



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2023-105 **Name:**

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

File created: 10/26/2023 **In control:** Planning and Zoning Committee

On agenda: 2/6/2024 **Final action:** 2/6/2024

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 for properties located at 909 and 917 Cheatham Place, at the southeastern corner of Cheatham Place and 10th Ave. N., (0.38 acres), to permit eight multi-family residential units, all of which is described herein (Proposal No. 2023SP-073-001).

Sponsors: Jacob Kupin

Indexes:

Code sections:

Attachments: 1. 2023SP-073-001_sketch_dt, 2. 2023SP-073-001_plans-dt, 3. Amendment No. 1 to BL2023-105

Date	Ver.	Action By	Action	Result
2/16/2024	1	Metropolitan Council	effective	
2/8/2024	1	Mayor	approved	
2/6/2024	1	Metropolitan Council	passed on third reading as amended	
2/6/2024	1	Metropolitan Council	amended	
2/5/2024	1	Planning and Zoning Committee	approved with an amendment	
1/23/2024	1	Metropolitan Council	deferred	
12/19/2023	1	Metropolitan Council	deferred	
12/5/2023	1	Metropolitan Council	passed on second reading	
12/5/2023	1	Metropolitan Council	public hearing	
11/10/2023	1	Metropolitan Council	advertised	
11/7/2023	1	Metropolitan Council	passed on first reading	
10/31/2023	1	Metropolitan Council	filed	
9/28/2023	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 for properties located at 909 and 917 Cheatham Place, at the southeastern corner of Cheatham Place and 10th Ave. N., (0.38 acres), to permit eight multi-family residential units, all of which is described herein (Proposal No. 2023SP-073-001).

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 for properties located at 909 and 917 Cheatham Place, at the southeastern corner of Cheatham Place and 10th Ave. N., (0.38 acres), to permit eight multi-family residential units being Property Parcel Nos. 384, 385 as designated on Map 081-12 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 081 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 of 8 multi-family residential 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. On the corrected copy, remove the stories and roof pitch from the maximum height language in the site data table and replace with the following: Maximum height shall be limited to 30 feet. Maximum height of Unit 8 shall be limited to 25 feet.
2. Architectural elevations of all facades shall be provided with the final site plan application
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. 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.
5. 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
6. 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.

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 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.