximum height of 15 feet, and a maximum projection of six feet from the face of the façade. All other façade mounted signs and projection signs shall comply with the existing standards of the Music Row UDO. Skyline signs shall be prohibited.
8. The first final site plan shall include a grocery store or return to the Metro Planning Commission for review.
9. 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.

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 CF 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.

*Approved with conditions and disapproved without all conditions. (70)*

APPROVED ON June 11, 2015 BY THE METROPOLITAN PLANNING COMMISSION.

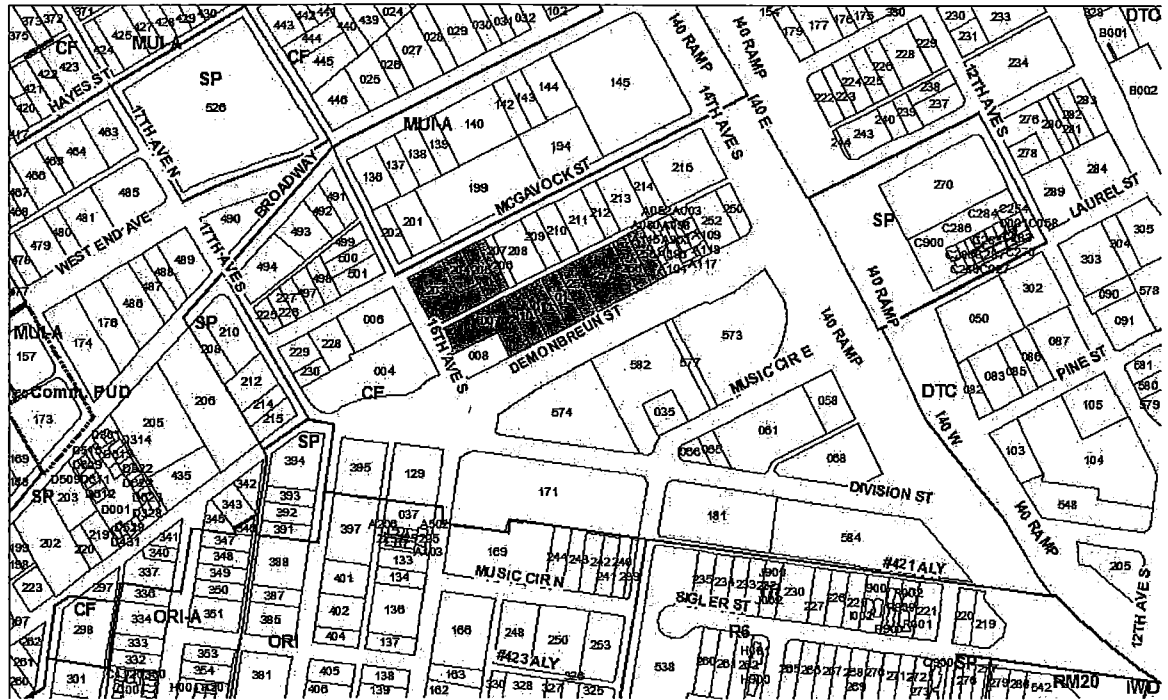
  
DEPUTY DIRECTOR

INTRODUCED BY:

  
Councilmember Erica S. Gilmore

2015SP-048-001  
DEMONBREUN HILL  
Map 093-09, Parcel(s) 203-206, 255-257, 259  
Map 093-13, Parcel(s) 007, 010, 011, 013  
Subarea 10, Green Hills - Midtown  
District 19 (Erica S. Gilmore)

A request to rezone from CF to SP zoning for property located at 1512, 1514, 1516, 1522, 1524, 1528, 1530 Demonbreun Street; 112 and 118 16th Avenue South and 1529, 1531 and 1533 McGavock Street, at the southeast corner of 16th Avenue South and McGavock Street, (3.38 acres), to permit a 22 story mixed use development with up to 590 multi-family residential units, requested by Kimley-Horn, applicant; Elmington Capital Group, owner.





Amendment No. \_\_\_\_\_

To

Substitute Ordinance No. BL2015-1205

Madam President:

I move to amend Substitute Ordinance No. BL2015-1205 by adding the following new Section 5 and renumbering the existing Section 5 and the remaining Sections accordingly:

Section 5. Be it further enacted, that the final SP plan to be submitted to the Planning Department prior to the issuance of any building permits shall provide a building setback of 15 to 20 feet in depth (i.e., one parking bay depth) on the west wall of the proposed structure facing the Rhythm condominium building. This building setback shall be incorporated at an elevation that matches the building elevation of the pool amenity deck of the Rhythm, which is the first floor of residential units for the Rhythm. The limits of the setback shall begin at the face of the Rhythm residential units facing Demonbreun Street and continue northward to the full extent of the building.

Introduced By:

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Erica Gilmore  
Member of Council

SUBSTITUTE ORDINANCE NO. BL2015-1210

An ordinance to amend various sections of Title 17 of the Metropolitan Zoning Code related to natural gas compressor stations. (Proposal No. 2015Z-014TX-001).

WHEREAS, Natural gas compressor stations are operationally and physically similar to an industrial use;

WHEREAS, Industrial uses are incompatible with many other land uses and are not sensitive to the environment; and

WHEREAS, Because of the similarity to industrial uses, natural gas compressor stations are only appropriate in industrial zoning districts.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Section 17.04.060 (Definitions of general terms) of the Metropolitan Code is hereby amended by inserting the follow definition of "Natural Gas Compressor Station":

Natural Gas Compressor Station means a facility designed and constructed to compress natural gas that originates from an Oil and Gas well or collection of such wells operating as a midstream facility for delivery of Oil and Gas to a transmission pipeline, distribution pipeline, Natural Gas Processing Plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

Section 2. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by adding "Compressor Station" as a permitted use (P) in IWD, IR and IG zoning districts.

Section 3. Table 17.20.030 (Parking requirements) of the Metropolitan Code is hereby amended by inserting the following row for "Compressor Station" under Industrial uses:

Natural Gas Compressor Station	1 space per employee
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Section 4. This Ordinance shall take effect five (5) days from and 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 Lonnell Matthews, Jr.

SUBSTITUTE ORDINANCE NO. BL2015-1219

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 R8 to SP zoning for property located at 5825 and 5827 Leslie Avenue and Leslie Avenue (unnumbered - four parcels), on the south side of Leslie Avenue between Sterling Street and Ethel Street, (1.26 acres), to permit up to 13 detached residential units, all of which is described herein (Proposal No. 2015SP-038-001).

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 R8 to SP zoning for property located at 5825 and 5827 Leslie Avenue and Leslie Avenue (unnumbered - four parcels), on the south side of Leslie Avenue between Sterling Street and Ethel Street, (1.26 acres), to permit up to 13 detached residential units, being Property Parcel Nos. 125, 126, 127, 128, 129, 130, 131 as designated on Map 091-10 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 091 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 13 detached residential units.

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

1. No structure shall be more than two stories and shall be limited to a maximum height of 35 feet, measured to the roofline. Building elevations for all street and courtyard facing facades shall be provided with the final site plan. Buildings located on the northeast and northwest corners of the property shall have wraparound porches on each street side. The following standards shall be met:

- a. Building facades fronting a street and courtyard shall provide a minimum of one principal entrance (doorway) and a minimum of 25% glazing.
  - b. Windows shall be vertically oriented at a ratio of 2:1 or greater, except in dormers.
  - c. EIFS and vinyl siding shall be prohibited.
2. The final site plan shall include architectural elevations showing raised foundations of 18-36” for residential buildings.
  3. The dumpster and recycling area shall be screened by a six foot opaque fence.

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 RM15-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.

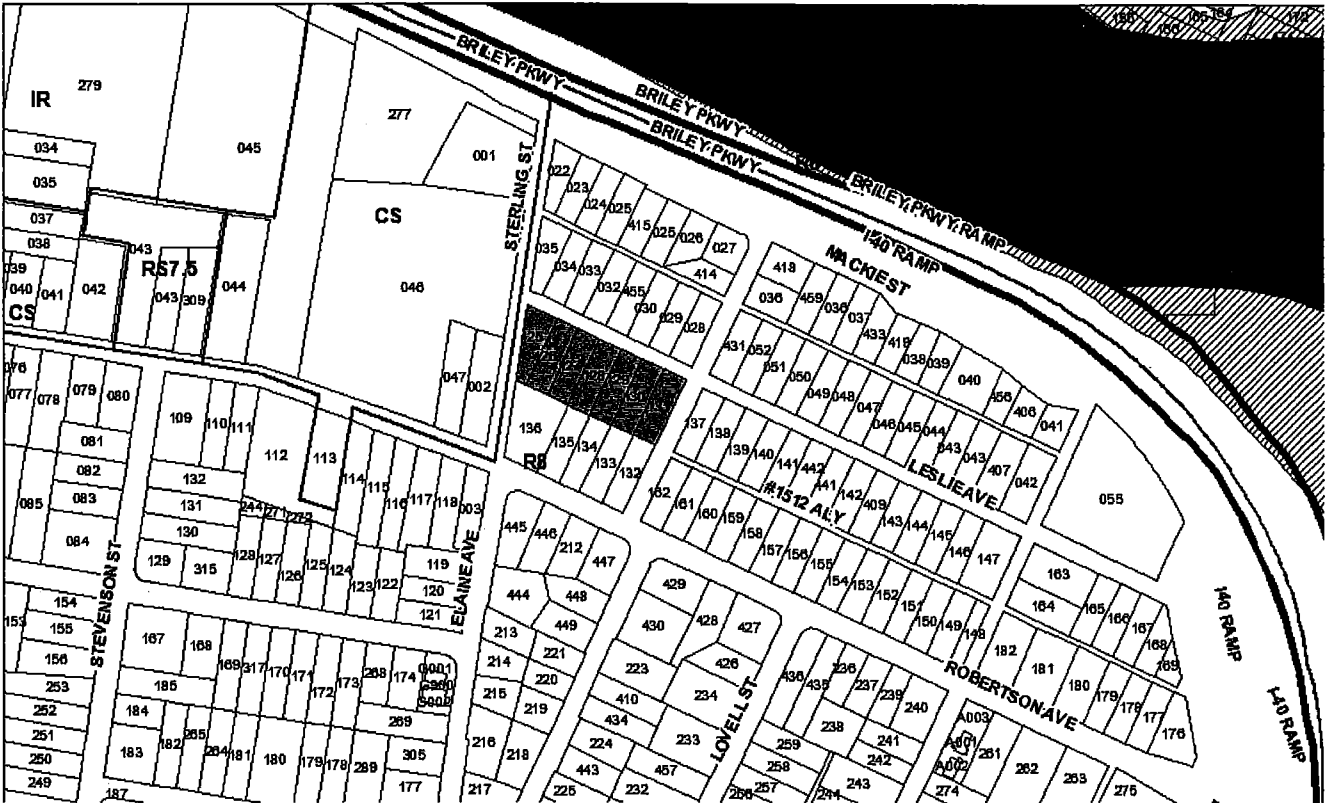
INTRODUCED BY:

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Councilmember Buddy Baker

2015SP-038-001  
ETHEL & LESLIE  
Map 091-10, Parcel(s) 125-131  
Subarea 07, West Nashville  
District 20 (Baker)

A request to rezone from R8 to SP zoning for property located at 5825 and 5827 Leslie Avenue and Leslie Avenue (unnumbered - four parcels), on the south side of Leslie Avenue between Sterling Street and Ethel Street, (1.26 acres), to permit up to 13 detached residential units, requested by Dale & Associates, applicant; Leslie Avenue, G.P., owner.



SUBSTITUTE ORDINANCE NO. BL2015-1234

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 R40 to SP zoning for property located at 7125 Charlotte Pike, approximately 975 feet southwest of River Road (3.0 acres), to permit a mixed-use development, all of which is described herein (Proposal No. 2015Z-046PR-001).

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 R40 to SP zoning for property located at 7125 Charlotte Pike, approximately 975 feet southwest of River Road (3.0 acres), to permit a mixed-use development, being Property Parcel No. 015 as designated on Map 102-13 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by words and figures on the plan that 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 102 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 following conditions shall be completed, bonded or satisfied as specifically required:

1. No structure shall be more than two stories.
2. Building elevations for all street facades shall be provided with the final site plan.
3. The building materials shall include brick, stone, stucco or cementitious siding. Exposed concrete block, vinyl or aluminum siding, or sheet metal shall not be permitted.
4. The community signage shall not be roof mounted or pole mounted. The sign shall not flash, rotate, blink, scintillate, flicker, or vary intensity of color.
5. The maximum density for this site for residential uses shall be 15 units per acre. All other uses shall follow the bulk regulations applicable to the MUL zoning district.
6. The setbacks for this site shall be as follows:
  - front - 20 feet
  - sides - 5 feet
  - rear - 10 feet

Section 4. Be it further enacted, that this SP shall allow all uses permitted in the MUL zoning district except for the following uses:

- Boarding House
- Dormitory
- Cash Advance
- Check Cashing
- Leasing/Sales Office
- Title Loan
- Auction House
- Automobile Convenience
- Car Wash
- Custom Assembly
- Automobile Parking
- Bar or Nightclub
- Beer and Cigarette Market
- Donation Center, Drop-off
- Flea Market
- Hotel/Motel
- Mobile Storage Unit
- Pawn Shop
- Restaurant, Fast Food
- Commercial Amusement (Outside)
- Consignment Sale

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 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:

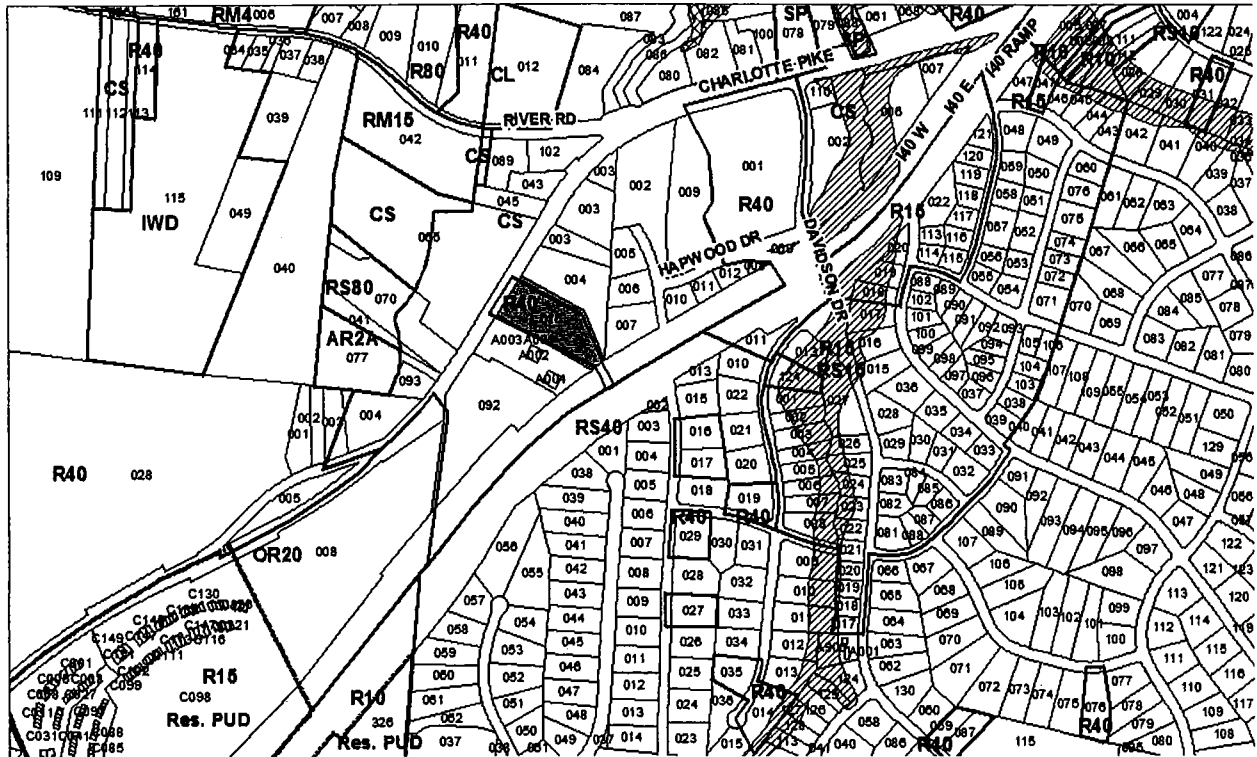
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Sheri Weiner  
Member of Council



2015Z-046PR-001  
Map 102-13, Parcel(s) 015  
Subarea 06, Bellevue  
District 22 (Weiner)

A request to rezone from R40 to SP zoning for property located at 7125 Charlotte Pike, approximately 975 feet southwest of River Road (3.0 acres), to permit a mixed-use development, requested by Dewey-Estes Engineering, applicant; Immanuel Church of the Nazarene Trustees, owner.



Amendment No. \_\_\_\_\_

To

Ordinance No. BL2015-1245

Madam President:

I move to amend Ordinance No. BL2015-1245 as follows:

I. By adding the attached conceptual elevations to be incorporated into the Ordinance as Exhibit 1.

II. By adding the following new conditions at the end of Section 4:

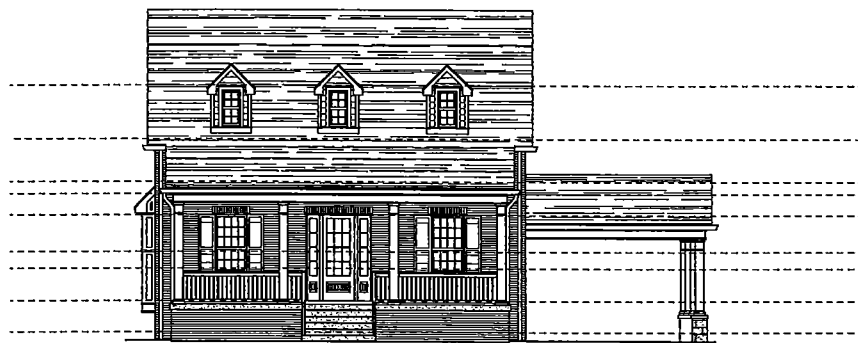
“5. Architectural elevations shall be consistent with the conceptual elevations included in Exhibit 1 of this Ordinance.

6. Solid waste and recycling pickup shall be coordinated with a private hauler prior to the approval of the Final SP. The Final SP shall show a dedicated and screened area within the site’s interior for storage of roll-away solid waste and recycling cans. Curb side pickup shall not be permitted.”

Introduced By:

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Burkley Allen  
Member of Council



① Front Elevation



② Side Elevation

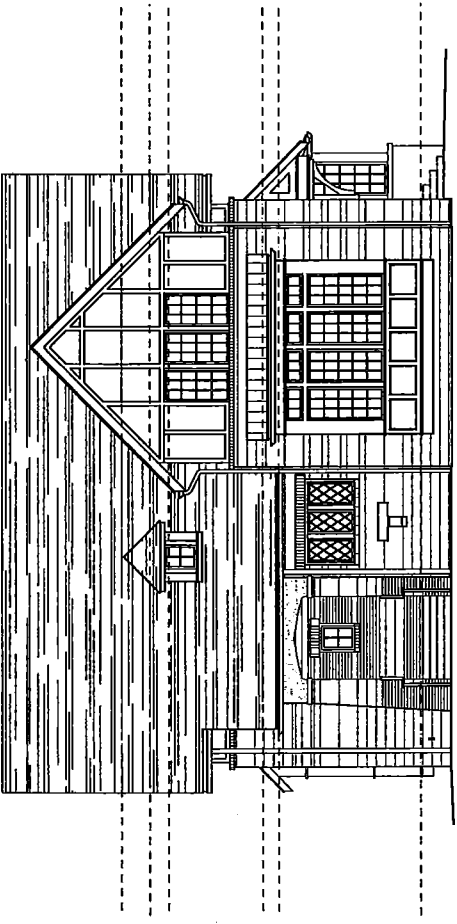
Van Pond Architect.  
 222 N. 1st St.  
 Nashville, Tennessee 37203  
 615.259.1111

Professional Seal Area  
 State of Tennessee  
 License No. 2015-000000000000

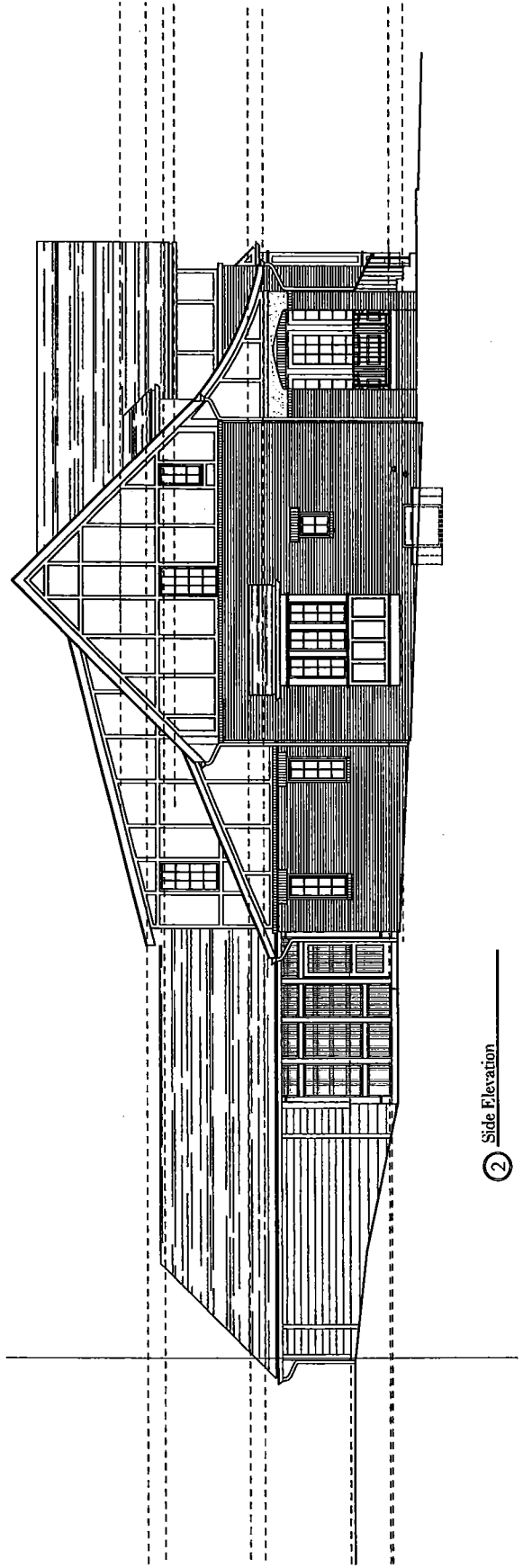
NOT FOR CONSTRUCTION  
 This drawing is not to be used for construction purposes without the written consent of the architect. It is provided for informational purposes only.

ARCHITECTURE FOR THE BELVIDERE LOCAL  
 1125 Belvidere Drive  
 Nashville, Tennessee 37215


ISSUED BY VAN POND

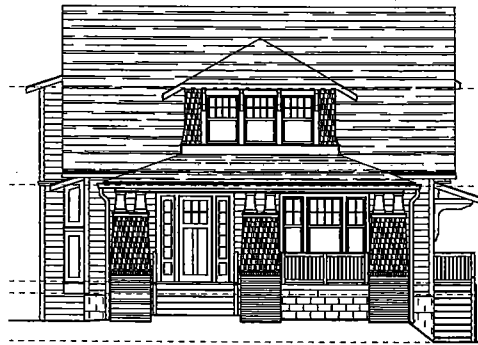


① Front Elevation



② Side Elevation

ELEVATIONS



① Front Elevation



② Side Elevation

Van Pond Architect  
 1843 Primrose Avenue  
 Nashville, Tennessee 37213  
 615.259.1234  
 vanpondarchitect.com

NOT A CONTRACT  
 This drawing is not a contract. It is a preliminary architectural drawing and is subject to change without notice. It is not to be used for construction purposes.

NOT A CONTRACT  
 This drawing is not a contract. It is a preliminary architectural drawing and is subject to change without notice. It is not to be used for construction purposes.

1843 PRIMROSE AVE, NASHVILLE, TN 37213  
 1843 Primrose Avenue  
 Nashville, Tennessee 37213

REVISIONS

ELU-1006  
 Issued 07 July 2017

Amendment No. \_\_\_\_\_

To

Ordinance No. BL2015-1247

Madam President:

I move to amend Ordinance No. BL2015-1247 by deleting Section 4 in its entirety and substituting with the following new Section 4:

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

1. Corner lots on the proposed collector shall gain vehicular access from only the local side street.
2. Corner lots on local streets shall not take vehicular access from the street which the home primarily fronts, but shall be from the side of house unless site conditions make side access impractical. If planning staff finds that side access is not practical, then vehicular access may be permitted from street which the home fronts.
3. Any garage facing a primary street frontage shall be recessed at least five feet from the front façade.
4. Brick shall be required on 100% of the front and side façades of the buildings, excluding non-structural, architectural features such as dormers, porches, gables, etc. Vinyl siding shall not be permitted.
5. Lots with slopes greater than 25% shall meet the critical lot requirements of Section 17.28.030 of the Metro Zoning Code. The final site plan shall designate any lot meeting the criteria for a critical lot on the final site plan.
6. A C-Landscape Buffer Yard shall be provided adjacent to any lot adjacent to the TVA easement and/or the proposed Southeast Parkway ROW reservation.
7. A six foot wide sidewalk and six foot wide planting strip shall be provided adjacent to the planned collector. A five foot wide sidewalk and four foot wide planting strip is required adjacent to all local streets.
8. Street trees are required. The location shall be determined with the final site plan.
9. The limits of disturbance shown on the preliminary plan may not be increased.
10. The Preliminary SP plan is the site plan and associated documents. If applicable, all notes and references should be removed that indicate that the site plan is illustrative, conceptual, etc.
11. Access into Indian Creek Estates shall not be permitted with phase one, but shall only be permitted with phase three s shown on the preliminary plan.
12. Construction activity shall conform to all construction noise requirements of the Metropolitan Code.
13. All efforts shall be made to ensure that streets used for access into the site during construction remain clean and free of debris.

Introduced By:

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Fabian Bedne  
Member of Council