



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2022-1570 **Name:**

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

File created: 10/20/2022 **In control:** Planning and Zoning Committee

On agenda: 2/21/2023 **Final action:** 2/21/2023

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 RM20 to SP zoning for a portion of property located at 3138 and property at 3140 Parthenon Avenue, approximately 119 feet east of Oman Street (0.26 acres), to permit 10 multi-family residential units, all of which is described herein (Proposal No. 2022SP-068-001).

Sponsors: Brandon Taylor, Brett Withers

Indexes:

Code sections:

Attachments: 1. 2022SP-068-001_sketch, 2. 2022SP-068-001_plans, 3. Amendment No. 1 to BL2022-1570, 4. Amendment No. 2 to BL2022-1570, 5. Amendment No. 2 to BL2022-1570 Exhibit A

Date	Ver.	Action By	Action	Result
3/3/2023	1	Metropolitan Council	effective	
2/23/2023	1	Mayor	approved	
2/21/2023	1	Metropolitan Council	passed on third reading	
1/17/2023	1	Metropolitan Council	deferred	
1/17/2023	1	Metropolitan Council	amended	
1/17/2023	1	Planning and Zoning Committee	approved with an amendment	
1/3/2023	1	Metropolitan Council	passed on second reading as amended	
1/3/2023	1	Metropolitan Council	amended	
1/3/2023	1	Metropolitan Council	public hearing	
12/6/2022	1	Metropolitan Council	deferred	
11/4/2022	1	Metropolitan Council	advertised	
11/1/2022	1	Metropolitan Council	passed on first reading	
10/25/2022	1	Metropolitan Council	filed	
10/13/2022	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 RM20 to SP zoning for a portion of property located at 3138 and property at 3140 Parthenon Avenue, approximately 119 feet east of Oman Street (0.26 acres), to permit 10 multi-family residential units, all of which is described herein (Proposal No. 2022SP-068-001).

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 RM20 to SP zoning for a portion of property located at 3138 and property at 3140 Parthenon Avenue, approximately 119 feet east of Oman Street (0.26 acres), to permit 10 multi-family residential units, being Property Parcel Nos. 043 and Part of 042 as designated on Map 104-02 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 104-02 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 a maximum of 10 multi-family units. Short term rental property, owner occupied and short term rental property, not 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. The final plat shall be recorded, and ownership changes completed prior to the issuance of building permits.
2. With the final SP and final plat, the minimum right-of-way dedications along Parthenon Avenue and Alley 702 shall be met.
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. 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.
5. 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.
6. 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 RM40 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. 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 9. 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.