



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2023-2100      **Name:**

**Type:** Bill (Ordinance)      **Status:** Passed

**File created:** 6/22/2023      **In control:** Planning and Zoning Committee

**On agenda:** 8/15/2023      **Final action:** 8/15/2023

**Title:** 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 One and Two-Family Residential (R15) to Specific Plan (SP) zoning properties located at 200-204 Misty Cape Cove and 206-219 Misty Cape Cove, north of the corner of Bell Road and Misty Cape Cove, (3.48 acres), to permit 12 two-family residential lots and 8 multi-family residential units for a total of 32 units. all of which is described herein (Proposal No. 2023SP-065-001).

**Sponsors:** Erin Evans

**Indexes:**

**Code sections:**

**Attachments:** 1. 2023SP-065-001\_plans, 2. 2023SP-065-001\_sketch

Date	Ver.	Action By	Action	Result
9/1/2023	1	Metropolitan Council	effective	
8/28/2023	1	Mayor	approved	
8/15/2023	1	Metropolitan Council	passed on third reading	
8/14/2023	1	Planning and Zoning Committee	approved	
8/1/2023	1	Metropolitan Council	public hearing	
8/1/2023	1	Metropolitan Council	passed on second reading	
7/7/2023	1	Metropolitan Council	advertised	
7/6/2023	1	Metropolitan Council	passed on first reading	
6/27/2023	1	Metropolitan Council	filed	
6/22/2023	1	Planning Commission	approved with conditions, disapproved	Pass without

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 One and Two-Family Residential (R15) to Specific Plan (SP) zoning properties located at 200-204 Misty Cape Cove and 206-219 Misty Cape Cove, north of the corner of Bell Road and Misty Cape Cove, (3.48 acres), to permit 12 two-family residential lots and 8 multi-family residential units for a total of 32 units. all of which is described herein (Proposal No. 2023SP-065-001).

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 One and Two-Family Residential (R15) to Specific Plan (SP) zoning properties located at

200-204 Misty Cape Cove and 206-219 Misty Cape Cove, north of the corner of Bell Road and Misty Cape Cove, (3.48 acres), to permit 12 two-family residential lots and 8 multi-family residential units for a total of 32 units., being Property Parcel Nos. 056, 057, 058, 059, 060, 061, 062, 063, 065, 089, 090, 091, 092, 093, 094, 095, 096, 097, 098 as designated on Map 097-08 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 097 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 12 two-family residential lots and 8 multi-family residential units for a total of 32 units. Short term rental properties, owner occupied and short term rental properties, not owner occupied are prohibited.

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

1. Add the following note to the corrected set: 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.
2. Add the following note to the corrected set: Building height shall be measured from the average elevation (average of 4 most exterior corners) at the finished grade (final ground elevation). Building height shall be measured to the midpoint of the primary roof pitch (the vertical distance from eave to midpoint) or to the top of the parapet for a flat roof. Ancillary roofs shall not be taller than the primary roof. Define stories by the "Story" definition in the Code.
3. The parking spaces fronting Bell Road shall be screened with landscaping with the final site plan application.
4. Comply with all conditions and requirements of Metro reviewing agencies.
5. 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.
6. 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.
7. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.

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 RM9 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.