

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 amending a Specific Plan for a portion of property located at 204 Ben Allen Road, approximately 190 feet east of Morningside Drive, zoned SP (4.18 acres), to permit 19 multi-family residential units, all of which is described herein (Proposal No. 2014SP-086-003).

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 a Specific Plan for a portion of property located at 204 Ben Allen Road, approximately 190 feet east of Morningside Drive, zoned SP (4.18 acres), to permit 19 multi-family residential units, being Property Parcel Nos. 001-017 and 900 as designated on Map 060-00 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, 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 060 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 19 multi-family residential units within this phase and 36 multi-family residential units total within the SP. 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. The landscape buffers shall be installed consistent with the standards of the B-3 Landscape Buffer requirements of the Metro Code.
2. The final site plan shall include architectural elevations showing compliance with the design consideration as well as raised foundations of 18-36" for residential buildings

3. The final site plan shall label all internal driveways as “Private Driveways” and shall provide for a joint access easement to the property to the east. A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
4. Construct 6’ tall opaque fence along the entire western property line, including Phase 1.
5. With the final site plan, indicate that the runoff will be diverted (by use of “eye brow speed bumps”) to drainage structures “D6” & “D7” so that it is routed to the bio-retention (rain gardens) areas in lieu of sheet flowing off property into Ben Allen. The speed bumps may be removed when finish coat of asphalt is placed.
6. With the final site plan, provide a phasing and construction timeline for both Phases.
7. With the final site plan, revise the permitted use to indicate that short term rental property-owner occupied and short term rental property-not-owner occupied are prohibited.
8. With the final site plan, provide a tree survey locating all existing trees measuring 12” in caliper and up.
9. Blasting surveys shall be required prior to any site blasting.
10. 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 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.

INTRODUCED BY:

Councilmember Nancy VanReece

2014SP-086-003
204 BEN ALLEN SP
Map 060-00-0-A, Parcel(s) 001-017, 900
Subarea 05, East Nashville
District 08 (VanReece)
Application fee paid by: Superior Development, LLC

A request to amend a Specific Plan for a portion of property located at 204 Ben Allen Road, approximately 190 feet east of Morningside Drive, zoned SP (4.18 acres), to permit 19 multi-family residential units, requested by Dale and Associates, applicant; various owners.

