

SUBSTITUTE ORDINANCE NO. BL2016-287

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 AR2a (2.47 acres) and CS (15.6 acres) to SP zoning (18.07 acres), to permit heavy equipment sales (heavy truck repair), and all uses permitted by the CS zoning district except alternative financial services uses, non-residential drug treatment facilities, a bar or nightclub, and pawnshops and clubs, and CS zoning (1.43) to AR2a zoning for portions of property located at 7435 Old Hickory Boulevard, approximately 635 feet west of Blevins Road, all of which is described herein (Proposal No. 2016SP-014-001).

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 AR2a (2.47 acres) and CS (15.6 acres) to SP zoning (18.07 acres), to permit heavy equipment sales (heavy truck repair), and all uses permitted by the CS zoning district except alternative financial services uses, non-residential drug treatment facilities, a bar or nightclub, and pawnshops and clubs, and CS zoning (1.43) to AR2a zoning for portions of property located at 7435 Old Hickory Boulevard, approximately 635 feet west of Blevins Road, being Property Parcel No. 068 as designated on Map 031-00 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 031 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 those uses permitted by the CS zoning district excluding alternative financial services uses, non-residential drug treatment facilities, a bar or nightclub, and pawnshops and clubs, and shall allow heavy equipment services (heavy truck repair).

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

1. There shall be a Class "B" buffer yard located along the entire perimeter of the SP zoning, except along the frontage of Old Hickory Boulevard. This buffer shall be an undisturbed area where all existing vegetation shall be maintained and supplemented as needed in order to meet the buffer required. The condition shall not prohibit maintenance of the buffer.
2. Any development within the SP shall meet the Major and Collector Street Plan, including ROW dedications and sidewalks, and shall be shown on any final site plans.
3. 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.

4. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

5. Comply with MPW Traffic Engineer. A TIS is required prior to final SP approval of any phase to determine access points and roadway mitigations.

6. With final SP, indicate on the plans the solid waste and recycling plans for the site.

7. Access points for the site are to comply with MPW standards and Metro Codes Section 13.12 and 17.20160-170.

8. If sidewalks are required with this SP, they are to be per the MCSP and built to meet MPW standards and specifications.

9. Prior to approval of any final SP, a letter of water and sewer availability shall be submitted and any capacity fees paid.

10. Heavy equipment repair shall be limited to a maximum of 24,000 square feet of building floor area (2.3% of the total SP land area), all repair must occur within an enclosed building. All buildings in which repair is performed must be setback a minimum of 200 feet, and turned perpendicular to Old Hickory Boulevard and heavily landscaped and screened to be hidden from public street view.

11. Include a note on sheet C1.0 that additional ROW on Old Hickory Blvd. frontage and cross access to adjacent properties may be required at development.

12. The repair and/or maintenance of heavy construction equipment shall not be allowed (excavators, skid loaders, dozers, compactors, trenchers, graders, etc.).

13. 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.

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 CS 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:

Brenda Haywood
Member of Council

