

SUBSTITUTE ORDINANCE NO. BL2021-955

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 RS40 to ~~RS45~~ SP zoning for property located at 7959 Poplar Creek Road, approximately 135 feet west of Willow Oak Drive (9.98 acres), all of which is described herein (Proposal No. 2021Z-087PR-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 RS40 to ~~RS45~~ SP zoning for property located at 7959 Poplar Creek Road, approximately 135 feet west of Willow Oak Drive (9.98 acres), being Property Parcel No. 222 as designated on Map 155-00 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 attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the uses of this SP shall be limited to all uses permitted by the RS15 zoning district.

Section 3. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. 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.
2. The proposed street accessing the development from Poplar Creek Rd. shall be no more than 300 feet west of the eastern property line of the existing parcel.
3. There shall be no street connection made to E. Colony Drive. A sidewalk or non-motorized multimodal path connection between E. Colony Drive and the proposed development shall be permitted.
4. A Type B-1 landscape buffer yard (20' width) shall be required along the eastern property line of the existing parcel between the proposed development and the East Colony at Riverbend Subdivision. The required landscape buffer shall be located in Open Space and maintained by the developer or Home Owners Association.
5. There shall be no more than two lots created that are adjacent to the eastern property line of the existing parcel between the proposed development and the East Colony at Riverbend Subdivision.
6. Building façades shall be constructed of at least 75% brick, with no more than 5% from materials other than brick and/or fiber cement siding, as authorized by BL2021-956.

Section 4. 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. 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 increases the permitted density or floor area, adds uses not otherwise permitted, eliminates specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or adds vehicular access points not currently present or approved.

Section 6. 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 OL zoning districts as of the date of the applicable request or application. Uses are limited as described in the Council ordinance

Section 2 7. 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 155 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 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:

Dave Rosenberg
Member of Council

2021Z-087PR-001
Map 155, Parcel(s) 222
Subarea 06, Bellevue
District 35 (Dave Rosenberg)
Application fee paid by: Larence Ritter Properties, LLC

A request to rezone from RS40 to RS15 SP zoning for property located at 7959 Poplar Creek Road, approximately 135 feet west of Willow Oak Drive (9.98 acres), requested by SWS Engineering, Inc, applicant; Middle Tennessee Properties, LLC, owner.

