



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2020-529, **Version:** 2

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 SCR to SP zoning for a portion of property located at 4004 Hillsboro Pike, approximately 345 feet south of Richard Jones Road and within the Green Hills Urban Design Overlay District (0.13 acres), to permit animal boarding facility, dog kennel and all uses permitted in SCR zoning, all of which is described herein (Proposal No. 2020SP-031-001).

Map 117-14, Part of Parcel(s) 148, Green Hills Court GP

Application fee paid by: Michael E Twomey

Requested by: Dale and Associates

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 SCR to SP zoning for a portion of property located at 4004 Hillsboro Pike, approximately 345 feet south of Richard Jones Road and within the Green Hills Urban Design Overlay District (0.13 acres), to permit animal boarding facility, dog kennel and all uses permitted in SCR zoning, being Part of Property Parcel No. 148 as designated on Map 117-14 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 117 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 Animal boarding facility, kennel, and all uses of SCR

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

1. With the final site plan and building permit submittal, the applicant shall identify noise mitigation construction materials and features of the building design.
2. 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.
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.

5. The following construction standards shall be required to mitigate sound and smell detected on adjacent properties if the tenant occupying this space is operating an animal boarding facility, kennel, or any other business dealing with the sale, boarding, or care of animals:

a. Interior walls for areas where dogs will be present, including playrooms, utility rooms, evaluation rooms, grooming rooms, suites, and kennels, shall be 6" thick, fully insulated, full-height, metal stud walls with type X-5/8" gypsum board on each side. The wall shall be full-height in that it spans from the floor to the roof deck (not just above the ceiling) and must be filled with acoustical insulation. These walls shall be continuous and prevent any substantial amount of sound or smell from escaping such areas. Any windows in such walls shall be frameless and prevent the transfer of sound. Walls fully contained within areas where dogs may be present shall be subject to the requirements of section b of this condition.

b. Interior walls for areas where dogs will never be present, or only briefly for transport, including reception, restrooms, hallways, office areas, laundry rooms, storage areas, and the staff breakroom shall be standard 3 5/8" metal stud wall that spans from the floor to 6" above the suspended ceiling, with type X-5/8" gypsum board on each side.

c. Exterior walls shall be a two-walled system with an airgap. An insulated demising wall of 3 5/8" or wider that spans from the floor to roof deck between the daycare and neighboring tenant shall be applied. An additional wall on the daycare side shall be constructed one inch from the demising wall and be a 6", fully insulated, full-height metal stud wall with two sheets of type X-5/8" gypsum board on the daycare side. Acoustical sealant shall be applied at the perimeter of the wall and any penetrations.

d. Ceilings shall be a suspended ceiling system fitted with lay in acoustical tiles used to absorb and prevent sound from escaping rooms. Acoustical tiles shall have a minimum noise reduction coefficient of .70 and a ceiling attenuation class of up to 40. R-30 insulation shall be applied between the suspended ceiling system and the roofing structure of the building.

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 SCR 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.

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