



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2022-1404      **Name:**

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

**File created:** 8/1/2022      **In control:** Planning and Zoning Committee

**On agenda:** 9/20/2022      **Final action:** 9/20/2022

**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 the preliminary plan for property located at Mulberry Downs Circle (unnumbered) and a portion of property located at Dickerson Pike (unnumbered), approximately 930 feet west of Dickerson Pike, (25.43 acres), to clarify language in Ordinance No. BL2022-1310 to set the maximum allowed residential units to 149 multi-family residential units, all of which is described herein (Proposal No. 2022SP-014-001).

**Sponsors:** Jennifer Gamble

**Indexes:**

**Code sections:**

**Attachments:** 1. 2022SP-014-001 - Plans, 2. Amendment No. 1 to BL2022-1404

Date	Ver.	Action By	Action	Result
9/23/2022	1	Metropolitan Council	effective	
9/21/2022	1	Mayor	approved	
9/20/2022	1	Metropolitan Council	passed on third reading	
9/19/2022	1	Planning and Zoning Committee	approved	
9/6/2022	1	Metropolitan Council	passed on second reading as amended	
9/6/2022	1	Metropolitan Council	amended	
9/6/2022	1	Metropolitan Council	public hearing	
8/5/2022	1	Metropolitan Council	advertised	
8/2/2022	1	Metropolitan Council	passed on first reading	
3/24/2022	1	Planning Commission	approved with conditions, disapproved 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 the preliminary plan for property located at Mulberry Downs Circle (unnumbered) and a portion of property located at Dickerson Pike (unnumbered), approximately 930 feet west of Dickerson Pike, (25.43 acres), to clarify language in Ordinance No. BL2022-1310 to set the maximum allowed residential units to 149 multi-family residential units, all of which is described herein (Proposal No. 2022SP-014-001).

WHEREAS, Ordinance No. BL2022-1310 contained a typographical error where the maximum number of units permitted was inconsistent in different sections of the ordinance; and

WHEREAS, an amendment to the Specific Plan enacted pursuant to Ordinance No. BL2022-1320 is necessary to clarify the correct number of units.

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 the preliminary plan for property located at Mulberry Downs Circle (unnumbered) and a portion of property located at Dickerson Pike (unnumbered), approximately 930 feet west of Dickerson Pike, (25.43 acres), to permit up to 149 multi-family units, being Property Parcel Nos 173 and a portion of Property Parcel NO. 046 as designated on Map 050-00 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 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 050 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 all uses listed in SP plan approved by the Council pursuant to BL2022-1310. Multi-family residential is limited to a maximum of 149 units

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

1. All applicable requirements specified in BL2022-1310 and BL2022-1311 not specifically being amended under this application shall remain in effect.

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 RM20-A-NS 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.