

SUBSTITUTE ORDINANCE NO. BL2022-1445

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 RS10 to R40 SP zoning for properties located at River Drive (unnumbered), 1716, 1805, and 1823, ~~and 3101~~ River Drive, east of Hydes Ferry Road (2.14 1.89 acres), all of which is described herein (Proposal No. 2022Z-011PR-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 RS10 to ~~R40~~ SP zoning for properties located at River Drive (unnumbered), 1716, 1805, and 1823, ~~and 3101~~ River Drive, east of Hydes Ferry Road (2.14 1.89 acres), being ~~Property Parcel No. 147 as designated on Map 070-43 and~~ Property Parcels Nos. 041, 046, 079-080 as designated on Map 081-01 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 Maps ~~070~~, 081 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 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.~~

Section 3. Be it further enacted, that the uses of this SP shall be limited to those permitted by the R10 zoning district.

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 front façade for all dwelling units constructed shall be a minimum of 24 feet in width. Any development within this SP shall be subject to Note 4 of Table 17.12.020A of the Metropolitan Code of Laws.
4. No dwelling unit shall exceed three stories in 45 feet.
5. Required side yard setbacks within the SP shall be 8 feet.
6. 1716 River Road shall not be subdivided. This prohibition on subdivision shall not preclude the establishment of Horizontal Property Regimes (HPR) with no more than two dwelling units.

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 R10 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.

SPONSORED BY:

Kyonzté Toombs
Member of Council

2022Z-011PR-001

~~Map 070-13, Parcel(s) 147~~

Map 081-01, Parcel(s) 041, 046, 079-080

Subarea 03, Bordeaux - Whites Creek - Haynes Trinity

District 02 (Kyonzté Toombs)

Application fee paid by: C&H PROPERTIES, LLC

A request to rezone from RS10 to ~~R10~~ SP zoning for properties located at River Drive (unnumbered), 1716, 1805, and 1823, ~~and 3104~~ River Drive, east of Hydes Ferry Road (~~2.14~~ 1.89 acres), requested by C & H Properties, LLC, applicant; Tommi Lynn Stephenson, Jason Wilson, and C & H Properties, LLC, and HC Holdings, LLC & John L Dillard, owners.

