



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2023-2071 **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 MUL to SP zoning for property located at 429 Humphreys Street, approximately 100 feet west of Pillow Street, (0.35 acres), to permit all uses of the MUL-A zoning district except for those uses specifically excluded on the plan, all of which is described herein (Proposal No. 2023SP-064-001).

Sponsors: Colby Sledge

Indexes:

Code sections:

Attachments: 1. 2023SP-064-001_sketch, 2. 2023SP-064-001_plan

| 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 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 MUL to SP zoning for property located at 429 Humphreys Street, approximately 100 feet west of Pillow Street, (0.35 acres), to permit all uses of the MUL-A zoning district except for those uses specifically excluded on the plan, all of which is described herein (Proposal No. 2023SP-064-001).

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 MUL to SP zoning for property located at 429 Humphreys Street, approximately 100 feet west of Pillow Street, (0.35 acres), to permit all uses of the MUL-A zoning district except for those uses specifically excluded on the plan, being Property Parcel No. 039 as designated on Map 105-07 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 105-07 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 permitted by MUL-A-NS with the exception of uses prohibited in the SP. 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. Humphreys Street shall be improved to MCSP requirements.
2. On the corrected copy, remove the current height standard and update with the following: Height shall be limited to 45 feet in the build-to-zone. Beyond the build-to-zone and after a 15 foot setback, height is permitted to a maximum of 70 feet.
3. 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.
4. 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 MUL_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.