



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2022-1288

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

**File created:** 5/23/2022 **In control:** Planning and Zoning Committee

**On agenda:** 7/19/2022 **Final action:** 7/19/2022

**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 a CL and RS5 to SP zoning on properties located at 120, 121, 124, 125 Meridian Ct, and 123 Marie St, and a portion of property located at 1405, 1407, 1409 A Dickerson Pike, approximately 500 feet east of Dickerson Pike, (2.5 acres), and located within the Detached Accessory Dwelling Unit Overlay District, to permit a multi-family development, all of which is described herein (Proposal No. 2022SP-019-001).

**Sponsors:** Sean Parker

**Indexes:**

**Code sections:**

**Attachments:** 1. 2022SP-019-001\_sketch, 2. 2022SP-019-001\_plans

Date	Ver.	Action By	Action	Result
7/22/2022	1	Metropolitan Council	effective	
7/20/2022	1	Mayor	approved	
7/19/2022	1	Metropolitan Council	passed on third reading	
7/18/2022	1	Planning and Zoning Committee	approved	
7/5/2022	1	Metropolitan Council	passed on second reading	
7/5/2022	1	Metropolitan Council	public hearing	
6/10/2022	1	Metropolitan Council	advertised	
6/7/2022	1	Metropolitan Council	passed on first reading	
5/31/2022	1	Metropolitan Council	filed	
4/28/2022	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 a CL and RS5 to SP zoning on properties located at 120, 121, 124, 125 Meridian Ct, and 123 Marie St, and a portion of property located at 1405, 1407, 1409 A Dickerson Pike, approximately 500 feet east of Dickerson Pike, (2.5 acres), and located within the Detached Accessory Dwelling Unit Overlay District, to permit a multi-family development, all of which is described herein (Proposal No. 2022SP-019-001).

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 a CL and RS5 to SP zoning on properties located at 120, 121, 124, 125 Meridian Ct, and

123 Marie St, and a portion of property located at 1405, 1407, 1409 A Dickerson Pike, approximately 500 feet east of Dickerson Pike, (2.5 acres), and located within the Detached Accessory Dwelling Unit Overlay District, to permit a multi-family development, being Property Parcel Nos.044, 051, 052, 053, 054 and Part of Property Parcel Nos. 039, 040, 278 as designated on Map 071-11 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and 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 071 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 26 multi-family units. Prohibited Uses: Short term rental property owner-occupied and short term rental property not owner-occupied

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

1. The entire length of the north/south road, from Gatewood Avenue to Marie Street as shown in the Highland Heights Plan, shall be included with the first final site plan submitted, if phased. If not phased, the entire length of the road shall be included with the submission of the final site plan. The developer has the option of pursuing either of the following regarding the construction of the road:
  - a. The right-of-way shall be platted and improvements bonded prior to the issuance of any building permits. If the right-of-way has been platted and bonded with the adjacent developments: 2020SP-051-001 and 2022SP-034-001/2022Z-039PR-001, then the final site plan shall indicate as such and reference the adjacent cases. No U&Os shall be issued until the roadway is completed.
  - b. The applicant will be required to submit and receive approval for roadway plans in accordance with Nashville DOT standards. The road shall be constructed to Nashville DOT standards and the improved right-of-way platted or dedicated prior to issuance of any U&O permits.
2. On the corrected plan set, revise note 3 under Architectural Standards on page 9 to read, "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 plan set, remove the following language on note 9 under Access & Parking on page nine, "Bicycle parking shall be provided per the standards of the Metro Zoning Code at Final SP."
4. On the corrected plan set, page 13, under road infrastructure conditions, revise to be consistent with the language in condition 2 of this report.
5. On the corrected plan set, revise note 1 on page 13: The purpose of this SP is to permit the development of 26 multi-family units and construct a portion of right-of-way.
6. On the corrected plan set, update note 2 on page 13 to RM20-A-NS.
7. On the corrected plan set, update the sketch at the bottom of page 13.
8. The application of the Detached Accessory Dwelling (DADU) Overlay shall not apply to this property.
9. With the final site plan, submit elevations consistent with the architectural standards included with the Preliminary SP.
10. Comply with all conditions and requirements of Metro reviewing agencies.
11. 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.
12. 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.

13. 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.

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 RM20-A-NS 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.