



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2023-1954 **Name:**

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

File created: 5/24/2023 **In control:** Planning and Zoning Committee

On agenda: 7/18/2023 **Final action:** 7/18/2023

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 R10 to SP zoning for properties located at 3312 and 3320 Curtis Street, approximately 275 feet northwest of Courtney Avenue (1.93 acres) to permit 28 multi-family residential units, all of which is described herein (Proposal No. 2023SP-035-001).

Sponsors: Kyonzte Toombs

Indexes:

Code sections:

Attachments: 1. 2023SP-035-001_sketch, 2. 2023SP-035-001_plans, 3. Proposed Amendment - BL2023-1954 - Toombs

Date	Ver.	Action By	Action	Result
7/28/2023	1	Metropolitan Council	effective	
7/21/2023	1	Mayor	approved	
7/18/2023	1	Metropolitan Council	passed on third reading as amended	
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	
5/11/2023	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 R10 to SP zoning for properties located at 3312 and 3320 Curtis Street, approximately 275 feet northwest of Courtney Avenue (1.93 acres) to permit 28 multi-family residential units, all of which is described herein (Proposal No. 2023SP-035-001).

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 R10 to SP zoning for properties located at 3312 and 3320 Curtis Street, approximately 275 feet northwest of Courtney Avenue (1.93 acres) to permit 28 multi-family residential units, being Property Parcel Nos. 064, 065 as designated on Map 069-12 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 069-12 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 28 multifamily residential 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. Height shall be measured to the midpoint of the primary roof pitch (vertical distance from eave to midpoint) or to the top of the parapet for flat roofs.
2. 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.
3. Comply with all conditions and requirements of Metro reviewing agencies.

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 RM15 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.