METROPOLITAN COUNCIL

Metro Council Office

PROPOSED LATE ZONING ORDINANCE, SUBSTITUTE AND AMENDMENT ON FILE WITH THE METRO CLERK FOR THE COUNCIL MEETING OF TUESDAY, APRIL 5, 2016

102 Metropolitan Courthouse Nashville, Tennessee 37201 615/862-6780 Fax 615/862-6784

METROPOLITAN COUNCIL

Member of Council

Mary Carolyn Roberts

Councilwoman, 20th District

5110 Michigan Avenue • Nashville, TN 37209

Telephone 615-977-9262

April 4, 2016

TO: Vice Mayor David Briley & Members of Metro Council

FROM: Mary Carolyn Roberts
Councilmember, District 20

RE: **Suspension of the Rule 11**

I plan to introduce a late ordinance changing .59 acres from R6 to SP zoning for properties located at 122 and 124 Oceola Avenue to permit up to 8 residential units. A copy of the ordinance is on the reverse side of this memo.

This ordinance is being submitted as an emergency late item this evening due to the information I needed to move forward was received after the March 29th filing deadline.

I am, therefore, asking your support as I request a suspension of Rule 11 to allow the ordinance to be introduced this evening. Further, I respectfully request your favorable consideration.

MCR/rh
Attachment

ORDINANCE NO. _____

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 R6 to SP zoning for properties located at 122 and 124 Oceola Avenue, approximately 200 feet south of Burgess Avenue (0.59 acres), to permit up to 8 residential units, all of which is described herein (Proposal No. 2015SP-105-001).

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 R6 to SP zoning for properties located at 122 and 124 Oceola Avenue, approximately 200 feet south of Burgess Avenue (0.59 acres), to permit up to 8 residential units, being Property Parcel Nos. 138, 139 as designated on Map 103-02 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 103 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 up to 8 residential units.

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. With the Final SP, renumber the standard SP notes.
2. With the Final SP, remove the permitted encroachment language from the Development Summary table. No encroachments shall be permitted.
3. With the Final SP, relocate the guest parking so that it is no longer the focal point of the entrance drive.
4. With the Final SP, add the following note to the plan: The final site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use

and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

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 RM15-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

_____

Councilmember Mary Carolyn Roberts

Approved with conditions and disapproved without all conditions. (6-0)

APPROVED ON February 11, 2016 BY THE METROPOLITAN PLANNING COMMISSION.

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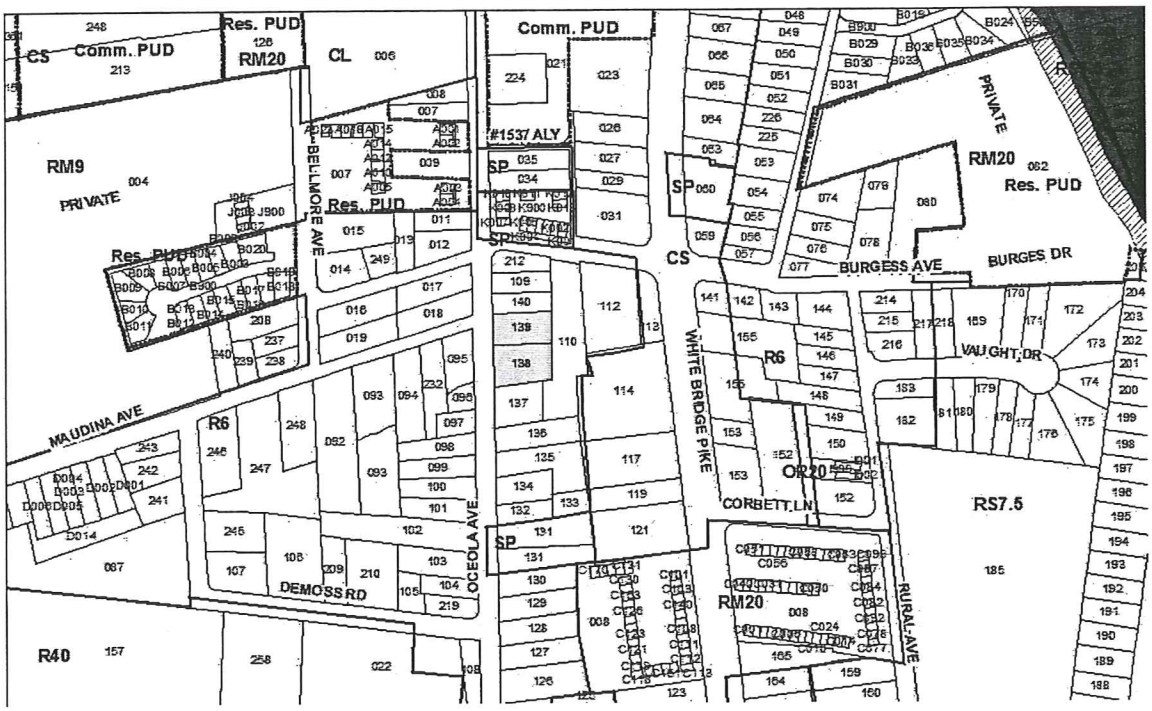
EXECUTIVE DIRECTOR & SECRETARY

2015SP-105-001
OCEOLA COMMONS
Map 103-02, Parcel(s) 138-139
Subarea 07, West Nashville
District 20 (Roberts)

A request to rezone from R6 to SP zoning for properties located at 122 and 124 Oceola Avenue, approximately 200 feet south of Burgess Avenue (0.59 acres), to permit up to 8 residential units, requested by Dale & Associates, applicant; Ribbon Cutters, Inc., owner.



Amendment No. 1

To

Ordinance No. BL2016-162

Mr. President:

I move to amend Ordinance No. BL2016-162 as follows:

1. By adding the number "1" to the end of the Instrument Number in the Caption, the First Recital and Section 1.

Introduced By:

_____

Member of Council

SUBSTITUTE ORDINANCE NO. BL2016-175

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 amending the Harpeth Springs Village Specific Plan District for property located at 7960 Coley Davis Road to permit 64 townhomes where 98 units were previously approved, approximately 3,400 feet west of Highway 70 South, zoned SP (5.78 acres), all of which is described herein (Proposal No. 2007SP-103-001).

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 amending the Harpeth Springs Village Specific Plan District for property located at 7960 Coley Davis Road to permit 64 townhomes where 98 units were previously approved, approximately 3,400 feet west of Highway 70 South, zoned SP (5.78 acres), being Property Parcel No. 088 as designated on Map 141-00 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 141 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 up to 64 residential units.

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. Units 48-58 are currently shown within the limits of the floodway buffer. These units will not be allowed unless the FEMA preliminary maps are approved. If the maps are not approved, these units will not be allowed in their current configuration. The location of the units will be reevaluated with the submittal of the Final SP.
2. On the corrected set, indicate the 75' floodway buffer at the southeast corner of the site as a greenway easement. Label as Dedicated Conservation Greenway Public Access Trail Easement Area.

3. On the corrected set, update the proposed uses to multi-family residential.
4. Developer shall coordinate the consolidation of the entrance drive and the canoe access drive with the Public Works Department and Parks Department. The final location and design shall be determined with the submission of the final site plan.
5. On the corrected set, provide a sidewalk along Coley Davis Road on the east side of the entrance drive along the entire property frontage.
6. On the corrected set, provide a sidewalk connection between Units 6 and 7 and between units 12 and 13 from the internal sidewalk to the sidewalk along Coley Davis Road.
7. Add the following note to the corrected set: If patios and/or fencing is proposed for the units along Coley Davis Road, a landscape buffer will be required between the units and Coley Davis Road. The buffer shall be consistent with a B landscape buffer per the Metro Zoning Code.
8. On the corrected set, show and label the 4 foot grass strip along Coley Davis Drive.
9. Comply with Public Works conditions in regards to cross sections and traffic improvements.
10. Add the following note to the plan/plat: The final site plan/building permit site plan shall depict a minimum 5 foot clear path of travel for pedestrian ways, including public sidewalks, and the location of all existing and proposed obstructions. Prior to the issuance of use and occupancy permits, existing obstructions within the path of travel shall be relocated to provide a minimum of 5 feet of clear access.

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. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

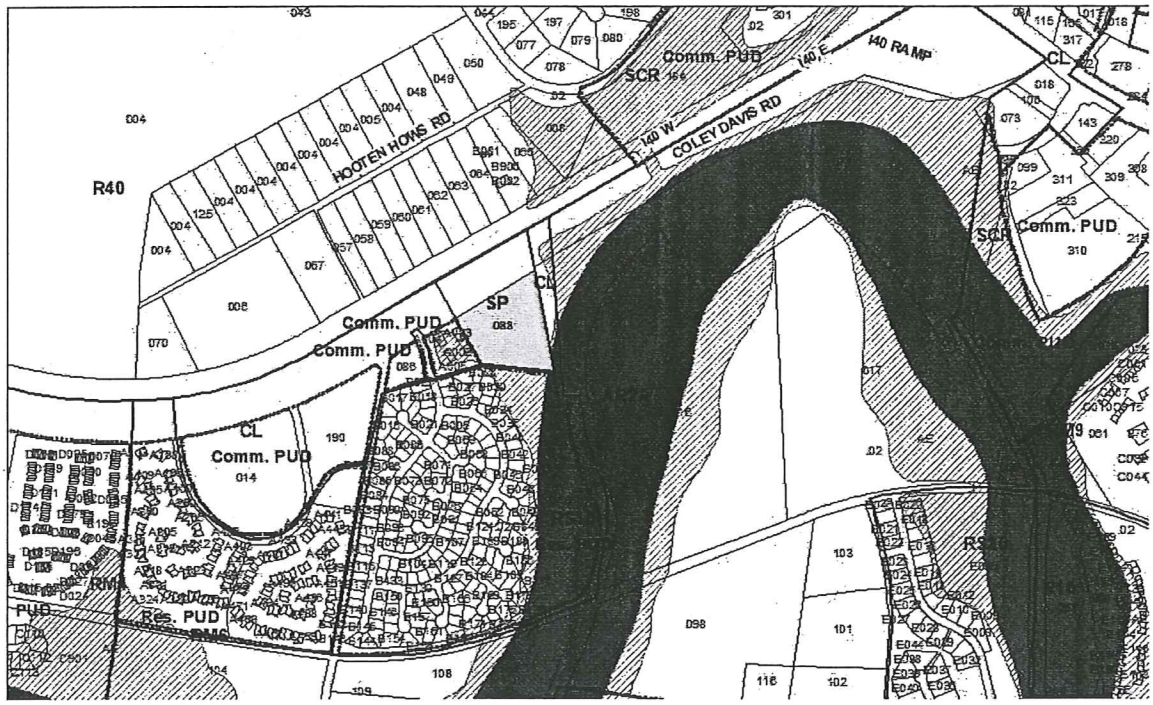
Approved with conditions, and disapproved without all conditions. (7-0-1)

APPROVED ON February 25, 2016 BY THE METROPOLITAN PLANNING COMMISSION.

INTRODUCED BY:

Councilmember Sheri Weiner

EXECUTIVE DIRECTOR & SECRETARY

2007SP-103-001
HARPETH SPRINGS VILLAGE (AMENDMENT)
Map 141, Parcel(s) 088
Subarea 06, Bellevue
District 22 (Weiner)

A request to amend the Harpeth Springs Village Specific Plan District for property located at 7960 Coley Davis Road to permit 64 townhomes where 98 units were previously approved, approximately 3,400 feet west of Highway 70 South, zoned SP (5.78 acres), requested by Ragan Smith Associates, applicant; SOI Nashville Partners, LLC, owner.