



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** BL2026-1345, **Version:** 1

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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 RS15 to SP zoning for property located at 3854 Abernathy Road, approximately 549 feet west of Clarksville Pike (8.48 acres), to permit 63 detached multi-family residential units with 9 accessory apartments, all of which is described herein (Proposal No. 2026SP-003-001).

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 RS15 to SP zoning for property located at 3854 Abernathy Road, approximately 549 feet west of Clarksville Pike (8.48 acres), to permit 63 detached multi-family residential units with 9 accessory apartments, being Property Parcel No. 034 as designated on Map 069 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 attached plan, which 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 which is attached to 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 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 63 detached multi-family residential units with 9 accessory apartments, as defined in the plan. 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. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and conceptual elevations outlined on the preliminary SP for review and approval.
2. On the corrected copy, replace architectural standard number 1 on page 13 with the following: Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 15% glazing.
3. On the corrected copy, add the following architectural standard: Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
4. On the corrected copy, on page 13 under maximum building height and standard height measurement the height shall be measured to the midpoint of the primary roof pitch.
5. On the corrected copy remove 'Minimum Lot Size: None' from the Bulk Standards Table.

6. No individual platted lots will be permitted.
7. With the submittal of the final site plan, for all structures along Abernathy Road, a pedestrian entrance and sidewalk connection shall be located along the front façade facing Abernathy.
8. Existing tree canopy that is retained within the required landscape buffer along the western property line may count towards buffer requirements. Any preserved trees utilized for buffer requirements shall have tree protection measures consistent with the requirements of the Metro Zoning Code. Buffer details to be reviewed with the landscape plan provided with the final site plan.
9. The requirements for 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.
10. Comply with all conditions and requirements of Metro reviewing agencies.
11. 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.
12. 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.
13. Final plat may be required prior to permitting.
14. No master permit/HPR shall be recorded prior to final SP approval.
15. For the purposes of this SP, an "accessory apartment" means a secondary dwelling unit, attached to a primary residence. The accessory apartment dwelling shall be subordinate in size, height, and purpose to the primary residence. The accessory apartment shall meet conditions of 17.16.250.A.2., 17.16.250.A.3., and 17.16.250.A.4. The accessory apartment shall be owned by the owner of the primary residence and cannot be subdivided via HPR from the primary residence.

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.