



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** BL2023-1673, **Version:** 1

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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 for properties located at 1801, 1803 A, and 1803 B 5th Avenue North and 502 A, 502 B, and 502 C Buchanan Street, at the northwest corner of Buchanan Street and 5th Avenue North, zoned SP (0.28 acres), and located in the Salemtown Neighborhood Conservation Overlay District, to permit three multi-family residential units and 2,900 square feet of nonresidential uses, all of which is described herein (Proposal No. 2021SP-013-003).

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 for properties located at 1801, 1803 A, and 1803 B 5th Avenue North and 502 A, 502 B, and 502 C Buchanan street, at the northwest corner of Buchanan Street and 5th Avenue North, zoned SP (0.28 acres), and located in the Salemtown Neighborhood Conservation Overlay District, to permit three multi-family residential units and 2,900 square feet of nonresidential uses, being Property Parcel No. 001-005, 900 as designated on Map 081-08-1 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 a maximum of 3 multi-family residential units which permit live/work as an accessory use and 2,900 square feet of retail and restaurant. Live/work uses are limited as per the allowance of Home Occupation in the Zoning Code. Short term rental property - owner occupied and short term rental property - not owner occupied shall be prohibited in the SP.

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

1. A final site plan application shall be submitted and approved for the site plan modifications associated with this application, specifically the removal of the driveway previously approved on 5<sup>th</sup> Avenue North, prior to the existing house being permitted for any non-residential land use.
2. The proposed right-of-way dedication shall be dedicated by Final Plat prior to the approval of the first building permit, or as determined by the Executive Director of Planning.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. The development shall provide adequate access that meets the requirements of the Fire Marshal's

Office and Department of Public Works.

5. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

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 MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the [Council ordinance OR Council approved plan]. [ choose Council ordinance unless permitted use list was too complex to include in condition 2]

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.