



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** BL2022-1394, **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 changing from AR2a and CL to SP zoning for property located at Newsom Station Road (unnumbered), approximately 285 feet west of Settlers Way, (10.51 acres), and located in a Planned Unit Development Overlay District, to permit a mixed use development, all of which is described herein (Proposal No. 2022SP-016-001).

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 AR2a and CL to SP zoning for property located at Newsom Station Road (unnumbered), approximately 285 feet west of Settlers Way, (10.51 acres), and located in a Planned Unit Development Overlay District, to permit a mixed use development, being Property Parcel No. 212 as designated on Map 140-00 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 uses of this SP shall be limited to a maximum of 85 multi-family residential units and 18,000 square feet of non-residential use as permitted by the MUN zoning district. Short term rental properties- owner occupied and not-owner occupied, Alternative Financial Services, Automobile Parking, Bar or Nightclub, Beer and Cigarette Market, Distributive Business/Wholesale, and Warehouse shall be prohibited across the entirety of the site.

Section 3. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. The proposed landscape buffer along Newsom Station Road shall be a Type C landscape buffer per the Metro Zoning Code.
2. Comply with all conditions and requirements of Metro reviewing agencies.
3. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.
4. 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 4. 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 5. 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 6. 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 RM40-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 7. 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 8. 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.