



METROPOLITAN COUNCIL

Metro Council Office

REVISED

**PROPOSED AMENDMENTS
AND SUBSTITUTES FOR
RESOLUTIONS AND
ORDINANCES TO BE FILED
WITH THE METRO CLERK
FOR THE COUNCIL MEETING OF
TUESDAY, AUGUST 16, 2016**

Amendment No. 1

To

Resolution No. RS2016-341

Mr. President,

I move to amend Resolution No. RS2016-341 by deleting the following text:

“WHEREAS, the Metropolitan Government of Nashville and Davidson County, acting through its Department of Parks and Recreation, desires to enter into a license agreement with the United States of America, acting by and through the Department of the Navy, to enter Public Square Park, West Riverfront Park, Riverfront Park, and Walk of Fame Park during Marine Week taking place September 6th through September 12th 2016; and,”

“WHEREAS, the license agreement provides a limited, revocable license to the United States, acting by and through the Department of the Navy, to enter the aforementioned properties for the limited purpose described in Exhibits A through D to the license agreement; and”

and substituting in lieu thereof the following:

“WHEREAS, the Metropolitan Government of Nashville and Davidson County, acting through its Department of Parks and Recreation, desires to enter into a license agreement with the United States of America, acting by and through the Department of the Navy, to enter Public Square Park, West Riverfront Park, Riverfront Park, Walk of Fame Park, and Cumberland Park during Marine Week taking place September 6th through September 12th 2016; and,”

“WHEREAS, the license agreement provides a limited, revocable license to the United States, acting by and through the Department of the Navy, to enter the aforementioned properties for the limited purpose described in Exhibits A through E to the license agreement; and,

WHEREAS, the Metropolitan Development And Housing Agency (“MDHA”) consents to the license agreement with respect to the premises leased to the Metropolitan Government by MDHA; and,”

and also substituting the License Agreement attached as Exhibit 1 with an amended License Agreement that includes Exhibit E.

INTRODUCED BY:

Member(s) of Council

SUBSTITUTE ORDINANCE NO. BL2016-298

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 CN, CS, OR20, RS10, OL and RS5 to to RM20-A and R6-A zoning for various properties located along Kingston Street, Queen Avenue, Duke Street, Prince Avenue, and Sultana Avenue (37.88 acres), all of which is described herein (Proposal No. 2016Z-052PR-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 CN, CS, OR20, RS10, OL and RS5 to RM20-A and R6-A zoning for various properties located along Kingston Street, Queen Avenue, Duke Street, Prince Avenue, and Sultana Avenue (37.88 acres), being various Property Parcel Nos. as designated on various Maps 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 various maps 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 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 Scott Davis

2016Z-052PR-001

Map 071-03, Parcel(s) 118-122, 131-143, 145, 152-155

Map 071-04, Parcel(s) 160, 293, 294, 296, 297, 309

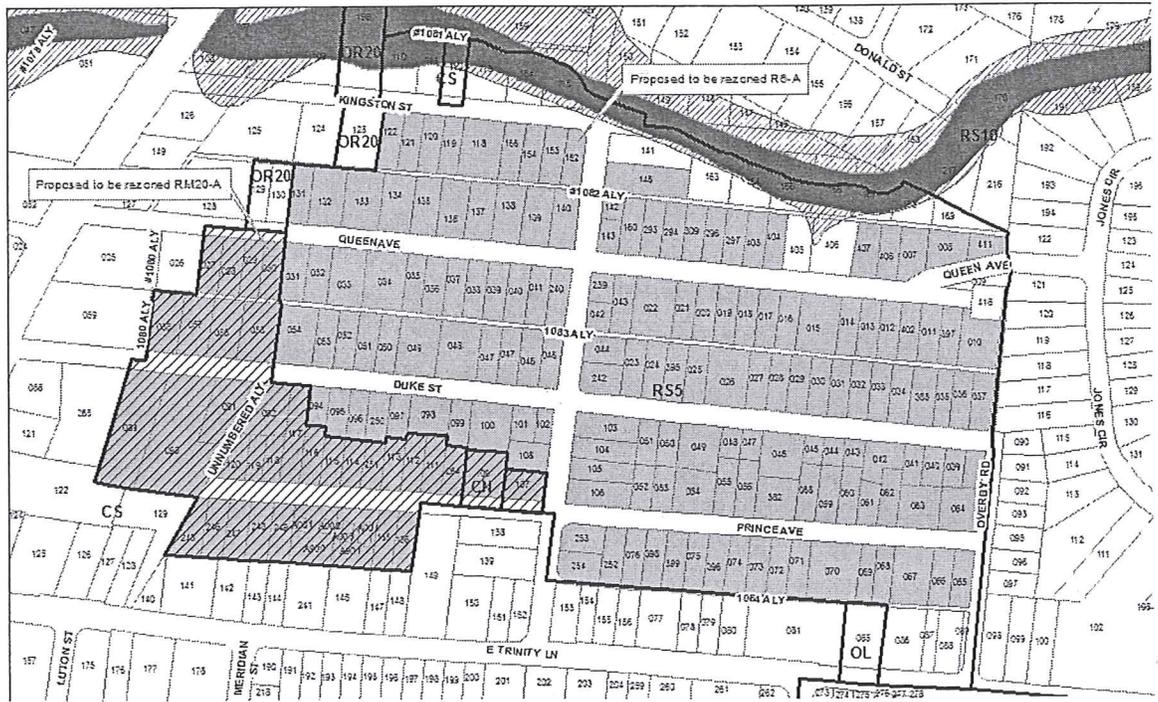
Map 071-07, Parcel(s) 047.01, 027-058, 089-092, 094-109,
111-120, 133-136, 239, 240, 242, 245-254, 264

Map 071-08, Parcel(s) 007-008, 010-056, 058-076, 382,
383, 395-399, 402-408, 411

Subarea 05, East Nashville

District 05 (S. Davis)

A request to rezone from CN, CS, OR20, RS10, OL and RS5 to RM20-A and R6-A zoning for various properties located along Kingston Street, Queen Avenue, Duke Street, Prince Avenue, and Sultana Avenue (37.88 acres), requested by Councilmember Scott Davis, applicant; various property owners.



STANPAR	Owner	PropH PropStreet	PropCity	Props PropZip
071070A00100CO	BLACKWELL, JOHN S.	210 PRINCE AVE	NASHVILLE TN	37207
071070A00200CO	BLACKWELL, JOHN S.	212 PRINCE AVE	NASHVILLE TN	37207
071070A00300CO	BLACKWELL, JOHN S.	214 PRINCE AVE	NASHVILLE TN	37207
071070A00400CO	BLACKWELL, JOHN S.	216 PRINCE AVE	NASHVILLE TN	37207
071070A90000CO	O.I.C. PRINCE AVENUE TOWNHOMES	212 PRINCE AVE	NASHVILLE TN	37207
071070A90100CO	O.I.C. PRINCE AVENUE TOWNHOMES	216 PRINCE AVE	NASHVILLE TN	37207
07104016000	REYES, JUAN PABLO	303 QUEEN AVE	NASHVILLE TN	37207
07104029300	HARVEY, BYRON KEITH	309 QUEEN AVE	NASHVILLE TN	37207
07104029400	DOWELL, JOYLISA M. B. & BROWN, PATSY	313 QUEEN AVE	NASHVILLE TN	37207
07104029600	REYES, MARIA FRANCISCA	321 QUEEN AVE	NASHVILLE TN	37207
07104029700	LINDSEY, TED L. & ABNEY, TOM O.	325 QUEEN AVE	NASHVILLE TN	37207
07104030900	COUNTS, CLEOPHIUS, JR. ET UX	317 QUEEN AVE	NASHVILLE TN	37207
07103011800	KINGSTON STREET TRUST	126 KINGSTON ST	NASHVILLE TN	37207
07103011900	BASHIR, MARWA	124 KINGSTON ST	NASHVILLE TN	37207
07103012000	WILKES, TERRY E. & JANET H.	122 KINGSTON ST	NASHVILLE TN	37207
07103012100	2405 ASSOCIATES	120 KINGSTON ST	NASHVILLE TN	37207
07103012200	2405 ASSOCIATES	118 KINGSTON ST	NASHVILLE TN	37207
07103013100	HERNANDEZ, ROBERTO	201 QUEEN AVE	NASHVILLE TN	37207
07103013200	YOUNT, JOE STANTIFER	203 QUEEN AVE	NASHVILLE TN	37207
07103013300	MORENO, DENNIS K.	205 QUEEN AVE	NASHVILLE TN	37207
07103013400	MURPHY, LARRY D. ET UX	207 QUEEN AVE	NASHVILLE TN	37207
07103013500	GRAY, BETINA	209 QUEEN AVE	NASHVILLE TN	37207
07103013600	HARRISON, FRANK K.	211 QUEEN AVE	NASHVILLE TN	37207
07103013700	BUTLER, CAROL & MURPHY, DENA L.	213 QUEEN AVE	NASHVILLE TN	37207
07103013800	MOUNTAIN TOP INVESTMENTS, LLC	215 QUEEN AVE	NASHVILLE TN	37207
07103013900	HOLT, M. DEWAYNE	217 QUEEN AVE	NASHVILLE TN	37207
07103014000	WEBB, RONALD B. & ANNA MARIE	219 QUEEN AVE	NASHVILLE TN	37207
07103014200	FRIENDSHIP HOMES, INC.	2205 SULTANA AVE	NASHVILLE TN	37207
07103014300	FRIENDSHIP HOMES, INC.	301 QUEEN AVE	NASHVILLE TN	37207
07103014500	DUNDON, PATRICK	2209 SULTANA AVE	NASHVILLE TN	37207
07103015200	BARNES, MARY A. & CAROLYN M.	136 KINGSTON ST	NASHVILLE TN	37207
07103015300	MCCUISTON, GEORGE M. & VICTORIA	134 KINGSTON ST	NASHVILLE TN	37207
07103015400	BROWN, WILLIAM III	132 KINGSTON ST	NASHVILLE TN	37207
07103015500	HERNANDEZ, EDILBERTO	130 KINGSTON ST	NASHVILLE TN	37207
07107013500	HAVARD, ANNE G.	218 PRINCE AVE	NASHVILLE TN	37207

07107013600	GARCIA, CESAR GARICA	220	PRINCE AVE	NASHVILLE	TN	37207
07107023900	HODGE, EDNA ETAL	300	QUEEN AVE	NASHVILLE	TN	37207
07107024000	REYES, PEDRO	222	QUEEN AVE	NASHVILLE	TN	37207
07108038200	JH1, LLC	315	PRINCE AVE	NASHVILLE	TN	37207
07108038300	KSRW, LLC	331	DUKE ST	NASHVILLE	TN	37207
07107024200	VAZQUEZ, LILY MUNIZ & NICHOLAS	301	DUKE ST	NASHVILLE	TN	37207
07107024500	SHAFFER, RICHARD W.,JR.& MARCIA D.,TRS.	200	PRINCE AVE	NASHVILLE	TN	37207
07107024600	HOLT, CHRISTINE	202	PRINCE AVE	NASHVILLE	TN	37207
07107024700	HYDE, EUNICE JUNIOR	204	PRINCE AVE	NASHVILLE	TN	37207
07107024800	ROSTON, AARON & MEADOWS, ELIZABETH	206	PRINCE AVE	NASHVILLE	TN	37207
07107024900	ROSTON, AARON & MEADOWS, ELIZABETH	208	PRINCE AVE	NASHVILLE	TN	37207
07107025000	SHAFFER, RICHARD W., JR. ET UX	210	DUKE ST	NASHVILLE	TN	37207
07107025100	SHAFFER, RICHARD W.,JR.& MARCIA D.,TRS.	215	PRINCE AVE	NASHVILLE	TN	37207
07107025200	MILLER, DAVID E., II	300	PRINCE AVE	NASHVILLE	TN	37207
07107025300	MILLER, DAVID E., II	2009	SULTANA AVE	NASHVILLE	TN	37207
07107025400	MORTON, RONALD W.	2007	SULTANA AVE	NASHVILLE	TN	37207
07108039500	MCDONALD, CHARLES D., III & HILLARY S.	311	DUKE ST	NASHVILLE	TN	37207
07108039600	MASTERY INVESTORS GROUP, LLC	308	PRINCE AVE	NASHVILLE	TN	37207
07108039700	CITIMORTGAGE INC.	334	QUEEN AVE	NASHVILLE	TN	37207
07108039800	CHAVEZ, SONIA	304	PRINCE AVE	NASHVILLE	TN	37207
07108039900	TIGEBEAR PROPERTIES, LLC	306	PRINCE AVE	NASHVILLE	TN	37207
07108040200	CARTER, RODERICK D.	328	QUEEN AVE	NASHVILLE	TN	37207
07108040300	MACIAS, ADRIAN & REYES, CECILIA	329	QUEEN AVE	NASHVILLE	TN	37207
07108040400	BROWN, JOYCE	333	QUEEN AVE	NASHVILLE	TN	37207
07108040700	JORDON, MARCUS B., SR. ET UX	349	QUEEN AVE	NASHVILLE	TN	37207
07108040800	REID, KENNETH S.	353	QUEEN AVE	NASHVILLE	TN	37207
07108041100	BROWN, BEVERLY M.	361	QUEEN AVE	NASHVILLE	TN	37207
07107026400	ROSS, GLEN & GERTHA	227	PRINCE AVE	NASHVILLE	TN	37207
07108000700	SEGURA PROPERTIES, LLC	357	QUEEN AVE	NASHVILLE	TN	37207
07108000800	PHOMMASENH, KHAMPHY & SIVANH	359	QUEEN AVE	NASHVILLE	TN	37207
07108001000	PHILLIPS, LAWRENCE & REBECCA	338	QUEEN AVE	NASHVILLE	TN	37207
07108001100	WHITWORTH, MICHAEL D. & STACI E. & DAVID	332	QUEEN AVE	NASHVILLE	TN	37207
07108001200	GUY, COURTNEY	326	QUEEN AVE	NASHVILLE	TN	37207
07108001300	MAYFIELD, VERA KAY & RAYBURN F.	324	QUEEN AVE	NASHVILLE	TN	37207
07108001400	OLD REPUBLIC 1031 EXCHANGE CO FBO TSUNG V	322	QUEEN AVE	NASHVILLE	TN	37207
07108001500	ALEXANDER, VICKI	320	QUEEN AVE	NASHVILLE	TN	37207

07108001600	HOLLIMAN, ALBERT L. ET UX	318	QUEEN AVE	NASHVILLE	TN	37207
07108001700	OWEN, GARY & PATRICIA	316	QUEEN AVE	NASHVILLE	TN	37207
07108001800	MOORE, JAMES H. & DOROTHY A.	314	QUEEN AVE	NASHVILLE	TN	37207
07108001900	TERRY, MICHAEL D.	312	QUEEN AVE	NASHVILLE	TN	37207
07108002000	BOHLI, MATTHEW W. & WILLIAM H. & JOANNIE E	310	QUEEN AVE	NASHVILLE	TN	37207
07108002100	GENNETTE, LINDA	308	QUEEN AVE	NASHVILLE	TN	37207
07108002200	BOCKMAN, JEREMY	306	QUEEN AVE	NASHVILLE	TN	37207
07108002300	CATHEY, DAVID GRANT & ANGELA A.	305	DUKE ST	NASHVILLE	TN	37207
07108002400	SPRAKER, ELDON, III	309	DUKE ST	NASHVILLE	TN	37207
07108002500	MCDONALD, CHARLES D. III & HILLARY S.	313	DUKE ST	NASHVILLE	TN	37207
07108002600	STOCKARD, EDMOND	315	DUKE ST	NASHVILLE	TN	37207
07108002700	D225, LLC	317	DUKE ST	NASHVILLE	TN	37207
07108002800	GARRISON BAUGH UNLIMITED, LLC	319	DUKE ST	NASHVILLE	TN	37207
07108002900	STACKHOUSE, RYAN LEE REVOCABLE TRUST, THE	321	DUKE ST	NASHVILLE	TN	37207
07108003000	URBANGATE DEVELOPMENT GROUP, LLC	323	DUKE ST	NASHVILLE	TN	37207
07108003100	URBANGATE DEVELOPMENT GROUP, LLC	325	DUKE ST	NASHVILLE	TN	37207
07108003200	D222, LLC	327	DUKE ST	NASHVILLE	TN	37207
07108003300	BAUGHER, WILLIAM L.	329	DUKE ST	NASHVILLE	TN	37207
07108003400	MILAM, JENNIFER	329	DUKE ST	NASHVILLE	TN	37207
07108003500	HACKNEY, BENNIE & WAYNE & LINDA	333	DUKE ST	NASHVILLE	TN	37207
07108003600	SPRAKER, ELDON R.	335	DUKE ST	NASHVILLE	TN	37207
07108003700	MCCLURE, EDDIE LIN	337	DUKE ST	NASHVILLE	TN	37207
07108003800	D224, LLC	338	DUKE ST	NASHVILLE	TN	37207
07108003900	D224, LLC	336	DUKE ST	NASHVILLE	TN	37207
07108004000	MOORHEAD, SEAN T. & AMANDA C.	334	DUKE ST	NASHVILLE	TN	37207
07108004100	MOTHERSHIP VENTURES, LLC	332	DUKE ST	NASHVILLE	TN	37207
07108004200	WEBB, BRYAN L.	326	DUKE ST	NASHVILLE	TN	37207
07108004300	D222, LLC	0	DUKE ST	NASHVILLE	TN	37207
07108004400	D222, LLC	322	DUKE ST	NASHVILLE	TN	37207
07108004500	D222, LLC	320	DUKE ST	NASHVILLE	TN	37207
07108004600	PHIMMASAENG, KHAMPHA & PHAT	318	DUKE ST	NASHVILLE	TN	37207
07108004700	REINA, JUAN	318	DUKE ST	NASHVILLE	TN	37207
07108004800	PRESLEY, INETTA	316	DUKE ST	NASHVILLE	TN	37207
07108004900	PRESLEY, INETTA J.	314	DUKE ST	NASHVILLE	TN	37207

07108005000	MITCHELL, BENJAMIN S. & ANN	308	DUKE ST	NASHVILLE	TN	37207
07108005100	MITCHELL, BENJAMIN S. & ANN	308	DUKE ST	NASHVILLE	TN	37207
07108005200	TUNE, ROY LEE ETUX	303	PRINCE AVE	NASHVILLE	TN	37207
07108005300	SPRAKER, ELDON, III	305	PRINCE AVE	NASHVILLE	TN	37207
07108005400	D222, LLC	307	PRINCE AVE	NASHVILLE	TN	37207
07108005500	D222, LLC	309	PRINCE AVE	NASHVILLE	TN	37207
07108005600	PATTERSON, ROY A.,SR.& JUNE H, TRS.ETAL	313	PRINCE AVE	NASHVILLE	TN	37207
07108005800	D222, LLC	0	PRINCE AVE	NASHVILLE	TN	37207
07108005900	D222, LLC	0	PRINCE AVE	NASHVILLE	TN	37207
07108006000	D222, LLC	0	PRINCE AVE	NASHVILLE	TN	37207
07108006100	PATTERSON, ROY A.,SR.& JUNE H, TRS. ETAL	319	PRINCE AVE	NASHVILLE	TN	37207
07108006200	HAWK, DONALD J.	321	PRINCE AVE	NASHVILLE	TN	37207
07108006300	URBAN PROPERTIES, LLC	325	PRINCE AVE	NASHVILLE	TN	37207
07108006400	SPRAKER, ELDON, III	327	PRINCE AVE	NASHVILLE	TN	37207
07108006500	ST.THERESA HOLINESS SCIENCE ORGANIZATION	328	PRINCE AVE	NASHVILLE	TN	37207
07108006600	ST.THERESA HOLINESS SCIENCE ORGANIZATION	326	PRINCE AVE	NASHVILLE	TN	37207
07108006700	ST.THERESA HOLINESS SCIENCE ORGANIZATION	324	PRINCE AVE	NASHVILLE	TN	37207
07108006800	METRO GOV'T M MISC	0	PRINCE AVE	NASHVILLE	TN	37207
07108006900	THORPE, MIKE	320	PRINCE AVE	NASHVILLE	TN	37207
07108007000	THORPE, MIKE	318	PRINCE AVE	NASHVILLE	TN	37207
07108007100	DEMONBREUN, CARL W.& STEVENSON, RICKY O.	314	PRINCE AVE	NASHVILLE	TN	37207
07108007200	DOBBS, ROBERT TAYLOR	314	PRINCE AVE	NASHVILLE	TN	37207
07108007300	MCKEEVER, REGINALD	312	PRINCE AVE	NASHVILLE	TN	37207
07108007400	VANCE, WARDELL	310	PRINCE AVE	NASHVILLE	TN	37207
07108007500	MASTERY INVESTORS GROUP, LLC	308	PRINCE AVE	NASHVILLE	TN	37207
07108007600	BLACKWELL, JOHN & REMUS, NELSON	302	PRINCE AVE	NASHVILLE	TN	37207
07107002700	SPRAKER, ELDON R., III	192	QUEEN AVE	NASHVILLE	TN	37207
07107002800	VOLUNTEER STATE PROPERTIES, LLC	194	QUEEN AVE	NASHVILLE	TN	37207
07107002900	MIRES, WILLIAM T., JR.	196	QUEEN AVE	NASHVILLE	TN	37207
07107003000	DEVLIN, BRANDON	198	QUEEN AVE	NASHVILLE	TN	37207
07107003100	MILLER, JAMES T.	200	QUEEN AVE	NASHVILLE	TN	37207
07107003200	HAYS, ASHLEY M.	202	QUEEN AVE	NASHVILLE	TN	37207
07107003300	PATTON, HOWARD W. ETUX	204	QUEEN AVE	NASHVILLE	TN	37207
07107003400	O'NEILL, MICHAEL W.	206	QUEEN AVE	NASHVILLE	TN	37207

07107003500	JENKINS, JAMITHIA	208	QUEEN AVE	NASHVILLE	TN	37207
07107003600	WATSON, JIMMY	210	QUEEN AVE	NASHVILLE	TN	37207
07107003700	ROBERTSON, EDDIE J.	212	QUEEN AVE	NASHVILLE	TN	37207
07107003800	WYATT, JOEL	214	QUEEN AVE	NASHVILLE	TN	37207
07107003900	YORK, WILLIAM PATRICK II	216	QUEEN AVE	NASHVILLE	TN	37207
07107004000	DAVIS, CHARLES	218	QUEEN AVE	NASHVILLE	TN	37207
07107004100	DAVIS, CHARLES P.	220	QUEEN AVE	NASHVILLE	TN	37207
07107004200	ADS OF SOUTH FLORIDA, LLC	2109	SULTANA AVE	NASHVILLE	TN	37207
07107004300	BAGGETT, RONNA L.	304	QUEEN AVE	NASHVILLE	TN	37207
07107004400	ENFIELD PROPERTIES, LLC	2105	SULTANA AVE	NASHVILLE	TN	37207
07107004500	ILLUMINATE PROPERTIES, INC.	227	DUKE ST	NASHVILLE	TN	37207
07107004600	COONS, SANDRA FAYE	225	DUKE ST	NASHVILLE	TN	37207
07107004700	COLE, JERRY LEE, II	221	DUKE ST	NASHVILLE	TN	37207
07107004701	CLOUSE, TONY R. & WHEELER, SUZANNE	223	DUKE ST	NASHVILLE	TN	37207
07107004800	SEXTON, TERESA	217	DUKE ST	NASHVILLE	TN	37207
07107004900	SALEM BAPTIST CHURCH TRS.	213	DUKE ST	NASHVILLE	TN	37207
07107005000	YOUNG, ELIZABETH	211	DUKE ST	NASHVILLE	TN	37207
07107005100	CROSSLIN, CARL JOHN JR., & LINDA	209	DUKE ST	NASHVILLE	TN	37207
07107005200	HAIJAGHA, HESSAMEDIN MOHAMMADKHAH	207	DUKE ST	NASHVILLE	TN	37207
07107005300	CLOUSE, TONY R.	205	DUKE ST	NASHVILLE	TN	37207
07107005400	JDL PROPERTIES, LLC	203	DUKE ST	NASHVILLE	TN	37207
07107005500	MEADOWS, CLAUDE MACK & ROBERT WAYNE	201	DUKE ST	NASHVILLE	TN	37207
07107005600	AMELL, NOEL A.	109	DUKE ST	NASHVILLE	TN	37207
07107005700	ALLEN, FRANK ARNOLD, JR. & LEE GORDON	107	DUKE ST	NASHVILLE	TN	37207
07107005800	ALLEN, FRANK ARNOLD, JR. & LEE GORDON	105	DUKE ST	NASHVILLE	TN	37207
07107008900	HAUERSPERGER, DEVIN	106	DUKE ST	NASHVILLE	TN	37207
07107009000	SCHOTTLAND, MARK J. & JOHN R.	110	DUKE ST	NASHVILLE	TN	37207
07107009100	CORNERSTONE MISSIONARY BAPTIST CHURCH	114	DUKE ST	NASHVILLE	TN	37207
07107009200	WILLIAMS, SHERRIE D.	202	DUKE ST	NASHVILLE	TN	37207
07107009400	MCKNIGHT, ELMER D. & FREIDA L.	206	DUKE ST	NASHVILLE	TN	37207
07107009500	CLOUSE, TONY R.	208	DUKE ST	NASHVILLE	TN	37207
07107009600	SHAFFER, RICHARD W., JR. & MARCIA D., TRS.	210	DUKE ST	NASHVILLE	TN	37207
07107009700	CRAIGHEAD, CHARLOTTE	212	DUKE ST	NASHVILLE	TN	37207
07107009800	SIMMONS, NANCY	216	DUKE ST	NASHVILLE	TN	37207

07107009900	SMITH, JANICE H.	218	DUKE ST	NASHVILLE	TN	37207
07107010000	PENA, MANUEL JUAN & LOPEZ, LILIANA CHAVARI	220	DUKE ST	NASHVILLE	TN	37207
07107010100	HOLLAND, COREY J.	224	DUKE ST	NASHVILLE	TN	37207
07107010200	SCHOENENBERGER, KARL & MARIKA	226	DUKE ST	NASHVILLE	TN	37207
07107010300	SHAFFER, RICHARD W., JR. & MARGIA D., TRS.	2017	SULTANA AVE	NASHVILLE	TN	37207
07107010400	MILLER, DAVID E., II	2015	SULTANA AVE	NASHVILLE	TN	37207
07107010500	MILLER, DAVID E., II	2013	SULTANA AVE	NASHVILLE	TN	37207
07107010600	TUNE, CAROLYN MILLER	2011	SULTANA AVE	NASHVILLE	TN	37207
07107010700	BOOTH, JAMES	2012	SULTANA AVE	NASHVILLE	TN	37207
07107010800	PINKSTON, RAYMOND E.	2014	SULTANA AVE	NASHVILLE	TN	37207
07107010900	WINDROW, BAMBI T.	231	PRINCE AVE	NASHVILLE	TN	37207
07107011100	TBC DEVELOPMENT, LLC	219	PRINCE AVE	NASHVILLE	TN	37207
07107011200	TBC DEVELOPMENT, LLC	219	PRINCE AVE	NASHVILLE	TN	37207
07107011300	WILLIAMS, RODNEY, ADRIANNE	217	PRINCE AVE	NASHVILLE	TN	37207
07107011400	PATTERSON, ROY A. & JUNE H. ET AL	215	PRINCE AVE	NASHVILLE	TN	37207
07107011500	CLOUSE, TONY R.	0	PRINCE AVE	NASHVILLE	TN	37207
07107011600	PHILLIPS, C. LAWRENCE ET UX	209	PRINCE AVE	NASHVILLE	TN	37207
07107011700	M. D. H. A.	207	PRINCE AVE	NASHVILLE	TN	37207
07107011800	O'MALLEY, ROBERT A. REVOCABLE TRUST	205	PRINCE AVE	NASHVILLE	TN	37207
07107011900	MUSSER, MARK	203	PRINCE AVE	NASHVILLE	TN	37207
07107012000	SMITH, JERRY N. & MARY LOUISE	201	PRINCE AVE	NASHVILLE	TN	37207

AMENDMENT NO. _____

TO

ORDINANCE NO. BL2016-308

Mr. President –

I move to amend Ordinance No. BL2016-308 as follows:

I. By amending Section 1 by deleting it in its entirety and substituting therefore the following:

Section 1. That Chapter 2.149 of the Metropolitan Code is amended by adding the following Section 2.149.050:

2.149.050 – Requirements for Lease Agreements

A. Any residential rental property receiving a grant from the Barnes Fund shall be required to include in any written rental agreement a "tenant conduct clause". The "tenant conduct clause" is a provision in the rental agreement that clarifies the conduct obligations of the tenant, including that the tenant shall: (1) not deliberately or negligently destroy, deface, damage, impair or remove any part of the premises or permit any person to do so; (2) not engage in any illegal conduct on the premises; and (3) act, and require other persons on the premises with the tenant's consent, to act in a manner that will not disturb the neighbors' peaceful enjoyment of the premises.

B. If a tenant does not comply with the tenant conduct clause, the landlord shall take all steps reasonably necessary to protect the right of other tenants to the peaceful enjoyment of their units including without limitation implementing the remedies given to landlords under Tennessee Code Annotated § 66-28-505(a).

INTRODUCED BY:

Decosta Hastings
Member of Council

SUBSTITUTE ORDINANCE NO. BL2016-319

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 CN, RS5 and SP to SP zoning for properties located at 1224, 1225, 1227, and 1300 Lischey Avenue, approximately 210 feet northeast of Richardson Avenue (1.55 acres), to permit all uses permitted by the MUL-A district except for alternative financial services uses, all of which is described herein (Proposal No. 2016SP-047-001).

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 CN, RS5 and SP to SP zoning for properties located at 1224, 1225, 1227, and 1300 Lischey Avenue, approximately 210 feet northeast of Richardson Avenue (1.55 acres), to permit all uses permitted by the MUL-A district except for alternative financial services uses, being Property Parcel Nos. 251, 470, 473, 476 as designated on Map 071-15 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 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 those permitted under the MUL-A zoning district except alternative financial services uses.

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

1. The maximum allowable Floor Area Ratio (FAR) per parcel shall be 1.4.
2. The design standards shall comply with the design standards of Alternative districts found within the Urban Zoning Overlay.

3. The parking requirements shall meet the parking standards of the Urban Zoning Overlay.
4. There shall be a minimum of a 40 foot side setback along the northern site of parcel 251.
5. 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.
6. Public water and sewer construction plans, if required, must be submitted and approved prior to Final SP approval. A water and sewer availability request shall be made prior to Final SP submittal with required capacity fees paid prior to Final Site Plan/SP approval.
7. Upon submittal of a Final Site Plan, the Applicant will provide the number of employees and/or FAR in order to calculate the required parking.
8. 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 MUL-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 Scott Davis

APN	OWNER	PROP_ADDR	PROP_CITY	PROP_ST	PROP_ZIP
07115047600	HARRISON, CATHERINE Y.	1225 LISCHY AVE	NASHVILLE	TN	37207
07115047000	ACADEMY FOR KIDZ, LLC	1224 LISCHY AVE	NASHVILLE	TN	37207
07115025100	AHEROM, REZENE Y.	1300 LISCHY AVE	NASHVILLE	TN	37207
07115047300	SPRAKER, ELDON R.	1227 LISCHY AVE	NASHVILLE	TN	37207

Lishey Corners Specific Plan (SP)

Development Summary	
SP Name	Lishey Corners SP
SP Number	2016SP-047-001
Council District	5
Map & Parcel	Map 71-15 Parcels 470, 473, 476, and 251

Site Data Table	
Site Data	1.55 acres
Existing Zoning	CN, RS5, and SP
Proposed Zoning	SP- Regulatory
Allowable Land Uses	All Uses Allowed Under MUL-A except alternative financial services

Specific Plan (SP) Standards

1. Uses within this SP shall be limited to those permitted under the MUL-A Zoning District except alternative financial services.
2. The maximum allowable Floor Area Ratio (FAR) per parcel shall be 1.4.
3. The design standards shall comply with the design standards of Alterative districts found within the Urban Zoning Overlay.
4. The parking requirements shall meet the parking standards of the Urban Zoning Overlay.
5. There shall be a minimum of a 40 foot side setback along the northern site of parcel 251.
6. 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.
7. Public water and sewer construction plans, if required, must be submitted and approved prior to Final SP approval. A water and sewer availability request shall be made prior to Final SP submittal with required capacity fees paid prior to Final Site Plan/SP approval.
8. Upon submittal of a Final Site Plan, the Applicant will provide the number of employees and/or FAR in order to calculate the required parking.
9. 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 MUL-A zoning district as of the date of the applicable request or application.
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.

General Plan Consistency Note

The proposed Specific Plan is located within the East Nashville Community Plan (Subarea 5). The proposed SP is located in the following policy area:

- T4-NC (T4 Urban Neighborhood Center)

T4 Urban Neighborhood Centers are pedestrian-friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. T4 Urban Neighborhood Centers serve urban neighborhoods within a five minute walk. Intensity is generally placed within edges of the T4 Urban Neighborhood Center, not exceeding the four corners of the intersection of two prominent urban streets, such as the intersection of Lishey and Douglas.

These properties contain approximately 1.55 acres in size and based upon their proximity to a major East Nashville Intersection, this Regulatory SP is consistent with the T4-NC Policy by providing a mixture of uses within a very walkable evolving neighborhood that is lacking in neighborhood supported uses that will be allowed with this zone change.



Proposed Site Standards

AMENDMENT NO. _____

TO

ORDINANCE NO. BL2016-319

Mr. President –

I move to amend Ordinance No. BL2016-319 as follows:

I. By amending Section 4 by deleting it in its entirety and substituting therefore the following:

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

1. The maximum allowable Floor Area Ratio (FAR) per parcel shall be 1.6.
2. The design standards shall comply with the design standards of Alternative districts found within the Urban Zoning Overlay.
3. The parking requirements shall meet the parking standards of the Urban Zoning Overlay.
4. There shall be a minimum of a 40 foot side setback along the northern site of parcel 251 for any building in excess of three (3) stories.
5. 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.
6. Public water and sewer construction plans, if required, must be submitted and approved prior to Final SP approval. A water and sewer availability request shall be made prior to Final SP submittal with required capacity fees paid prior to Final Site Plan/SP approval.
7. The development of Parcel 251 shall include a minimum of 2000 square feet of street level retail space.
8. The development of Parcel 251 shall have at least one residential for sale for a price not to exceed 75% AMI (area median income).
9. The development of Parcel 251 must not result in or cause the removal of the bicycle lanes along Douglas Avenue.
10. The development of Parcel 251 must include completing or filling in the missing sidewalk pieces along the north side of Lischey Avenue, from Parcel 251 to the corner of Marie Street.
11. The development of Parcel 251 will provide at least 1,500 square feet of community commercial space for an urban market and/or grocer.
12. There shall be no street parking on the north side corners of Lischey Avenue and Douglas Avenue curb extensions. Planters or some other form of

streetscaping shall be used to prevent parking on the northwest corner of Lischey Avenue and Douglas Avenue.

13. Building Architecture shall be in general style with materials conducive with the area.

14. Upon submittal of a Final Site Plan, the Applicant will provide the number of employees and/or FAR in order to calculate the required parking.

15. 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.

INTRODUCED BY:

Scott Davis
Member of Council

AMENDMENT NO. _____

TO

ORDINANCE NO. BL2016-324

Mr. President –

I move to amend Ordinance No. BL2016-324 as follows:

I. By amending Section 4 by adding the following additional subsection provisions:

4. This property will not be eligible for short-term rental property (STRP) permits under Metro Code of Laws section 6.28.030.

5. The applicant voluntarily requests that he and his successors comply with Ordinance No. BL2016-133 if associated financial incentives are approved.

INTRODUCED BY:

Colby Sledge
Member of Council

SUBSTITUTE ORDINANCE NO. BL2016-327

An Ordinance amending Section 17.08.030 and Section 17.16.090 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to artisan distilleries, all of which is more particularly described herein (Proposal No. 2016Z-012TX-001).

WHEREAS, Subsection 17.08.030 of the Metropolitan Code of Laws specifies which zoning districts that artisan distilleries are permitted.

WHEREAS, artisan distilleries are permitted in the Core Frame (CF), Downtown Code (DTC), Industrial warehousing/distribution (IWD), Industrial Restrictive (IR), and the Industrial General (IG) zoning districts.

WHEREAS, artisan distilleries are appropriate in other commercial zoning districts.

NOW THEREFORE, BE IT ENACTED BY THE COUNTY OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 17.08.030, District land use tables, is hereby amended by making “artisan distilleries” a “PC” permitted with conditions use under the CA (Commercial Amusement) zoning district.

Section 2. That Chapter 17.16.090, Industrial uses, is hereby amended by adding “artisan distilleries” as “A” and renumbering accordingly; and by adding the following conditions for “artisan distilleries”:

1. The maximum volume of alcohol distilled on site, regardless of ABV is limited to 38,750 gallons per month.
2. The maximum volume of alcohol, regardless of ABV, on site shall not exceed 55,000 gallons.
3. The milling of grain is not permitted on site.

Section 3. That this Ordinance shall take effect five (5) days from and 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:

Jeff Syracuse
Member of Council

AMENDMENT NO.
TO
ORDINANCE NO. BL2016-334

Mr. President –

I move to amend Ordinance No. BL2016-334 as follows:

I. By deleting in its entirety the fourth recital paragraph, which currently begins: "WHEREAS, with the increasing demand...", and replacing it with the following in lieu thereof:

WHEREAS, with the increasing demand for affordable rental housing in Davidson County and the tight rental market conditions, the PILOT Program has and will continue to further MDHA's public purpose by providing additional financial incentives for construction or rehabilitation of affordable housing units through the federally sponsored low income housing tax credit programs resulting in a positive impact on the supply of affordable housing in Davidson County; and

II. By amending Section 2 by deleting the second sentence thereof in its entirety and substituting therefore the following:

Subject to the terms of the PILOT Program and other applicable law, MDHA shall have the authority to negotiate up to \$2,500,000 in in estimated tax abatements through PILOT agreements each calendar year.

III. By amending Section 3 by deleting the second sentence thereof in its entirety and substituting therefore the following:

No such resolution shall be considered by the Metropolitan Council unless a recommendation of the Metropolitan Planning Commission accompanies the resolution.

IV. By adding a new Section 5 stating as set forth below, renumbering the remaining sections as necessary:

SECTION 5. That PILOT agreements approved by the Metropolitan Development and Housing Agency prior to the adoption of this ordinance shall be governed by the requirements of BL 2015-1281.

INTRODUCED BY:

Bob Mendes

Burkley Allen

Colby Sledge
Members of Council

AMENDMENT 1

To

ORDINANCE NO. BL2016-342

Mr. President-

I move to amend Ordinance No. BL2016-342 by deleting Section 1 in its entirety and replacing it with the following:

Section 1. Title 2 of the Metropolitan Code is hereby amended by adding the following new Chapter 2.213 – Affordable and Workforce Housing Incentive Grants.

2.213.010 Definitions.

As used in this Chapter:

“Affordable housing” means housing that, on an annual basis, costs thirty percent (30%) or less than the estimated median household income for households earning sixty percent (60%) or less than the median household income for Davidson County based on the number of persons in the household, as established by the “Median Household Income in the Past 12 Months by Household Size” from the most recently available United States Census Bureau American Community Survey.

“ECD” means the mayor’s office of economic and community development.

“Household” means all people who occupy a housing unit regardless of relationship. A household may consist of a family, a person living alone, or unrelated individuals living together, provided that no more than three unrelated persons shall occupy the same dwelling unit. In order to be counted as an eligible household for purposes of affordable and/or workforce housing incentive grants, the total household income shall not exceed the median household income for the applicable affordable or workforce income category as defined in this section.

“OEOE” means the mayor’s office of economic opportunity and empowerment (OEOE).

“Qualified developer” means a developer of affordable and/or workforce housing that the metropolitan government determines is willing and able to increase the affordable and/or workforce housing stock within Nashville and Davidson County.

“Urban Zoning Overlay (UZO)” means the urban zoning overlay district established pursuant to Article XII of Chapter 17.36 of the metropolitan zoning code.

“Workforce housing” means housing that, on an annual basis, costs thirty percent (30%) or less than the estimated median household income for households earning more than sixty percent (60%) and not in excess of one hundred twenty percent (120%) of the median household income

for Davidson County based on the number of persons in the household, as established by the “Median Household Income in the Past 12 Months by Household Size” from the most recently available United States Census Bureau American Community Survey.

2.213.020 Incentive grants for new units.

- A. The metropolitan government may make incentive grants to qualified developers to assist with the development of new affordable and/or workforce housing within the boundaries of the metropolitan government. Incentive grants may be made both for rental developments and owner-occupied units. Such grant funds shall be disbursed on a reimbursement basis.
 - 1. Rental developments. Owners/developers of new construction rental developments, including developments under construction at the time of application, within the UZO or along a multimodal corridor designated in the Major and Collector Street Plan, excluding Expressways, Freeways, and Ramps may apply for a workforce and/or affordable housing incentive grant. The amount of the incentive grant will be the difference between the average rent for an occupied unrestricted rental housing unit and the average rent for an occupied affordable or workforce housing unit multiplied by the number of occupied affordable or workforce housing rental units for the duration that housing rental units remain affordable or workforce housing. The average rent for an occupied unrestricted rental housing unit will be calculated on a square footage basis using the rental charged for the three unrestricted units within the same development that are most comparable to each individual affordable or workforce housing unit. For purposes of this section, “average rent” includes all ancillary fees charged to all tenants of the development, including parking fees, application fees, association fees, and charges for amenities.
 - 2. Owner-occupied units. The amount of the incentive grant will be a one-time payment of \$10,000 per unit for properties located outside of the urban zoning overlay (UZO) district, and \$20,000 per unit for properties located within the UZO or along a multimodal corridor designated in the Major and Collector Street Plan, excluding Expressways, Freeways, and Ramps. All grants for owner-occupied units shall be conditioned upon the recording of deed restrictions with the Register of Deeds ensuring the units remain designated for affordable and/or workforce housing for the duration provided in the grant agreement. The form of the deed restrictions shall be established in the grant agreement.
- B. The amount of a grant to any one qualified developer of affordable or workforce housing rental units shall not exceed fifty (50) percent of the difference between the annual post-development and pre-development real property ad valorem tax assessment for the calendar year for which an incentive grant is applicable.

2.213.030 Standards for Construction and Occupancy of Affordable and/or Workforce Housing

- A. To ensure livability, the breakdown of bedroom counts of affordable or workforce housing units shall be similar to the breakdown of bedroom counts for the market rate units in the project.

- B. Exteriors of the affordable and/or workforce housing units shall closely resemble the exteriors of other units within the development, and shall use similar construction materials.

2.213.040 Incentive grants for the optional conversion of existing rental units.

Owners of existing rental housing developments shall be eligible for an annual incentive grant if they voluntarily convert market-based rental units to affordable or workforce housing units. Owners of existing affordable and/or workforce rental housing units shall also be eligible to receive an incentive grant if they agree to continue to maintain such units as affordable and/or workforce housing units. The amount of the incentive grant will be the difference between the average rent for an occupied unrestricted rental housing unit and the average rent for an occupied affordable or workforce housing unit multiplied by the number of occupied affordable or workforce housing rental units for the duration that housing rental units remain affordable or workforce housing. The average rent for an occupied unrestricted rental housing unit will be calculated on a square footage basis using the rental charged for comparable unrestricted units within the same census tract that are most comparable to each individual affordable or workforce housing unit, as determined by OEOE. In no event shall the amount of the annual grant be greater than twenty percent (20%) of the real property ad valorem tax assessment for the calendar year for which an incentive grant is applicable.

2.213.050 Administration of grant program.

- A. The affordable and workforce housing grant program shall be administered by OEOE, with assistance from ECD, the finance department, the department of codes administration, and the planning department.
- B. OEOE shall have the authority and responsibility to develop written policies, procedures, rules, and/or regulations to implement this chapter. Such policies shall include the factors to be considered in determining whether a developer is a qualified developer and a mechanism for grantees to annually invoice OEOE for payment of the grant upon submission of reimbursement request.
- C. Incentive grants may be awarded to a qualified developer for either affordable or workforce housing units, or both, provided OEOE shall take reasonable measures to ensure an equitable distribution of grant funds for both affordable and workforce housing.
- D. Any grant made in accordance with the provisions of this section will be memorialized by an agreement between the metropolitan government and the qualified developer. The maximum term for an incentive grant awarded pursuant to this chapter for rental units shall be fifteen (15) years. All owner-occupied units for which one-time incentive grant payments have been made shall be maintained as for-sale affordable/workforce housing for thirty (30) years from the date of initial occupancy. For new developments, the grant agreements shall be finalized prior to a building permit being issued.
- E. All grants awarded pursuant to this chapter shall be approved by the director of the OEOE, metropolitan director of finance, and the metropolitan director of law.

2.213.060 Reimbursement requests.

- A. Not later than February 15 of each year, the grantee shall submit a reimbursement request to the department of finance and OEOE covering the previous calendar year. The reimbursement request shall include at a minimum for each occupied affordable and/or workforce housing rental unit:

1. The number of months and partial months the unit was occupied;
 2. The Median Household Income level applicable to the unit;
 3. The rent charged for the unit; and
 4. The market value rent of the unit calculated based on the three closest comparable units on a square footage basis.
- B. The reimbursement request shall also include the total number of occupied affordable and/or workforce housing units in the development compared to the total number of affordable and/or workforce housing units required pursuant to the grant agreement. The reimbursement request shall also compare the total reimbursement request amount for all occupied affordable and/or workforce housing units and the maximum annual grant allowable for the calendar year covered by the reimbursement request.
- C. The reimbursement request shall include a certification from the chief executive officer of the grantee that the information in the reimbursement request is true, correct and complete and that each occupied affordable and/or workforce housing rental unit was occupied by an eligible household.
- D. The reimbursement request shall be accompanied by an examination conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants conducted by a reputable and licensed independent accountant giving an opinion that the amount of the incentive being requested represents, in all material respects, the incentive grant payment owed in conformity with the grant agreement. The independent accountant shall examine, on a test basis, documentation supporting the eligibility of the occupants of the affordable and/or workforce housing units. Additional reporting requirements may be specified in each grant agreement.
- E. The incentive grant payment shall be remitted to the developer by July 31 of each year and after the approval of the reimbursement request by the finance department.

2.213.070 Cap on total amount of grant awards.

Beginning with fiscal year 2017-2018, the annual amount of all current and previous grants awarded pursuant to this chapter in the aggregate shall not exceed two million dollars (\$2,000,000). The amount budgeted annually will be based upon reimbursement requests received and subject to the maximum set forth in this section. The director of finance and the director of the OEOE shall review the incentive grant program on an annual basis to determine whether the demand for grant funds significantly exceeds the amount of the cap, and shall make a recommendation to the metropolitan council regarding whether the amount of the cap should be adjusted. Any adjustments to the amount of the cap shall be approved by the council by resolution prior to becoming effective.

2.213.080 Noncompliance.

In the event a grantee fails to provide the number of affordable and/or workforce units required for the specified grant term pursuant to the grant agreement, the director of finance shall have the authority to require the grantee to repay the metropolitan government for all grant funds disbursed for affordable and/or workforce housing units in accordance with the provisions of the grant agreement. The director of finance shall have the authority to pursue all other remedies at law or in equity to ensure the availability of the affordable and/or workforce housing units required under the grant agreement.

2.213.090 Grants subject to funding availability.

All agreements for affordable and/or workforce housing incentive grants to be funded by the metropolitan government shall expressly provide that the metropolitan government's financial obligations thereunder are conditioned upon the appropriation of funds by the metropolitan council. The metropolitan government shall have no obligation to make an affordable and/or workforce housing incentive grant if adequate funds are not available. If an incentive grant payment is not made as a result of lack of funding pursuant to this section, the grantee shall be relieved from the obligation to maintain the required number of affordable and/or workforce housing units.

2.213.100 Sunset provision.

The provisions of this chapter shall expire and be null and void three years after its enactment ("sunset date") unless extended by resolution of the metropolitan council. This provision, commonly known as a "sunset provision," is included to ensure that the effectiveness and necessity of this chapter is reviewed by the metropolitan council after its adoption. If the provisions of this chapter are not extended by resolution of the metropolitan council before the sunset date, no incentive grants shall be awarded after the sunset date. This sunset provision shall not operate to terminate any existing grant agreement in effect on the sunset date, except for a lack of available funds in accordance with Section 2.213.090.

Introduced by:

Member of Council

AMENDMENT NO. _____

TO

ORDINANCE NO. BL2016-343

Mr. President –

I move to amend Ordinance No. BL2016-343 as follows:

I. By amending Section 1 by adding the following text at the end of proposed section 13.18.020 proposed therein:

4. Nothing in this Chapter authorizes an Attacher to perform any act that subjects an Owner or Pre-Existing Third Party User to liability for breach of any existing contract (including but not limited to an existing collective bargaining agreement) relating to installation, maintenance or use of an Pre-Existing Third Party's communications equipment, antenna, line or facility of any kind, or any act that interferes with any Owner's or Pre-Existing Third Party User's existing contract (including but not limited to an existing collective bargaining agreement) relating to installation, maintenance or use of an Pre-Existing Third Party's communications equipment, antenna, line or facility of any kind.

INTRODUCED BY:

Kathleen Murphy
Member of Council