

SUBSTITUTE ORDINANCE NO. BL2022-1307

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 AR2a to ~~RS40~~ SP zoning for properties located at 4395 and 4421 Maxwell Road and Maxwell Road (unnumbered), approximately 990 feet east of Lake Maxwell Drive (24.61 acres), all of which is described herein (Proposal No. 2021Z-104PR-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 AR2a to ~~RS40~~ SP zoning for properties located at 4395 and 4421 Maxwell Road and Maxwell Road (unnumbered), approximately 990 feet east of Lake Maxwell Drive (24.61 acres), being Property Parcel Nos. 022, 048, 049 as designated on Map 176-00 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 Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 176 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 86 single-family residential units. Short term rental property, owner occupied and short term rental property, not-owner occupied shall be prohibited

Section 4. 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. Comply with all conditions and requirements of Metro reviewing agencies.
3. The developer shall remove all trash and debris at the terminus of Maxwell Rd.
4. The developer shall provide a walking trail and playground as shown in Exhibit A.
6. The developer shall provide sidewalks and street trees along Maxwell Rd. and all new public streets as shown in Exhibit A, constructed and installed to Metro Standards.
7. The developer shall work with the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) to identify and install traffic calming initiatives along the new public streets within the development at the developer's expense.
8. Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, and glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.

Section 5. Be it further enacted, a corrected copy of the preliminary SP plan, as shown in Exhibit A, 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 RS10 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 9. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

~~Section 3. 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:

Antoinette Lee
Member of Council

2021Z-104PR-001

Map 176, Parcel(s) 022, 048-049

Subarea 13, Antioch - Priest Lake

District 33 (Antoinette Lee)

Application fee paid by: DRH INC CONTROLLED DISBR ACCT.

A request to rezone from AR2a to RS10 SP zoning for properties located at 4395 and 4421 Maxwell Road and Maxwell Road (unnumbered), approximately 990 feet east of Lake Maxwell Drive (24.61 acres), requested by D.R. Horton, applicant; Thaddeus Dale Jenkins and Donald W. Jenkins, JR., ETUX, owners.

