File #: BL2025-720, **Version:** 1

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 RS7.5 to SP zoning for property located at 1265 McGavock Pike, at the northwest corner of McGavock Pike and Oxford Street, (0.45 acres), to permit six multi family residential units, all of which is described herein (Proposal No. 2024SP 043 001).

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 RS7.5 to SP zoning for property located at 1265 McGavock Pike, at the northwest corner of McGavock Pike and Oxford Street, (0.45 acres), to permit six multi-family residential units, being Property Parcel No. 183 as designated on Map 072-07 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 the 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 072-07 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 six 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, modify the label pointing to the fence on the northern property line to state: "6' Tall Opaque Fence Along North Property Line".
2. On the corrected copy, update McGavock Pike ROW label on site plan to "ROW Varies".
3. On the corrected copy, label and dimension the half of standard ROW on Oxford Street.
4. On the corrected copy, label and dimension the existing half of standard ROW, proposed half of standard ROW, and ROW dedication on McGavock Pike
5. On the corrected copy, dimension and label the McGavock Pike setback from the proposed ROW line, maintaining the current placement of the units along McGavock Pike.
6. On the corrected copy, revise architectural elevations to reflect the unit locations and spacing of the preliminary SP.
7. On the corrected copy, modify the height standard on the plan to state the following: Height shall be measured from the average elevation (4 most exterior corners) at the finished grade to the top of the primary roof pitch.
8. On the corrected copy, show existing trees on existing conditions sheet and add labels for trees which

are to be removed.

9. On the corrected copy, update the fallback zoning district to RM9.
10. With the final site plan, landscape screening shall be provided between Units 5 and 6 to shield parking visibility from Oxford Street.
11. With the final site plan, all mechanical units shall be located on the sides of units and be screened with additional landscaping, subject to Planning Staff review.
12. With the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
13. 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.
14. The final site plan shall label all internal driveways as “Private Driveways.” A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
15. 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.
16. Comply with all conditions and requirements of Metro reviewing agencies.
17. No master permit/HPR shall be recorded prior to final SP approval.
18. Final plat may be required prior to permitting.

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 RM9 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.