

## **SUBSTITUTE ORDINANCE NO. BL2020-175**

**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 changing from RS10 to ~~RM9~~ **SP** zoning for a portion of property located at Old Franklin Road (unnumbered), at the southeast corner of Old Franklin Road and Cane Ridge Road (38.13 acres), all of which is described herein (Proposal No. 2019Z-172PR-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 RS10 to ~~RM9~~ **SP** zoning for a portion of property located at Old Franklin Road (unnumbered), at the southeast corner of Old Franklin Road and Cane Ridge Road (38.13 acres), being Part of Property Parcel No. 096 as designated on Map 174-00 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 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 uses of this SP shall be limited to the multi-family use as permitted by the RM9 zoning district.

Section 3. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. This property shall not be eligible for short-term rental property (STRP) permits under Chapter 17.16 of the Metropolitan Code of Laws. Short Term Rental Property (STRP) – Owner Occupied and Short Term Rental Property (STRP) – Non-Owner Occupied uses shall be prohibited.
2. 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.
3. Exterior façades of all residential structures constructed on the Property will be constructed of at least 35% painted or unpainted brick, stone or masonry, with fiber cement siding used on the remainder.
4. 20 acres of open space shall be provided on the property.
5. A C-1 landscape buffer, as described in Figure 17.24.240C of the Metropolitan Code of Laws, shall be required along all property lines of the subject property, excluding the frontage along Old Franklin Road.
6. Native trees listed with the Metro Urban Forester in excess of 24" caliper shall be protected, unless they are within the footprint of the building envelope, parking areas, streets or alleyways, and areas graded to accommodate these site features. The grading plan shall minimize disturbance of native vegetation to the greatest extent practicable.
7. The grading plan shall utilize existing site grades to the greatest extent practicable.
8. The developer shall create a private 5' wide asphalt greenway of at least 1,400 linear feet. This greenway shall be placed in a public access easement.
9. Internal private access drives shall incorporate traffic calming measures as approved by Metro Public Works and the Metro Fire Marshal's Office.
10. Vehicular access to the property via Luke Drive shall be restricted to emergency vehicles.
11. Overnight tractor trailer and commercial construction vehicle parking shall be prohibited.

Section 4. 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 5. 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 increases the permitted density or floor area, adds uses not otherwise permitted, eliminates specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or adds vehicular access points not currently present or approved.

Section 6. 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 RM9 zoning districts as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 2 7. 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 174 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 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 Antoinette Lee

2019Z-172PR-001  
Map 174, Part of Parcel(s) 096  
Subarea 12, Southeast  
District 33 (Lee)  
Application fee paid by: Wood Real Estate Investors

A request to rezone from RS10 to ~~RM9~~ SP zoning for a portion of property located at Old Franklin Road (unnumbered), at the southeast corner of Old Franklin Road and Cane Ridge Road (38.13 acres), requested by Wood Partners, applicant; JCK Dev GP, owner.

