

ORDINANCE NO. BL2018-1096

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 RS5 to SP zoning on properties located at 1699, 1701, 1703 and 1705 Lischey Avenue, at the northeast corner of Lischey Avenue and Marshall Street (0.87 acres), to permit up to 13 multi-family residential units, all of which is described herein (Proposal No. 2017SP-074-001).

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 RS5 to SP zoning on properties located at 1699, 1701, 1703 and 1705 Lischey Avenue, at the northeast corner of Lischey Avenue and Marshall Street (0.87 acres), to permit up to 13 multi-family residential units, being Property Parcel Nos. 347, 348, 349, 350 as designated on Map 071-12 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 attached sketch, 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 071 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 13 multi-family units.

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

1. Units A11, A12, and A13 as shown on the preliminary site plan shall be limited to a maximum height of two stories in 30 feet.
2. A B-2 landscape buffer is required along the east and north property lines where the preliminary SP site plan shows an A-1 Buffer.
3. With the submittal of the final SP site plan all internal sidewalks shall provide a minimum width of 5 feet.
4. The development shall provide adequate access that meets the requirements of the Fire Marshal's Office and Department of Public Works.

5. All references to on street parking shall be removed from the corrected copy of the preliminary site plan.
6. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL 2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.
7. The final site plan shall depict the 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.
8. The Preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
9. 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:

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Councilmember Scott Davis