Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #:	BL2023-1940		
Type:	Bill	**Status:**	Passed
File created:	5/24/2023	**In control:**	Metropolitan Council
On agenda:		**Final action:**	8/1/2023
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 RS10 to SP zoning for property located at 3101 Doak Avenue, south of the intersection of Doak Avenue and Hailey Avenue (2.53 acres), to permit 14 detached multi-family residential units, all of which is described herein (Proposal No. 2023SP-034-001).		
Sponsors:	Kyonzte Toombs		
Indexes:			
Code sections:			
Attachments:	1. 2023SP-034-001_sketch, 2. 2023SP-034-001_plan, 3. Amendment No. 1 to BL2023-1940		

Date	Ver.	Action By	Action	Result
8/11/2023	1	Metropolitan Council	effective	
8/4/2023	1	Mayor	approved	
8/1/2023	1	Metropolitan Council	passed on third reading as amended	
7/18/2023	1	Metropolitan Council	deferred	
7/17/2023	1	Planning and Zoning Committee	approved with an amendment	
7/6/2023	1	Metropolitan Council	public hearing	
7/6/2023	1	Metropolitan Council	passed on second reading	
6/9/2023	1	Metropolitan Council	advertised	
6/6/2023	1	Metropolitan Council	passed on first reading	
5/30/2023	1	Metropolitan Council	filed	
4/27/2023	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 property located at 3101 Doak Avenue, south of the intersection of Doak Avenue and Hailey Avenue (2.53 acres), to permit 14 detached multi-family residential units, all of which is described herein (Proposal No. 2023SP-034-001).

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 property located at 3101 Doak Avenue, south of the intersection of Doak Avenue and Hailey Avenue (2.53 acres), to permit 14 detached multi-family residential units, being

Property Parcel No. 109 as designated on Map 080-04 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 080 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 14 multi-family residential units. Short term rental properties, owner occupied and short term rental properties, 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. On the corrected copy; for the two properties adjacent to the south: provide names of adjacent recorded subdivisions and corresponding plan book and page numbers. If no recorded subdivision, adjacent owner name(s) and corresponding deed book and page numbers. Provide parcel numbers and zonings for adjacent parcels as well.
2. On the corrected copy, remove existing references to height measurement and add this note and revise height calculations accordingly: "Height shall be measured from the average elevation (average of 4 most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch (the vertical distance from eave to midpoint) or to the top of the parapet for a flat roof."
3. Comply with all conditions and requirements of Metro reviewing agencies.
4. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
5. The final site plan shall depict any 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.
6. 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.
7. 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 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 RM6-NS 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.