



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2021-1039      **Name:**

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

**File created:** 11/16/2021      **In control:** Planning and Zoning Committee

**On agenda:** 1/18/2022      **Final action:**

**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 RS10 to SP zoning for properties located at 1736 and 1738 Lebanon Pike, approximately 220 feet southwest of Clovernook Drive (7.12 acres), to permit 52 multi-family residential units, all of which is described herein (Proposal No. 2021SP-076-001).

**Sponsors:** Jeff Syracuse

**Indexes:**

**Code sections:**

**Attachments:** 1. BL2021-1039 sketch, 2. BL2021-1039 plan

Date	Ver.	Action By	Action	Result
1/28/2022	1	Metropolitan Council	effective	
1/24/2022	1	Mayor	approved	
1/18/2022	1	Metropolitan Council	passed on third reading	
1/18/2022	1	Planning and Zoning Committee	approved	
1/4/2022	1	Metropolitan Council	passed on second reading	
1/4/2022	1	Metropolitan Council	public hearing	
12/10/2021	1	Metropolitan Council	advertised	
12/7/2021	1	Metropolitan Council	passed on first reading	
11/30/2021	1	Metropolitan Council	filed	
10/28/2021	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 RS10 to SP zoning for properties located at 1736 and 1738 Lebanon Pike, approximately 220 feet southwest of Clovernook Drive (7.12 acres), to permit 52 multi-family residential units, all of which is described herein (Proposal No. 2021SP-076-001).

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 RS10 to SP zoning for properties located at 1736 and 1738 Lebanon Pike, approximately 220 feet southwest of Clovernook Drive (7.12 acres), to permit 52 multi-family residential units, being Property Parcel Nos. 060, 061 as designated on Map 094-00 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 094 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 52 multi-family residential units. Short Term Rental Property (STRP) owner-occupied and 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. On the corrected copy, add the STRP exclusion to the permitted use language.
2. On the corrected copy, replace Design Standard #2 with the following: 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. On the corrected copy, update the Building Height standard: Maximum building height is 3 stories in 45 feet max; height measured per Metro Zoning Ordinance. No rooftop decks shall be permitted for Buildings G, J, and K.
4. On the corrected copy, update the building elevations to be consistent with the maximum building height of 3 stories in 45 feet, as measured per the Zoning Ordinance.
5. On the corrected copy, correct the FFE typographical error on the western unit of Building C.
6. On the final site plan, landscaping and TDU Requirements shall be provided per the Metro Zoning Ordinance.
7. A Type C landscape buffer shall be provided along the northern property line. Evergreen and canopy trees planted within the buffer shall be a minimum of 10 feet tall at the time of planting. Existing vegetation shall be preserved as much as practicable within the buffer areas.
8. Lebanon Pike shall be improved per the Major and Collector Street Plan (MCSP) requirements, with the exception of the 4-foot planting strip which will not be required along the western portion of the frontage only due to topography.
9. The northern façade of Building G, J, and K fronting Munn Road shall include architectural treatments and glazing per the SP architectural standards.
10. All private drives, access, and open spaces shall include public access easements, which shall be included on the final site plan. Prior to final site plan approval, provide easement documentation.
11. The pedestrian path shall be located in a cross access easement and be designed in a manner to minimize disturbance to existing tree canopy that is identified to be preserved.
12. Comply with all conditions and requirements of Metro reviewing agencies.
13. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
14. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
15. 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.
16. 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 Property Owners' Association.

17. 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 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 RM9-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.