



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2022-1400 **Name:**

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

File created: 7/15/2022 **In control:** Planning and Zoning Committee

On agenda: 10/4/2022 **Final action:** 10/4/2022

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 RS40 to SP zoning for property located at 8033 Highway 100, approximately 95 feet west of Temple Rd, and within the Highway 100 Urban Design Overlay (9.07 acres), to permit certain uses in MUL-A zoning, all of which is described herein (Proposal No. 2022SP-041-001).

Sponsors: Dave Rosenberg

Indexes:

Code sections:

Attachments: 1. 2022SP-041-001_sketch, 2. 2022SP-041-001_plans, 3. Amendment No. 1 to BL2022-1400, 4. Amendment No. 2 to BL2022-1400

Date	Ver.	Action By	Action	Result
10/7/2022	1	Metropolitan Council	effective	
10/5/2022	1	Mayor	approved	
10/4/2022	1	Metropolitan Council	passed on third reading as amended	
10/3/2022	1	Planning and Zoning Committee	approved	
9/20/2022	1	Metropolitan Council	deferred	
9/6/2022	1	Metropolitan Council	passed on second reading as amended	
9/6/2022	1	Metropolitan Council	amended	
9/6/2022	1	Metropolitan Council	public hearing	
8/5/2022	1	Metropolitan Council	advertised	
8/2/2022	1	Metropolitan Council	passed on first reading	
7/26/2022	1	Metropolitan Council	filed	
6/23/2022	1	Planning Commission	approved with conditions	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 RS40 to SP zoning for property located at 8033 Highway 100, approximately 95 feet west of Temple Rd, and within the Highway 100 Urban Design Overlay (9.07 acres), to permit certain uses in MUL-A zoning, all of which is described herein (Proposal No. 2022SP-041-001).

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 RS40 to SP zoning for property located at 8033 Highway 100, approximately 95 feet west of Temple Rd, and within the Highway 100 Urban Design Overlay (9.07 acres), to permit certain uses in MUL-A zoning, being Property Parcel No. 033 as designated on Map 156-00 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 as per the plan and building square footage shall be limited to 15,000 square feet.

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

1. Site shall be limited to 1 vehicular access point along Highway 100. No vehicular access is permitted to Temple Road. Alignment of the vehicular access shall be coordinated with NDOT.
2. With the final site plan, comply with all requirements of the MSCP.
3. One final site plan shall be reviewed jointly for the SP and UDO.
4. The SP shall meet all standards of the UDO.
5. If a permitted use is indicated as Permitted with Conditions, the final site plan shall indicate compliance with any conditions as outlined in the Zoning Code. If there are conditions in conflict with the UDO, the requirements of the UDO shall govern.
6. Disturbance of the site shall be limited to the extent possible, and a tree preservation plan shall be provided with the final site plan. No clearing of the site shall take place in advance of approval of the final site plan.
7. Parking shall not exceed the minimum required by the Zoning Code for the final uses.
8. A scenic landscape buffer shall be provided along Highway 100.

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 MUL-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.

