



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2021-857 **Name:**

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

File created: 7/20/2021 **In control:** Metropolitan Council

On agenda: 10/19/2021 **Final action:** 10/19/2021

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 1908 Lebanon Pike and Lebanon Pike (unnumbered), at the northeast corner of Omohundro Drive and Lebanon Pike (5.92 acres), to permit 40 multi-family residential units and nine single family lots, all of which is described herein (Proposal No. 2021SP-037-001).

Sponsors: Jeff Syracuse

Indexes:

Code sections:

Attachments: 1. BL2021-857 Plans, 2. BL2021-857 Sketch, 3. BL2021-857 Amendment, 4. BL2021-857 Amendment 2

Date	Ver.	Action By	Action	Result
10/22/2021	2	Metropolitan Council	effective	
10/20/2021	2	Mayor	approved	
10/19/2021	2	Metropolitan Council	passed on third reading as amended	
10/19/2021	2	Metropolitan Council	amended	
10/18/2021	1	Planning and Zoning Committee	approved with an amendment	
10/5/2021	2	Metropolitan Council	passed on second reading	
9/7/2021	1	Metropolitan Council	public hearing	
9/7/2021	2	Metropolitan Council	amended	
9/7/2021	1	Metropolitan Council	deferred	
8/13/2021	1	Metropolitan Council	advertised	
8/3/2021	1	Metropolitan Council	passed on first reading	
7/27/2021	1	Metropolitan Council	filed	
6/24/2021	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 1908 Lebanon Pike and Lebanon Pike (unnumbered), at the northeast corner of Omohundro Drive and Lebanon Pike (5.92 acres), to permit 40 multi-family residential units and nine single family lots, all of which is described herein (Proposal No. 2021SP-037-001).

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 1908 Lebanon Pike and Lebanon Pike (unnumbered), at the northeast corner of Omohundro Drive and Lebanon Pike (5.92 acres), to permit 40 multi-family residential units and nine single family lots, being Property Parcel Nos. 011, 012 as designated on Map 095-09 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 095 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 9 single-family lots and 40 multi-family units, Short Term Rental Property (STRP) not owner-occupied shall be prohibited and Short Term Rental Property (STRP) 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. At the time of Final SP approval, the applicants shall coordinate with WeGo for bus stop infrastructure along Lebanon Pike.
2. With the exception of Road A, 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.
3. The height of all structures shall be limited to 3 stories in 35 feet.
4. At the time of Final SP, the applicant shall work with Planning staff to provide an appropriate buffer between Lebanon Pike and the interior drive behind building C.
5. Parking shall comply with requirements of the Metro Zoning Code.
6. 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.
7. 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.
8. 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.

Comply with all conditions and requirements of Metro reviewing agencies.

9. Note 3 under "Design Standards" shall be deleted and replaced with "EIFS, vinyl siding, and untreated wood shall be restricted from any façade that faces a public right-of-way, private drive, public or private open space areas, or parcels not included within the development area. No more than 5% of the total façade area of any structure within the development shall be made up of EIFS, vinyl siding, and/or untreated wood."

10. All building material restrictions and requirements shall be authorized by BL2021-890.

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 RS5 for the single family lots, and RMS20-A for the multi family uses 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.