



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2022-1481 **Name:**

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

File created: 9/22/2022 **In control:** Planning and Zoning Committee

On agenda: 2/21/2023 **Final action:** 2/21/2023

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 amending a Specific Plan on various properties located southeast of Buena Vista Pike at the intersection of Buena Vista Pike and Cliff Drive, approximately 179 feet west of Kirk Avenue, zoned R8 and SP (3.34 acres), to add an additional parcel to the existing Specific Plan to permit and additional 15 multi-family residential units for a total of 73 multi-family residential units, all of which is described herein (Proposal No. 2018SP-068-003).

Sponsors: Kyonzte Toombs

Indexes:

Code sections:

Attachments: 1. 2018SP-068-003_sketch_ready, 2. 2018SP-068-003_plan, 3. Amendment No. 1 to BL2022-1481

Date	Ver.	Action By	Action	Result
3/3/2023	1	Metropolitan Council	effective	
2/23/2023	1	Mayor	approved	
2/21/2023	1	Metropolitan Council	passed on third reading	
2/21/2023	1	Planning and Zoning Committee	approved	
2/7/2023	1	Metropolitan Council	passed on second reading as amended	
2/7/2023	1	Metropolitan Council	amended	
2/7/2023	1	Metropolitan Council	public hearing	
12/6/2022	1	Metropolitan Council	deferred	
11/1/2022	1	Metropolitan Council	deferred	
10/7/2022	1	Metropolitan Council	advertised	
10/4/2022	1	Metropolitan Council	passed on first reading	
9/27/2022	1	Metropolitan Council	filed	
8/25/2022	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 amending a Specific Plan on various properties located southeast of Buena Vista Pike at the intersection of Buena Vista Pike and Cliff Drive, approximately 179 feet west of Kirk Avenue, zoned R8 and SP (3.34 acres), to add an additional parcel to the existing Specific Plan to permit and additional 15 multi-family residential units for a total of 73 multi-family residential units, all of which is described herein (Proposal No. 2018SP-068-003).

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 amending a Specific Plan on various properties located southeast of Buena Vista Pike and the intersection of Buena Vista Pike and Cliff Drive, approximately 179 feet west of Kirk Avenue, zoned R8 and SP (3.34 acres), to add an additional parcel to the existing Specific Plan to permit and additional 15 multi-family residential units for a total of 73 multi-family residential units, being Property Parcel No. 166 as designated on Map 070-09 and Property Parcel Nos 001-063 and 900 on Map 070-09-4-A 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 070 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 permitted uses in District 1 shall be limited to uses permitted by the MUN-A zoning district. The following uses are prohibited: cash advance, check cashing, title loan, auction house, pawnshop, radio/TV/satellite tower, satellite dish, waste water treatment, water treatment plant, medical waste, recycling collection center, country club, cemetery, power/gas substation, reservoir/water tank, water/sewer pump station, wind energy facility, driving range and golf course. Permitted uses in District 2 shall be limited to uses permitted by the RM20-A zoning district. Permitted uses in Phase 2 shall be limited to a maximum of 15 multi-family residential units as identified on the proposed SP plan. Short term rental properties, owner occupied, and short term rental properties, not-owner occupied shall be prohibited in District 2 and Phase 2.

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

1. All conditions from the previously approved bill, BL2018-1414, will still apply.
2. The final site plan shall label all internal drives 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 Phase 2 of the project shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Districts 1 and 2 shall be as per BL2018-1414. 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.