



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2023-2042

Type: Bill (Ordinance) **Status:** Withdrawn

File created: 6/22/2023 **In control:** Metropolitan Council

On agenda: 8/1/2023 **Final action:** 8/1/2023

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 R6-A to SP zoning on properties located at 112, 114, 116, and 118 J C Napier Street and J C Napier Street (unnumbered), approximately 230 feet east of Fairfield Avenue (0.15 acres), to permit 5 multi-family residential units, all of which is described herein (Proposal No. 2022SP-066-001).

Sponsors: Freddie OConnell, Colby Sledge

Indexes:

Code sections:

Attachments: 1. 2022SP-066-001_sketch, 2. 2022SP-066-001_plan

Date	Ver.	Action By	Action	Result
8/1/2023	1	Metropolitan Council	withdrawn	
8/1/2023	1	Metropolitan Council	public hearing	
7/7/2023	1	Metropolitan Council	advertised	
7/6/2023	1	Metropolitan Council	passed on first reading	
6/27/2023	1	Metropolitan Council	filed	
6/8/2023	1	Planning Commission	approved with conditions, disapproved without	Pass

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 R6-A to SP zoning on properties located at 112, 114, 116, and 118 J C Napier Street and J C Napier Street (unnumbered), approximately 230 feet east of Fairfield Avenue (0.15 acres), to permit 5 multi-family residential units, all of which is described herein (Proposal No. 2022SP-066-001).

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 R6-A to SP zoning on properties located at 112, 114, 116, and 118 J C Napier Street and J C Napier Street (unnumbered), approximately 230 feet east of Fairfield Avenue (0.15 acres), to permit 5 multi-family residential units, being Property Parcel Nos. 329.01, 338, 339, 340, 448 as designated on Map 093-16 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 093-16 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 5 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, 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. For final site plan approval, pave the rear access drive to at least a width of ten feet out to Donelson Street (in addition to the widening and paving of said drive shown on the plan along the property's rear). Should the applicant be unable to widen the portion of the drive to the full 20 feet as shown on the plan, the number of units permitted at final site plan may be reduced.
2. On the corrected copy, replace the architecture materials standard with the Metro standard comment: "Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP."
3. Height shall be measured from the average elevation (average of 4 most exterior corners) at the finished grade (final ground elevation) 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. Add note to the corrected copy.
4. On the corrected copy, correct the unit count cited in the purpose note and the fallback zoning note to reference "RM15-A."
5. On the corrected copy, identify soils from a generalized soil map unless a more specific study has been done.
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.
8. 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.
9. Comply with all conditions and requirements of Metro reviewing agencies.

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. 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.