



METROPOLITAN COUNCIL

Member of Council

Scott Davis
District 5 Councilman

206 Queen Avenue • Nashville, Tennessee 37207
615 554-9730

May 16, 2016

TO: Vice Mayor David Briley & Members of Council

FROM: Scott Davis
Councilman, District 5

RE: **BL2016-173**

On May 16, I plan to introduce a substitute to ordinance BL2016-173. The original ordinance BL2016-173 was approved by the Planning Commission with conditions, and disapproved without said conditions. This Substitute would modify what was previously presented to the Planning Commission, most notably altering the minimum nonresidential use percentage from sixty percent (60%) to twenty percent (20%). As a result, the Planning Department staff would now recommend disapproval, and the Substitute Ordinance must therefore be treated as a disapproved matter requiring a two-thirds majority of the Council for passage. (Charter, §18.02)

Additionally, the Substitute Ordinance may permit a significant increase in the number of dwelling units (from the 445 currently permitted), based upon an increase in the floor area ration (FAR) to 3. However, I have added a cap of 1,000 units to the Substitute. I have also included deed restrictions for this legislation.

Thank you for your consideration and cooperation concerning this request.

Sincerely,

Scott Davis
Councilman, District 5

SD/rh
Attachments

SUBSTITUTE ORDINANCE NO. BL2016-173

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 IR to SP zoning for properties located at 2034 and 2037 Pittway Drive and Oakwood Avenue (unnumbered), approximately 1,400 feet north of East Trinity Lane (20.61 acres), to permit a mixed-use development, all of which is described herein (Proposal No. 2016SP-016-001).

WHEREAS, Nashville and Davidson County has observed significant cost appreciation and housing turnover within central areas of the city; and

WHEREAS, an estimated 24% of homeowners and 46% of renters in Nashville are cost-burdened; and

WHEREAS, the phenomenon of cost appreciation and housing turnover can lead to the displacement of cost-burdened households and subsequent gentrification; and

WHEREAS, 29% of all home sales in Nashville and Davidson County in 2015 were affordable to a buyer earning 80% of the average median income (AMI) for a 2.5 person household; and

WHEREAS, much of the housing that is affordable to buyers earning 80% AMI is outside of central areas of Nashville, with poor access to public transit, services, and employment; and

WHEREAS, the development proposed herein is located adjacent to public transit, services, and employers; and

WHEREAS, developer Dale & Associates has voluntarily requested the opportunity to provide affordable and/or workforce housing at this site; and

WHEREAS, developer Dale & Associates has declared its intent and commitment to construct affordable and/or workforce housing at this site, as indicated in the Declaration of Covenants and Restrictions attached hereto as Exhibit A, and to prepare and execute a binding deed restriction to this effect.

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 IR to SP zoning for properties located at 2034 and 2037 Pittway Drive and Oakwood Avenue (unnumbered), approximately 1,400 feet north of East Trinity Lane (20.61 acres), to permit a mixed-use development, being Property Parcel Nos. 002, 021, 023, 024, 026 as designated on Map 072-00 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 072 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 MUG-A zoning district.

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

1. Height is limited to two stories and 35 feet along the northern property boundary and along Oakwood Avenue. No structure can exceed five stories.
2. No more than 20% of the total floor area shall be used for non-residential uses.
3. Non-residential uses shall be prohibited fronting Oakwood Avenue.
4. A standard class 'D' landscape buffer yard is required along the entire northern property line.
5. Sidewalks on Oakwood Avenue are required to be improved with a 5' planting strip and a 6' sidewalk.
6. Along Oakwood Avenue vehicular access is limited to two access points.
7. Building façades fronting a street shall provide direct pedestrian entrances for a minimum of 50% of the ground floor units along each street frontage and a minimum of 25% glazing.
8. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers or egress windows.
9. EIFS, vinyl siding and untreated wood shall be prohibited.
10. A raised foundation of 18"-36" is required along all public streets.
11. 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.
12. 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.
13. No more than one thousand (1,000) residential dwelling units shall be developed on the property.

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 MUG-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:

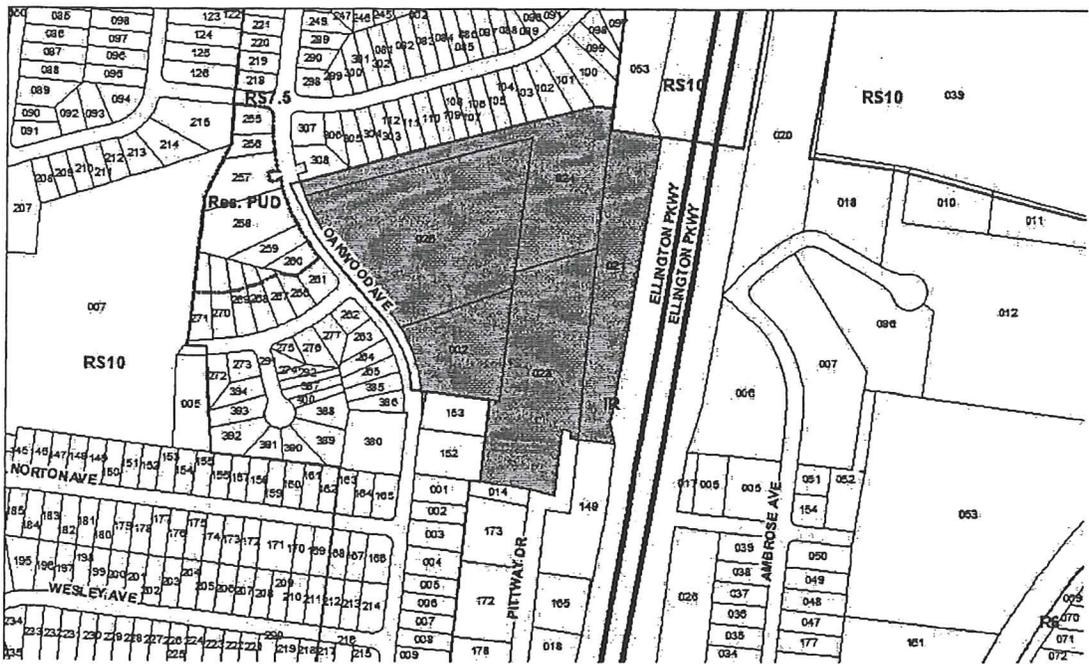
Scott Davis
Member of Council

[View Sketch](#)

[View Site Plan](#)

2016SP-016-001
OAKWOOD AVENUE SP
Map 072, Parcel(s) 002, 021, 023, 024, 026
Subarea 05, East Nashville
District 05 (S. Davis)

A request to rezone from IR to SP zoning for properties located at 2034 and 2037 Pittway Drive and Oakwood Avenue (unnumbered), approximately 1,400 feet north of East Trinity Lane (20.61 acres), to permit a mixed-use development, requested by Dale & Associates, applicant; Robert and Patricia Johnson, owners.



Oakwood Avenue Specific Plan (SP)

Development Summary	
SP Name	Oakwood Avenue Specific Plan
SP Number	2016SP-016-001
Council District	05
Map & Parcel	Map 072, Parcel(s) 002, 021, 023, 024, 026

Site Data Table	
Site Data	20.61
Existing Zoning	IR
Proposed Zoning	SP-MU
Allowable Land Uses	Commercial, Office & Residential

Specific Plan (SP) Standards

1. Uses within this SP shall be limited to those permitted under the MUG-A zoning district.
2. Height is limited to two stories and 35 feet along the northern property boundary and along Oakwood Avenue. No structure can exceed five stories.
3. At least 60% of the total floor area shall be used for non- residential uses.
4. Non- residential uses shall be prohibited fronting Oakwood Avenue.
5. A standard class 'D' landscape buffer yard is required along the entire northern property line.
6. Sidewalks on Oakwood Avenue are required to be improved with a 5' planting strip and a 6' sidewalk.
7. Along Oakwood Avenue vehicular access is limited to two access points.
8. Building façades fronting a street shall provide direct pedestrian entrances for a minimum of 50% of the ground floor units along each street frontage and a minimum of 25% glazing.
9. Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers or egress windows.
10. EIFS, vinyl siding and untreated wood shall be prohibited.
11. A raised foundation of 18"-36" is required along all public streets.
12. 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.
13. 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 MUG-A zoning district as of the date of the applicable request or application.
14. 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 05). The proposed SP is located in the following policy area:

- District Employment Center (D EC)

An urban form with improved pedestrian facilities is consistent with policy in this location.



Proposed Site Standards

DECLARATION OF COVENANTS AND RESTRICTIONS

This Declaration of Covenants and Restrictions is made this 3rd day of May, 2016 by Ahmed three LLC, a Tennessee Limited Liability Cooperation (hereinafter known as ("Owner") Owner is the fee simple owner of the following described property (the "Property") in Davidson County, Tennessee to wit:

See SUBSTITUTE ORDINANCE NO. BL2016-173

As a possible consideration of receipt of affordable housing assistance funds, workforce development funds, infrastructure assistance, and or work force housing funds from the Metro Government, the Project Owner, for itself and all successors to the property, agrees that:

1. OCCUPANCY BY MEDIUM AND OR LOW-INCOME PERSONS

Thirty percent (30%) of the properties units must remain as housing for medium to low-income persons, with 90% of such units maintained for the use of occupancy only by individual households with adjusted gross incomes at or below eighty percent (80%) of said median income, and 3 units will be for individuals with adjusted gross income of fifty percent (50%) or below average median income for a period of 15 years from the date of the recording of this deed.

Submitted
Scott Davis
May 3, 2016

2. SALE OR REFINANCING OF PROPERTY

The Metro Government, who's mailing address is 1 Public Square, Suite 204, P.O. Box 196300, Nashville, TN 37209, is to be given notice of any sale, refinancing, or change in the ownership of the Project occurring prior to the end of the Retention Period;

Approval of a sale or refinancing of the Project prior to the end of the Affordability Period must be obtained from the Metro Government unless the Project continues to be subject to a deed restriction or other legally enforceable retention agreement or mechanism incorporating the income eligibility and affordability restrictions committed to in this program (as stated above) for the duration of the Retention Period.

3. TERMINATION. The income-eligibility and affordability restrictions applicable to the Project terminate after any foreclosure.

IN TESTIMONY WHEREOF, witness the hands of the parties on this the 3rd day of May 2016

Ahmed Three LLC *Salma Ahmed*
By: *[Signature]*
Its: *Manager*

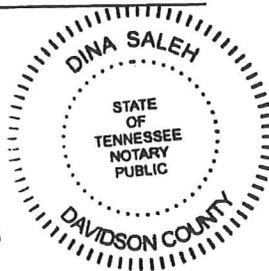
STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me Dina Saleh, a Notary Public of the State and County of aforesaid, personally appeared Salma Ahmed, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be The Principle of Ahmed three LLC, the within named bargainer, a Limited Liability Company and that as such Salma Ahmed being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the Limited Liability Company by herself as Principle.

WITNESS my hand and official seal at Nashville, Davidson County, Tennessee, this 3

Day of May 2016

[Signature]
my commission exp: ~~1/1/18~~ 3/3/20
[Signature]



AMENDMENT NO. _____

TO

ORDINANCE NO. BL2016-196

Mr. President –

I move to amend Ordinance No. BL2014-196 by amending Section 1 to substitute the plan referenced with the attached plan.

INTRODUCED BY:

Burkley Allen
Member of Council

SPECIFIC PLAN

CASE NO: 2016SP-022-001

1710 Belcourt Apartments

Nashville, Davidson County, Tennessee

January 28, 2016
 REVISED February 25, 2016
 REVISED May 13, 2016

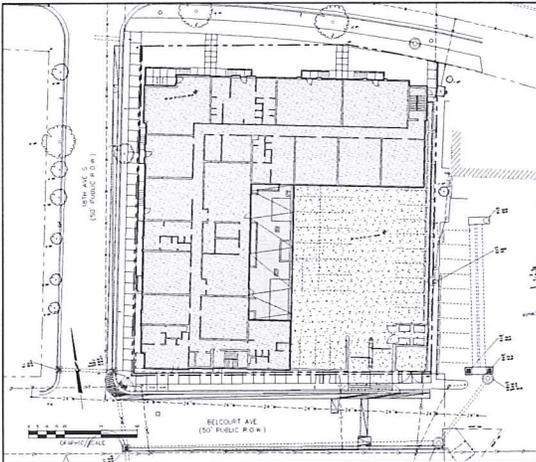


DEVELOPMENT SUMMARY / SITE DATA

PROJECT NAME	1710 BELCOURT APARTMENTS
OWNER	GBT REALTY CORP.
ARCHITECT	EOA ARCHITECTS
ENGINEER	WATKINS ENGINEERING
PLANNING	DAVIDSON COUNTY PLANNING DEPARTMENT
DATE	1/28/16
SCALE	AS SHOWN
PROJECT LOCATION	1710 BELCOURT AVENUE, NASHVILLE, TN 37203
PROJECT TYPE	RESIDENTIAL APARTMENTS
PROPOSED USE	RESIDENTIAL APARTMENTS
PROPOSED HEIGHT	4 STORIES
PROPOSED AREA	10,000 SQ. FT.
PROPOSED DENSITY	10 UNITS PER ACRE
PROPOSED PARKING	10 SPACES
PROPOSED UTILITIES	SEE SITE PLAN
PROPOSED LANDSCAPE	SEE LANDSCAPE PLAN
PROPOSED DEMOLITION	SEE DEMOLITION PLAN
PROPOSED SITE UTILITIES	SEE SITE UTILITIES PLAN
PROPOSED SITE GRADING & DRAINAGE	SEE SITE GRADING & DRAINAGE PLAN
PROPOSED SITE DEMOLITION	SEE SITE DEMOLITION PLAN
PROPOSED SITE LAYOUT	SEE SITE LAYOUT PLAN
PROPOSED SITE GRADING & DRAINAGE	SEE SITE GRADING & DRAINAGE PLAN
PROPOSED SITE UTILITIES	SEE SITE UTILITIES PLAN

PROPOSED LAND USE TABLE (QUALIFYING USES)

- DEVELOPMENT SUMMARY & NOTES**
1. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE DAVIDSON COUNTY PLANNING DEPARTMENT AND THE DAVIDSON COUNTY COMMISSION.
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INDEX OF SHEETS

SHEET NO.	SHEET TITLE
C0.0	COVER SHEET
C1.0	EXISTING CONDITIONS
C2.0	SITE DEMOLITION
C3.0	SITE LAYOUT
C4.0	SITE GRADING & DRAINAGE
C5.0	SITE UTILITIES
L1.0	SITE LANDSCAPE
L2.0	LANDSCAPE DETAILS
A0.00	LANDSCAPE PLAN
A1.00	PARKING LEVEL PLAN
A1.01	FIRST FLOOR PLAN - RESIDENTIAL
A1.02	SECOND THROUGH FOURTH FLOOR PLAN - RESIDENTIAL
A2.01	NORTH & WEST ELEVATIONS
A2.02	EAST & SOUTH ELEVATIONS
P1	PERSPECTIVE - WEDGEWOOD & 18TH AVE.
P2	PERSPECTIVE - 18TH AVE. & BELCOURT
P3	PERSPECTIVE - AERIAL AT WEDGEWOOD & 18TH AVE.
P4	PERSPECTIVE - SOUTHEAST

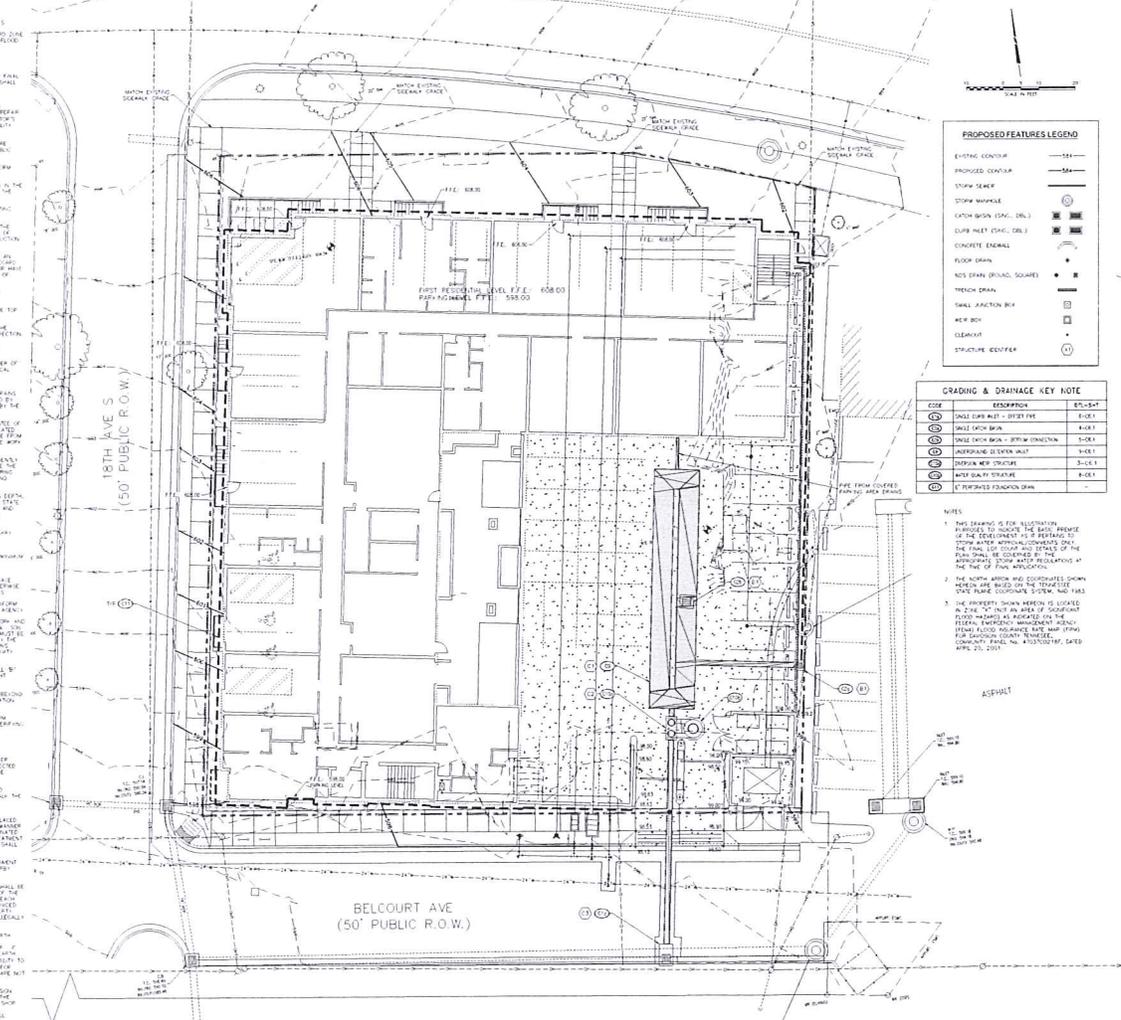
ARCHITECT:
 EOA ARCHITECTS
 515 Main St.
 Nashville, Tennessee 37206
 615-242-4004

PREPARED FOR:
 GBT REALTY CORPORATION
 9010 Overlook Blvd.
 Brentwood, Tennessee 37027
 615-370-0670



SITE GRADING & EROSION CONTROL NOTES

1. THE DISTURBED AREA FOR THIS PROJECT IS APPROXIMATELY 600 SQUARE FEET.
2. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A DESIGN FLOOD HAZARD ZONE AS SHOWN ON THE FLOOD HAZARD MAP OF THE COUNTY, TENNESSEE, AND AN EFFECTIVE DATE OF DECEMBER 1, 2001.
3. CONSTRUCT SIX BARRIERS BEFORE BEGINS GRADING OPERATIONS.
4. MAINTAIN AND PROTECT ALL EXISTING TREES AS FAR AS POSSIBLE. AFTER FINAL GRADING IS COMPLETED, PROTECT EXISTING TREES WITH PROTECTIVE BARRIERS AND MULCH. TREES WITHIN THE PROTECTIVE BARRIERS SHOULD BE PROTECTED BY THE CONTRACTOR.
5. THE CONTRACTOR SHALL MAINTAIN THE EXISTING GRADING AND SOIL STABILIZATION UNLESS TAKE CARE TO PROTECT EXISTING TREES TO REMAIN. BEFORE ANY GRADING OPERATIONS, THE CONTRACTOR SHALL MAINTAIN THE EXISTING GRADING UNLESS TAKE CARE TO PROTECT EXISTING TREES TO REMAIN.
6. PROVIDE TEMPORARY CONSTRUCTION ACCESS AT THE POINTS WHERE CONSTRUCTION ACCESS IS REQUIRED. PROVIDE ACCESS TO THE ROADWAY AND TO THE PROPERTY FREE OF TRAFFIC AND OBSTACLES.
7. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES IN THE FIELD PRIOR TO BEGINS GRADING OPERATIONS AND TO MAINTAIN ACCESS TO THE EXISTING UTILITIES.
8. THE CONTRACTOR SHALL MAINTAIN THE EXISTING GRADING AND SOIL STABILIZATION UNLESS TAKE CARE TO PROTECT EXISTING TREES TO REMAIN.
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20. IN NO CASE SHALL EXISTING GRADING BE CHANGED OR EXCAVATED DEEPER THAN THE EXISTING GRADING UNLESS TAKE CARE TO PROTECT EXISTING TREES TO REMAIN.
21. THE CONTRACTOR SHALL MAINTAIN THE EXISTING GRADING AND SOIL STABILIZATION UNLESS TAKE CARE TO PROTECT EXISTING TREES TO REMAIN.
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PROPOSED FEATURES LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- STORM SEWER
- STORM MANHOLE
- CONCRETE DRIVE (SLOPE)
- CONCRETE DRIVE (SLOPE)
- CONCRETE DRIVE (SLOPE)
- FLOOR DRAIN
- NOISE DRAIN (SLOPE SQUARE)
- TRENCH DRAIN
- SMALL JUNCTION BOX
- MAN BOX
- CLEANOUT
- STRUCTURE ELEVATOR

GRADING & DRAINAGE KEY NOTE

CODE	DESCRIPTION	ELEVATION
1	GRADE DRIVE AID - DRIVE PAV.	4.001
2	GRADE DRIVE BRK.	4.001
3	GRADE DRIVE BRK. - DRIVE CONCRET.	4.001
4	ASPHALT DRIVE BRK.	4.001
5	DRIVEWAY NEW STRUC.	3.001
6	DRIVEWAY NEW STRUC.	4.001
7	EXISTING DRIVEWAY BRK.	-

- NOTES**
1. THIS DRAWING IS FOR INFORMATION PURPOSES TO INDICATE THE BASIC LAYOUT OF THE DEVELOPMENT. THE EXACT LAYOUT OF THE DEVELOPMENT IS TO BE DETERMINED BY THE ENGINEER. THE EXACT LAYOUT OF THE DEVELOPMENT IS TO BE DETERMINED BY THE ENGINEER. THE EXACT LAYOUT OF THE DEVELOPMENT IS TO BE DETERMINED BY THE ENGINEER.
 2. THE NORTH ARROW AND COORDINATES SHOWN HEREIN ARE BASED ON THE TENNESSEE STATE PLANE COORDINATE SYSTEM, NAD 83.
 3. THE PROPERTY SHOWN HEREIN IS LOCATED IN THE 10' ZONE OF THE ADJACENT PROPERTY OWNERS AS SHOWN ON THE PLAT. THE PROPERTY SHOWN HEREIN IS LOCATED IN THE 10' ZONE OF THE ADJACENT PROPERTY OWNERS AS SHOWN ON THE PLAT.

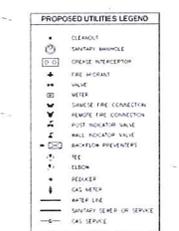
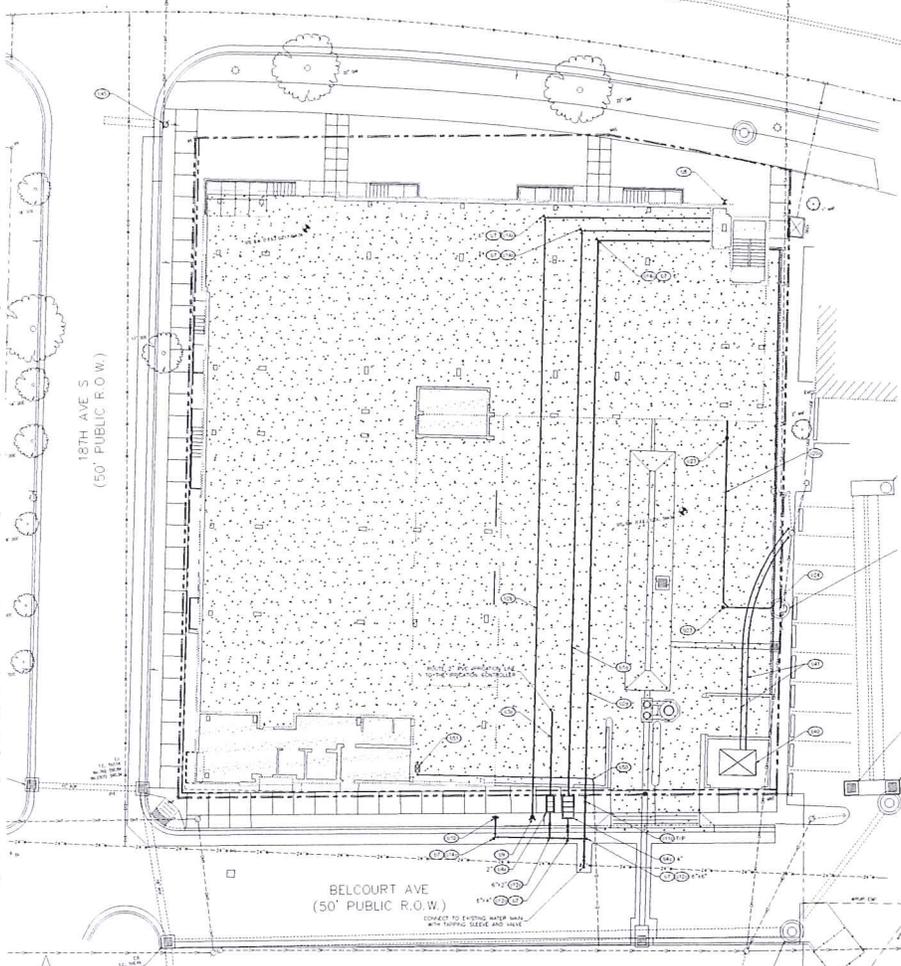
Littlejohn
An S&ME Company

Design Development
1710 Belcourt Apartments
NASHVILLE, TENNESSEE

C4.0
GRADING AND DRAINAGE

SITE UTILITY NOTES

1. THE PROJECT SITE IS SHOWN ON AERIAL PHOTOGRAPH TO BE 45 FEET WIDE.
2. THE SANITARY SEWER SHALL BE OF THE MATERIAL INDICATED ON THE PLAN AND ALL CONNECTIONS SHALL BE MADE TO THE EXISTING MAIN SANITARY SEWER LINE WHICH IS LOCATED AS SHOWN ON THE PLAN.
3. ALL WATER LINES, SEWER LINES AND APPURTENANCES SHALL BE OF MATERIALS AND CONSTRUCTION THAT CONFORM TO THE LOCAL AGENCY STANDARDS AND REGULATIONS.
4. PROVIDE A MINIMUM 12" COVER OVER ALL WATER LINES.
5. THE CONTRACTOR SHALL VERIFY THE EXISTING HORIZONTAL SEPARATION BETWEEN SANITARY SEWER LINES AND WATER LINES. WHERE THESE SYSTEMS CANNOT BE SEPARATED, THE CONTRACTOR SHALL MAINTAIN A MINIMUM 18" HORIZONTAL SEPARATION BETWEEN WATER AND SEWER LINES.
6. THE CONTRACTOR SHALL FIELD VERIFY THE EXISTING HORIZONTAL AND VERTICAL LOCATION OF EXISTING WATER MAINS OR SANITARY SEWER LINES AT THE POINT OF CONNECTION PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE SEPARATION OF EXISTING SANITARY SEWER LINES FROM WATER LINES TO MEET THE MINIMUM HORIZONTAL SEPARATION REQUIREMENTS.
8. THE LOCATION OF EXISTING UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO COMMENCING WORK. THE CONTRACTOR SHALL MAINTAIN A MINIMUM 18" HORIZONTAL SEPARATION BETWEEN WATER AND SEWER LINES AT ALL POINTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE SEPARATION OF EXISTING UTILITIES FROM THE PROJECT SITE.
9. BEFORE CONNECTIONS ARE MADE INTO EXISTING UTILITIES, THE NEW LINES ARE TO BE PROTECTED AND COVERED BY THE CONTRACTOR IN ACCORDANCE WITH THE LOCAL WATER AND SEWER DEPARTMENT REGULATIONS.
10. ALL TRENCHES CUT IN EXISTING ROADS OR DRIVEWAYS SHALL UTILIZE A CLEAN SAND FILLING AND SHALL BE COVERED TO MEET THE LOCAL WATER AND SEWER DEPARTMENT REGULATIONS.
11. REPAIR ALL DAMAGE TO EXISTING FEATURES (E.G. DRIVEWAYS, SIDEWALKS, LANDSCAPING, ETC.) TO PRE-CONSTRUCTION CONDITION.
12. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY AND NECESSARY PERMITS TO OBTAIN THE NECESSARY PERMITS FROM THE LOCAL WATER AND SEWER DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL WATER AND SEWER DEPARTMENT.
13. PROTECTED PRESSURE BACKFLOW PREVENTER (BPF) OR DUAL CHECK VALVE SHALL BE INSTALLED ON ALL WATER MAINS AND ALL SANITARY SEWER LINES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL WATER AND SEWER DEPARTMENT.
14. COORDINATE THE EXISTING LOCATION OF ALL UTILITIES ENTERING THE BUILDING WITH THE PLUMBING PLANS.
15. WATER MAINS SHALL BE AT LEAST 24" DEEP AND SHALL BE 24" FROM THE FACE OF THE FOUNDATION WALL.
16. THE CONTRACTOR SHALL VERIFY PROPOSED PIPE LOCATIONS, EXISTING FIRE MAINS AND ALL OTHER UTILITIES ENTERING THE BUILDING.
17. REPAIR EXISTING PAVEMENT, CURBS, WALKS, LANDSCAPING, ETC. THAT ARE DAMAGED BY CONSTRUCTION ACTIVITIES TO THE ORIGINAL CONDITION AND AT THE CONTRACTOR'S EXPENSE.
18. THE PROPOSED GAS LINE CONSTRUCTION AND INSTALLATION SHALL BE COORDINATED WITH THE LOCAL GAS COMPANY BY THE CONTRACTOR.
19. THE PROPOSED ELECTRICAL LINE CONSTRUCTION AND INSTALLATION SHALL BE COORDINATED WITH THE LOCAL ELECTRICAL COMPANY BY THE CONTRACTOR.
20. THE PROPOSED TELEPHONE LINE CONSTRUCTION AND INSTALLATION SHALL BE COORDINATED WITH THE LOCAL TELEPHONE COMPANY BY THE CONTRACTOR.
21. WHERE DAMAGE TO UTILITIES OCCURS IN EXISTING TRENCHES, THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING THE DAMAGE TO THE UTILITIES AND THE TRENCHES TO ORIGINAL CONDITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL WATER AND SEWER DEPARTMENT.
22. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES ENTERING THE BUILDING WITH THE PLUMBING PLANS.
23. EXISTING EXTERIOR LIGHTS IN PAVEMENT AREAS SHALL BE ADJUSTED TO ENSURE THAT THE TOP OF EXISTING LIGHTS ARE AT THE FINISHED GRADE.
24. WATER SERVICES SHALL BE AT THE CORNER AND SHALL ADJUST TO CONFORM WITH THE LOCAL DEPARTMENT.
25. THE LOCATION OF ALL MANHOLES SHALL BE COORDINATED WITH THE LOCAL WATER AND SEWER DEPARTMENT.
26. ALL WATER LINE SERVICES SHALL TERMINATE AT A WATER BOX LOCATED TO MEET THE LOCAL DEPARTMENT REGULATIONS.
27. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY PROTECTIVE MEASURES TO PREVENT DAMAGE TO EXISTING UTILITIES FROM CONSTRUCTION OF THIS PROJECT. AT THE POINT OF CONNECTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL WATER AND SEWER DEPARTMENT.
28. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL WATER AND SEWER DEPARTMENT.
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39. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL WATER AND SEWER DEPARTMENT.
40. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL WATER AND SEWER DEPARTMENT.



SITE UTILITY KEY NOTE

CODE	DESCRIPTION	PLAN/SECTION
○	1. SANITARY SEWER LINE	18-02
○	2. WATER LINE	18-02
○	3. GAS MAIN	18-02
○	4. FIBER OPTIC LINE	18-02
○	5. FIRE HYDRANT	18-02
○	6. SANITARY FIRE CONNECTION	18-02
○	7. SEWER FIRE CONNECTION	18-02
○	8. FIRE HYDRANT VALVE	18-02
○	9. WATER HYDRANT VALVE	18-02
○	10. SANITARY PREVENTER	18-02
○	11. FIRE	18-02
○	12. FIBER	18-02
○	13. GAS MAIN	18-02
○	14. WATER LINE	18-02
○	15. SANITARY SEWER OR SERVICE	18-02
○	16. GAS SERVICE	18-02

- NOTES**
1. REFER TO THE PLUMBING PLANS.
 2. REFER TO THE ELECTRICAL PLANS.
 3. COORDINATE FIELD AND AERIAL PHOTOGRAPH CONDUITING WITH THE TELEPHONE PLANS.

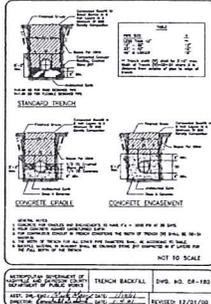


Design Development
1710 Belcourt Apartments
 NASHVILLE, TENNESSEE

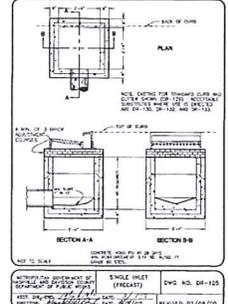


NO.	REVISION

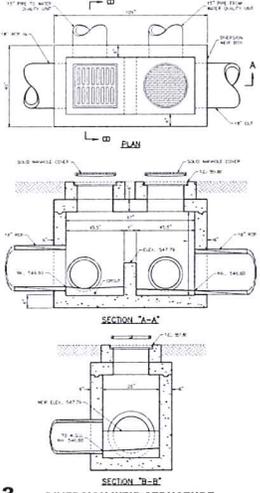
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 SITE UTILITIES



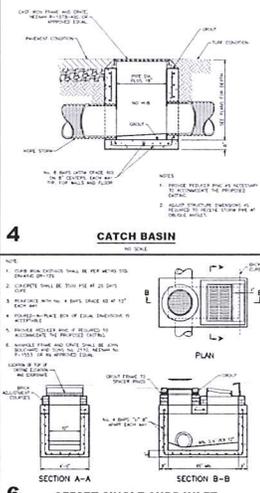
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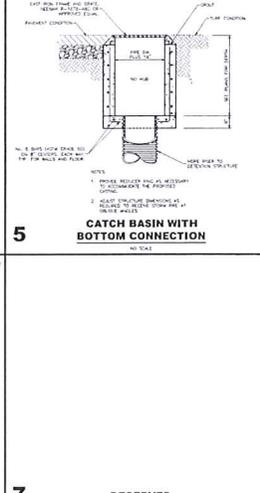
2 SINGLE CURB INLET
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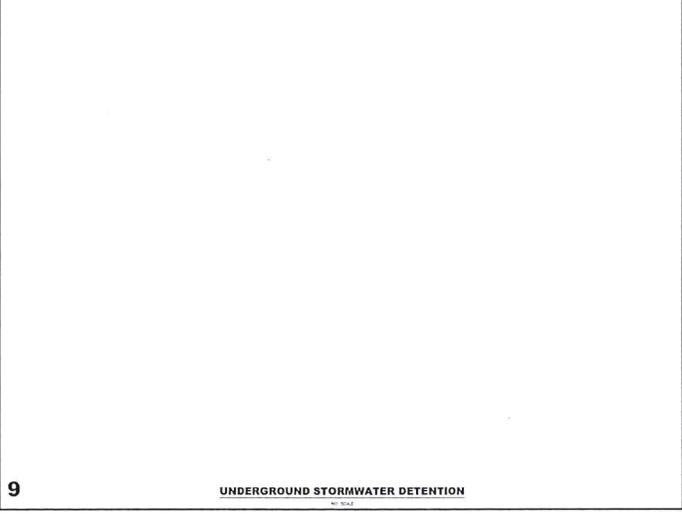
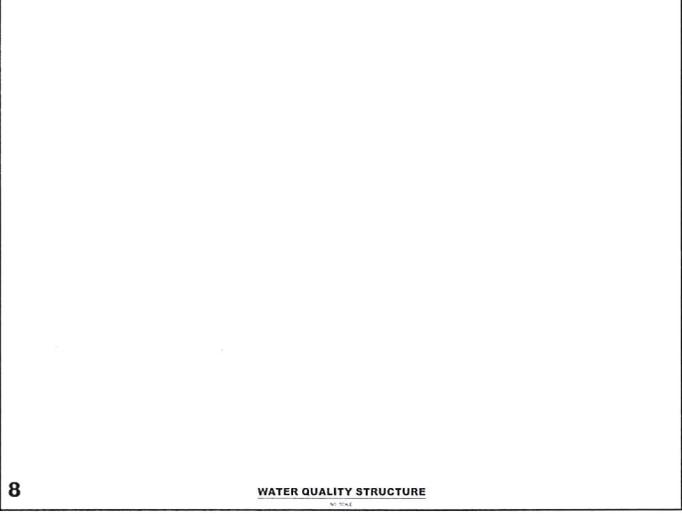
3 DIVERSION WEIR STRUCTURE
NO SCALE



6 OFFSET SINGLE CURB INLET
NO SCALE



7 RESERVED
NO SCALE

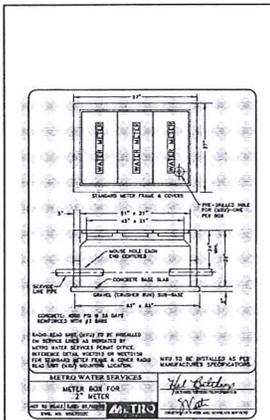


Design Development
1710 Belcourt Apartments
NASHVILLE, TENNESSEE

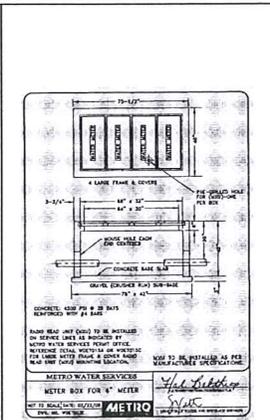


DATE	REVISION
04.20.15	STAFFORD

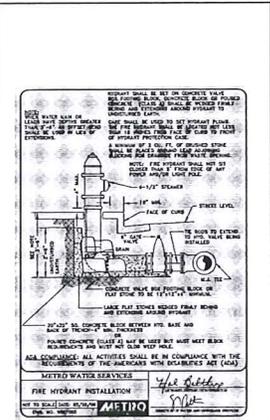
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SITE DETAILS



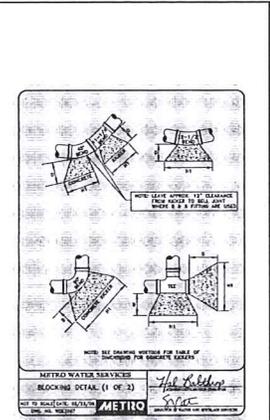
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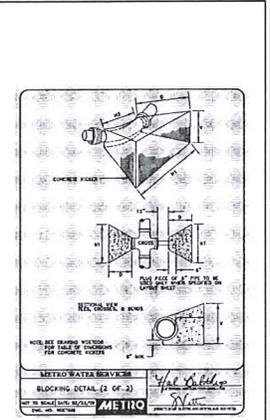
2 4" WATER METER



3 FIRE HYDRANT INSTALLATION



4 THRUST BLOCKING

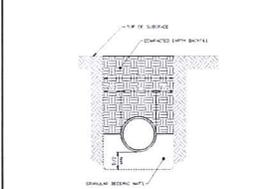


5 THRUST BLOCKING

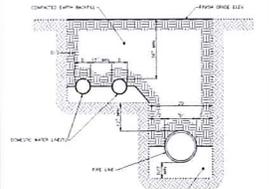
TABLE OF DIMENSIONS FOR CONCRETE KICKERS

PIPE SIZE	1/2"	3/4"	1"	1 1/4"	1 1/2"	2"	2 1/2"	3"	3 1/2"	4"	4 1/2"	6"	8"	10"	12"
LENGTH	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"
WIDTH	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"
HEIGHT	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"	12"

6 THRUST BLOCKING DIMENSIONS



7 WATER OR SEWER PIPE TRENCH



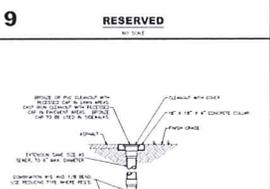
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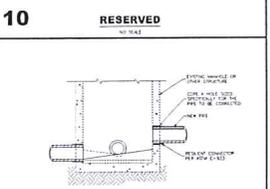
9 RESERVED



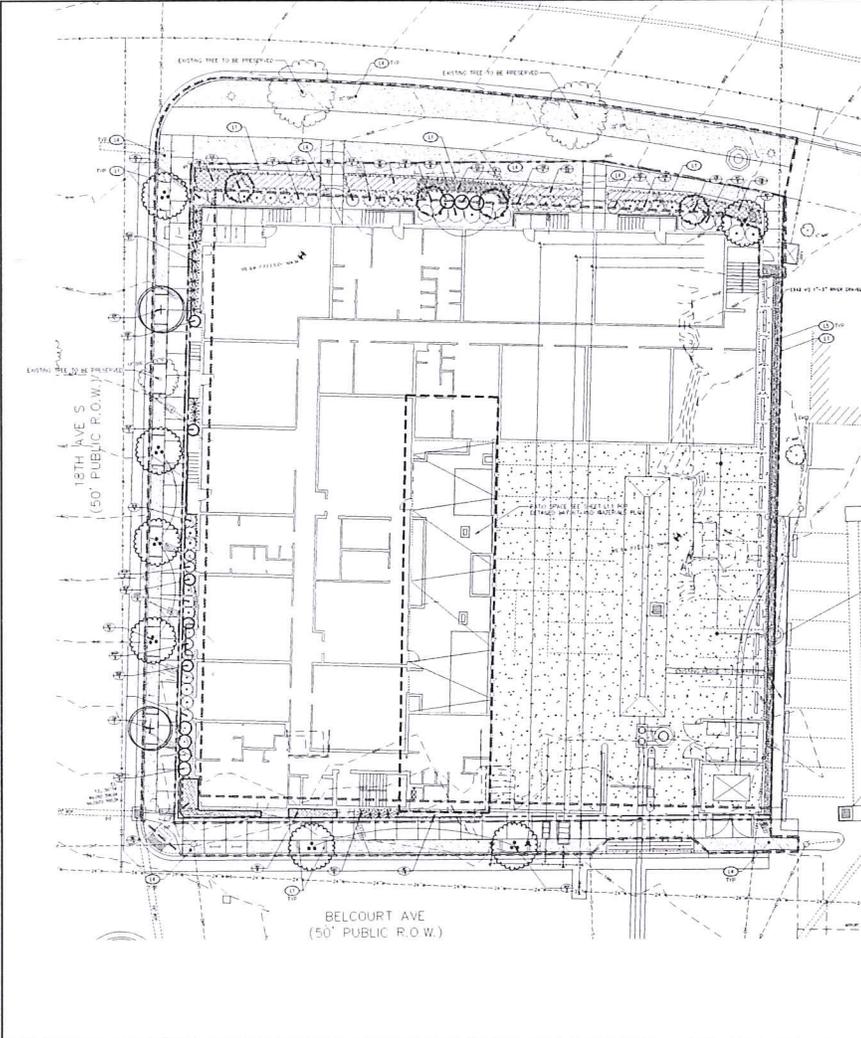
10 RESERVED



13 CLEANOUTS



14 CORED CONNECTION TO EXISTING STRUCTURE



LANDSCAPE DATA

PROJ. NO. 18-001
 DATE: 08/20/18
 DRAWN BY: J. S. [unreadable]
 CHECKED BY: [unreadable]

SITE TREE DENSITY CALCULATIONS

ADJACENT TO PARKING	0.25	24	24
ADJACENT TO DRIVE	0.25	24	24
ADJACENT TO SIDEWALK	0.25	24	24
ADJACENT TO DRIVE	0.25	24	24
TOTAL TREE DENSITY	1.00	96	96

LEGEND

PROPOSED TREE

EXISTING TREE

PROPOSED DRIVE

PROPOSED SIDEWALK

PROPOSED WALKWAY

LANDSCAPE KEYNOTES

CODE	DESCRIPTION	SEE SHEET #
1	PLANTING BED LIMITS	8-12.0
2	IRRIGATION LAYOUT	8-12.0
3	AREA TO BE SEEDED	SEE SPEC
4	AREA TO BE SODDED	SEE SPEC
5	AREA TO BE 12" x 12" W/ 1/2" GRAVEL	8-12.0
6	12" x 12" W/ 1/2" GRAVEL	8-12.0

GROUNDCOVER SCHEDULE

SYMBOL	DESCRIPTION	SCALE
[Symbol]	GRASS	1:1
[Symbol]	GRASS	1:1

PLANT SCHEDULE

SYMBOL	DESCRIPTION	QTY	SIZE	SPACING	NOTES
1	BRANCHING TREE	1	12"	12"	BRANCHING TREE
2	BRANCHING TREE	1	12"	12"	BRANCHING TREE
3	BRANCHING TREE	1	12"	12"	BRANCHING TREE
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Littlejohn
 An S&ME Company

Design Development
 1710 Belcourt Apartments
 NASHVILLE, TENNESSEE

DATE: 08-20-18
 DRAWN BY: J. S. [unreadable]
 CHECKED BY: [unreadable]

L1.0
 LANDSCAPE PLAN

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1 LANDSCAPE PLAN



EOA ARCHITECTS PLLC
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NASHVILLE, TENNESSEE 37203
615.259.4444
615.259.7465
WWW.EOA-ARCHITECTS.COM

1710 APARTMENTS

1710 BELCOURT AVENUE
NASHVILLE, TN



100% DESIGN DEVELOPMENT

REVISIONS	
001	DATE
002	DATE
003	DATE

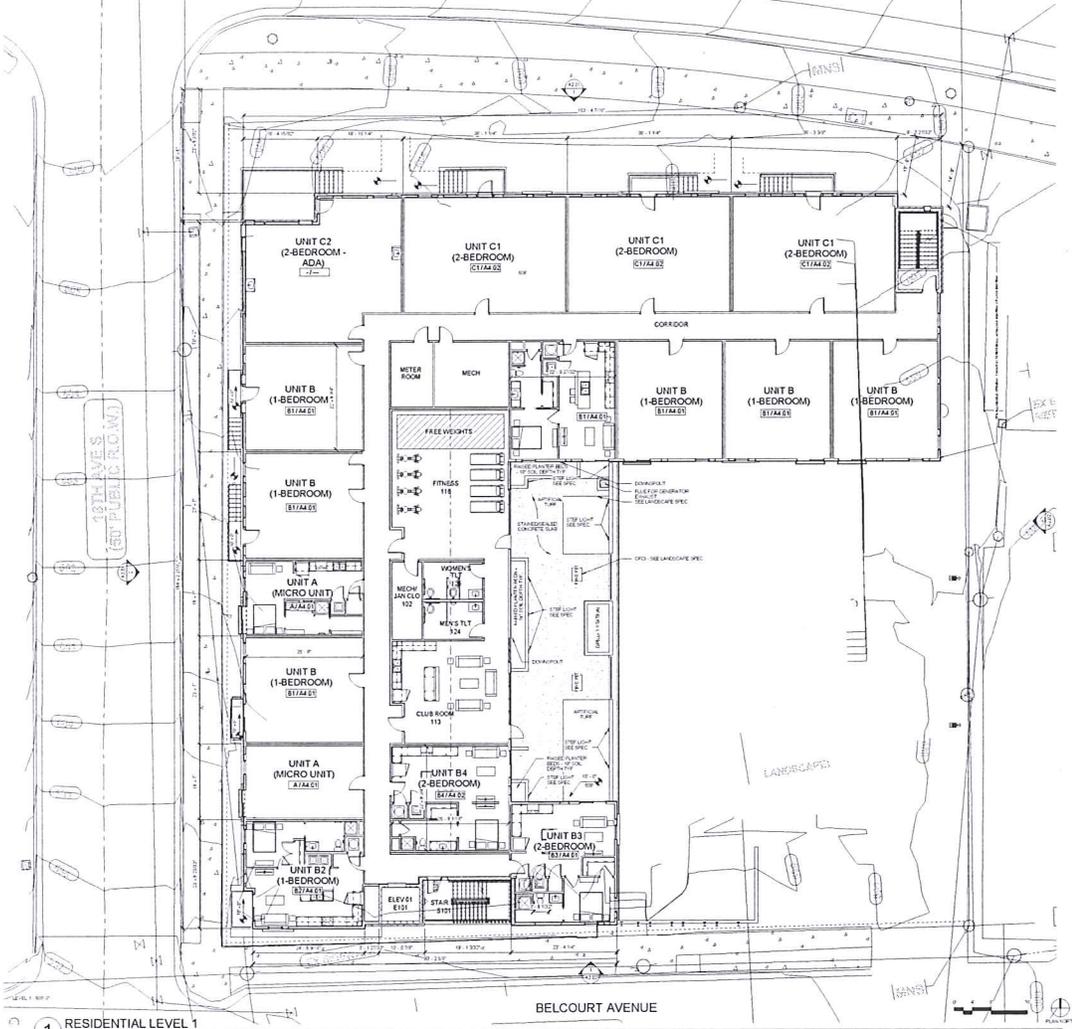


LANDSCAPE PLAN

A0.00

1710 BELCOURT AVENUE
NASHVILLE, TN
2018 MAY 15

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1 RESIDENTIAL LEVEL 1



EOA ARCHITECTS, P.L.L.C.
 15 MANASSAS
 MANASSAS, VIRGINIA 20108
 703.291.4000
 703.291.7800
 WWW.EOA-ARCHITECTS.COM

1710 APARTMENTS

1710 BELCOURT AVENUE
 NASHVILLE, TN



100% DESIGN DEVELOPMENT

REVISIONS
DATE: 08/24/18
DATE: 08/24/18
DATE: 08/24/18



NOTE: PLEASE SEE LIFE SAFETY PLANS FOR FIRE WALL RATINGS AND LOCATIONS

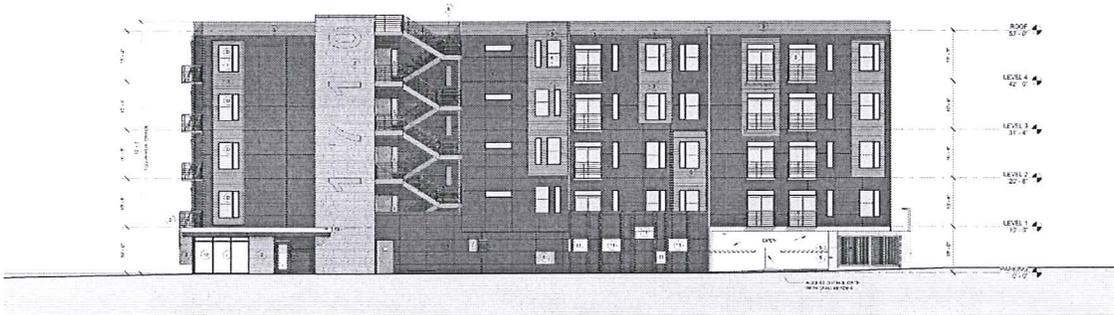
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EOA ARCHITECTS, P.L.L.C.
FIRST FLOOR PLAN - RESIDENTIAL
A1.01
 01/14/18
 2018 MAY 18

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2 EAST ELEVATION



1 SOUTH ELEVATION - ALONG BELCOURT AVENUE

FINISH KEYNOTES:

1. POLYURETHANE FINISH WITH STAINLESS STEEL PANELS WITH PERFORATION	7. POLYURETHANE FINISH WITH STAINLESS STEEL PANELS WITH PERFORATION
2. STAINLESS STEEL	8. STAINLESS STEEL
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REGISTERED ARCHITECTS
 1710 BELCOURT AVENUE, SUITE 100
 NASHVILLE, TN 37203
 615.259.1710

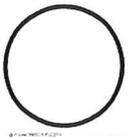
1710 APARTMENTS

1710 BELCOURT AVENUE
 NASHVILLE, TN



100% DESIGN DEVELOPMENT

REVISION	DATE
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1 PERSPECTIVE - WEDGEWOOD & 18TH


EOA
ARCHITECTS
humanizing design

EOA ARCHITECTS PLLC
1000 BROADWAY
NASHVILLE, TENNESSEE 37203
615.252.4500
WWW.EOA-ARCHITECTS.COM

1710
APARTMENTS

1710 BELCOURT AVENUE
NASHVILLE, TN

 **GBT REALTY**
CORPORATION

100% DESIGN
DEVELOPMENT

REVISIONS
ISSUE | DATE



PERSPECTIVE
P1
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**1710
APARTMENTS**

1710 BELCOURT AVENUE
NASHVILLE, TN



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DEVELOPMENT**

REVISIONS		
DELTA	ISSUE	DATE



PREPARED BY

P2

07.24.20
2018 MAY 15



1 PERSPECTIVE - 18th & BELCOURT

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1 PERSPECTIVE - AERIAL AT WEDGEWOOD & 18th



EOA ARCHITECTS, PLLC
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NASHVILLE, TENNESSEE 37204
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615.252.7445
WWW.EOA-ARCHITECTS.COM

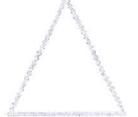
**1710
APARTMENTS**

1710 BELCOURT AVENUE
NASHVILLE, TN



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DEVELOPMENT**

REVISIONS
DATE | ISSUE | DATE



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1 PERSPECTIVE FROM SOUTHEAST



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1710 APARTMENTS

1710 BELCOURT AVENUE
NASHVILLE, TN



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REVISIONS		
DELTA	ISSUE	DATE



SUBSTITUTE ORDINANCE NO. BL2016-204

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 and SP to SP zoning for properties located at 206 Vaughn Street and 900, 901, 902, 903, and 908 Meridian Street and 219, 307, and 309 Cleveland Street, north of Cleveland Street (3.23 acres), to permit a mixed use development, all of which is described herein (Proposal No. 2016SP-024-001).

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 and SP to SP zoning for properties located at 206 Vaughn Street and 900, 901, 902, 903, and 908 Meridian Street and 219, 307, and 309 Cleveland Street, north of Cleveland Street (3.23 acres), to permit a mixed use development, being Property Parcel Nos. 218, 227, 228, 229, 231, 415, 416, 417, 551 as designated on Map 082-03 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 082 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 as follows: Subdistrict A: up to 20 multi-family residential dwelling units; restaurant, retail, office; Subdistrict B: up to 50 multi-family residential dwelling units; restaurant, bed and breakfast inn, hotel, community education, office, retail. All proposed uses are to be within the existing buildings; Subdistrict C: restaurant, bed and breakfast inn, office. All proposed uses are to be within the existing building; Subdistrict D: Accessory uses for principle uses located within Subdistrict C including food and beverage storage, food and beverage production, ancillary office, laundry, and storage of goods and furnishings. In addition, a maximum of two restaurants shall be permitted at any one time within the SP; a maximum of 1 bed and breakfast inn with up to 6 rooms within Subdistrict C and a

maximum of 1 hotel with up to 35 rooms within Subdistrict B shall be permitted within the SP at any one time.

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

1. On the corrected preliminary SP plan, remove the parking table provided on the Regulating Plan (sheet 5). Add a note indicating the parking shall be as per the Metro Zoning Ordinance.
2. The proposed new construction closest to the historic buildings shall be decreased in size to provide a transition to the historic buildings. The applicant shall continue to work with the Metro Historic Zoning Commission to determine appropriate heights. Finalized elevations shall be provided with the submittal of the final site plan.
3. Along Cleveland Street, where no historic rock wall is located, provide sidewalks and grass strip consistent with the requirements of the Major and Collector Street Plan (minimum 4 foot grass strip; 8 foot sidewalk).
4. A mandatory referral is required for the proposed alley closures. The mandatory referral shall be approved prior to issuance of any building permits.
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. 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

2016SP-024-001
MCGAVOCK HOUSE SP
Map 082-03, Parcel(s) 218, 227-229, 231, 415-417, 551
Subarea 05, East Nashville
District 05 (S. Davis)

A request to rezone from RS5 and SP to SP zoning for properties located at 206 Vaughn Street and 900, 901, 902, 903, and 908 Meridian Street and 219, 307, and 309 Cleveland Street, north of Cleveland Street (3.23 acres), to permit a mixed use development, requested by Hastings Architecture, applicant; Trinii Enterprises, LLC, Betty Jo Saxon, and Ray of Hope Community Church, owners.



SUBSTITUTE ORDINANCE NO. BL2016-222

An ordinance to amend various sections of chapter 8.04 of the Metropolitan Code of Laws related to rabies vaccinations for dogs.

WHEREAS, Metro Code of Laws chapter 8.04 requires owners of dogs to vaccinate their pets for rabies; and

WHEREAS, Metro Code of Laws section 8.04.040(A) currently provides that all licenses issued for dog owners shall be valid for twelve (12) months and shall expire on the last day of the month issued of the following year, as authorized under Tennessee Code Annotated §§ 68-8-104 and 68-8-105; and

WHEREAS, Tennessee Code Annotated §§ 68-8-102, 68-8-103 and 68-8-112 require that dogs and cats be administered rabies vaccinations meeting the standards prescribed by both the U.S. Department of Agriculture and the Tennessee Department of Health at a minimum frequency recommended by the *Compendium of Animal Rabies Prevention and Control* published by the Association of State Public Health Veterinarians. This Compendium currently provides, in Part II B, for rabies vaccines of a minimum of three (3) years' duration of immunity – a duration regarded as providing the most effective method of increasing the proportion of immunized dogs and cats in any population; and

WHEREAS, the *Compendium of Animal Rabies Prevention and Control* of the Association of State Public Health Veterinarians further provides that “[t]here are no laboratory or epidemiologic data to support the annual or biennial administration of 3-year vaccines after completion of the initial vaccine series (*i.e.*, the initial vaccination and 1-year booster vaccination)”, and whereas the American Animal Hospital Association makes the same recommendation; and

WHEREAS, in recognition of the availability of a three-year vaccine, the current requirement for annual re-vaccinations for purposes of license renewal imposes unnecessary costs and inconvenience upon dog owners. A three-year immunity period should instead provide for renewal of licenses by mail in the second and third years of such vaccination.

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

Section 1. That Chapter 8.04 of the Metropolitan Code is hereby amended by deleting the last sentence at the end of section 8.04.020.

Section 2. That Chapter 8.04 of the Metropolitan Code is hereby amended by deleting section 8.04.030 in its entirety and substituting in lieu thereof the following:

“It shall be the duty of the veterinarian, duly licensed by the state board of veterinary medical examiners and approved by the board of health, to administer such a vaccination and to perform the vaccination in such a manner as meets applicable legal standards. These standards shall apply to any vaccination clinics operated or sponsored by the department of health. The health department shall offer a low-cost rabies vaccine clinic

or clinics at least annually. The availability of the clinic or clinics shall be publicized in a manner determined by the Director to be most effective in reaching the greatest number of pet owners in Davidson County."

Section 3. That Chapter 8.04 of the Metropolitan Code is hereby amended by deleting subsection 8.04.040(A) in its entirety and substituting in lieu thereof the following:

"Any person owning, keeping or harboring on the premises where they reside, any dog six months of age or over, shall pay to the chief medical director a license fee in accordance with the current fee schedule established by Section 8.04.130(A). The fee shall be established by the board of health, and any adjustment thereof shall be authorized by passage of a resolution by the Council.

Section 4. That Chapter 8.04 of the Metropolitan Code is hereby amended by deleting section 8.04.060 in its entirety and substituting in lieu thereof the following:

It shall be the duty of the chief medical director to collect the license fees under this chapter. The director shall record the information specified by law. Unless such certificate of vaccination is exhibited at the time request is made for a license, the chief medical director shall issue no license. On receipt of the payment of the license fee, the chief medical director shall issue to the person paying the same a receipt to be furnished by the metropolitan government, showing the name of the owner of the dog or kennel on which such license fee is paid, the date and amount of such payment, the license tag number issued for each dog and the date of vaccination of such dog, and shall deliver to the owner a license tag bearing the serial number and the year through which the license fee is paid."

Section 5. The Metropolitan Clerk is directed to send a copy of this Ordinance to the Director of the Metro Public Health Department and to each member of the Board of Health.

Section 6. This Ordinance shall take effect on Jan. 1, 2017, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Erica Gilmore
Member of Council

SUBSTITUTE ORDINANCE NO. BL2016-234

An ordinance amending various sections of Chapter 10.56 of the Metropolitan Code of Laws to allow additional information requirements under section 10.56.020.A.1, and to add Metropolitan Zoning Code compliance to the provisions of section 10.56.020H.

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 10.56 of the Metropolitan Code of Laws shall be and the same is hereby amended by deleting Section 10.56.020.A in its entirety and substituting in lieu thereof the following new Section 10.56.020.A:

10.56.020 - Construction permits.

A. 1. It is unlawful for any person to install, erect, construct, reconstruct, alter, or add to, or cause to be installed, erected, constructed, reconstructed, altered or added to, any fuel-burning equipment, incinerator, process equipment, control device, or any equipment pertaining thereto, or any stack or chimney connected therewith, or to make or cause to be made any alteration or repairs which increases the amount of any air contaminant emitted by such source or which results in the emission of any air contaminant not previously emitted until application for a construction permit has been filed with the metropolitan health department and plans and specifications applicable to the work have been submitted to the director and a construction permit issued by him for such construction, installations, alterations or repairs. Applications for a construction permit shall be filed in duplicate in the offices of the director on forms adopted by the director and supplied by the metropolitan health department along with a copy of plans and specifications. The director shall not grant a construction permit to any source which does not comply with the provisions of the New Source Review Regulations as adopted by the board. If the director determines, on the basis of information available to him, that such source does, or in all likelihood will, operate in violation of this chapter, or that the source will operate so as to prevent attainment or maintenance of any national ambient air quality standard, he shall either impose conditions on the face of the construction permit that in his opinion will promote compliance with this chapter, and/or attainment and maintenance of any national ambient air quality standard, or he shall deny the application for the construction permit. At the request of the director, the applicant shall provide information necessary for the director to make the determination of whether the source does, or in all likelihood will, operate in violation of this chapter, or whether the source will operate so as to prevent attainment or maintenance of any national ambient air quality standard. For a major source, such information required may include a source impact analysis and air quality analysis as set out in regulations adopted by the Board. This section shall not apply to fuel-burning equipment used exclusively for heating less than three dwelling units, or to gas, or fuel oil equipment of five hundred thousand BTU input or less or to internal combustion engines.

2. In addition to any other remedies available on account of the issuance of an order prohibiting construction, installation, or establishment of any fuel-burning equipment, incinerator, process equipment, or control devices, and prior to invoking any such remedies, the person aggrieved thereby shall, upon request in accordance

with the provisions of this chapter and the rules and regulations adopted by the board be entitled to a hearing. Such hearing shall be conducted pursuant to the contested cases provisions of the Uniform Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5, Part 3 (T.C.A. § 4-5-301 et seq.).

3. The absence or failure to issue a rule, regulation or order pursuant to this section shall not relieve any person from compliance with any emission control requirements or with any other provision of law.

Section 2. That Chapter 10.56 of the Metropolitan Code of Laws shall be and the same is hereby amended by deleting Section 10.56.020.H in its entirety and substituting in lieu thereof the following new Section 10.56.020.H:

H. No new source shall be granted a construction permit unless the new source complies with the Metropolitan Zoning Code for the use of the property on which the new source is to be constructed. The receipt of a construction permit from the Metropolitan Health Department shall not be construed to indicate approval of the strength or safety of any equipment or to indicate compliance with the requirements of the Building Code of Metropolitan Nashville and Davidson County or any other ordinance thereof. Neither shall it relieve anyone from the responsibility to comply fully with the applicable provisions of this Code, nor any other requirement(s) imposed by statute, rule or regulation of the Metropolitan Government of Nashville and Davidson County, Tennessee, the State of Tennessee or the United States Government.

Section 3. This Ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Fabian Bedne
Member of Council

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



One Public Square, Suite 204
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BILL PRIDEMORE
Councilman, District 9

May 16, 2016

TO: Vice Mayor David Briley & Members of Metro Council

FROM: Bill Pridemore
Councilmember, District 9

RE: **Suspension of the Rule 11**

I plan to introduce a late ordinance adopting the 2016-2017 through 2021-2022 Capital Improvements Budget for the Metro Government as the official Capital Improvements Budget for fiscal year 2016-2017.

A copy of the ordinance is on the reverse side of this memo. This ordinance is being submitted as an emergency late item this evening due to the Capital Improvements budget, by Charter, has to be filed by May 15. This will allow the ordinance to track timely through the legislative process.

I am, therefore, asking your support as I request a suspension of Rule 11 to allow the ordinance to be introduced this evening. Further, I respectfully request your favorable consideration.

BP/rh

ORDINANCE NO. BL2016- 252

An ordinance adopting the 2016-2017 through 2021-2022 Capital Improvements Budget for The Metropolitan Government of Nashville and Davidson County as the official Capital Improvements Budget of The Metropolitan Government of Nashville and Davidson County for Fiscal Year 2016-2017.

WHEREAS, Section 6.13 of the Charter of The Metropolitan Government of Nashville and Davidson County provides for the preparation and establishment of a capital improvements budget for the Metropolitan Government including a program of proposed capital expenditures for the ensuing fiscal year and the next five fiscal years thereafter; and,

WHEREAS, the various departments, boards, commissions and agencies of the Metropolitan Government have submitted their capital improvement project requests; and,

WHEREAS, the Metropolitan Planning Commission, in accordance with Section 11.504(k) of the Metropolitan Charter, has reviewed the capital improvement project requests and, upon evaluating the overall needs of the community, has recommended to the Mayor a Capital Improvements Budget for fiscal year 2016-2017 including a program of proposed expenditures for the ensuing five (5) years; and,

WHEREAS, the Mayor and the Director of Finance have reviewed the capital improvement project requests and recommended program of proposed expenditures and have established a priority of undertaking and financing the capital improvement projects; and,

WHEREAS, it is determined that this Capital Improvements Budget and Program represents an appropriate evaluation of the needs of The Metropolitan Government of Nashville and Davidson County and a systematic and orderly framework within which to provide for them; and,

WHEREAS, these findings and recommendations have been bound into a report entitled, "2016-2017 to 2021-2022 Capital Improvements Budget"; and,

WHEREAS, two (2) copies of said report are on file in the office of the Metropolitan Clerk.

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

Section 1. That the recommended program contained in the 2016-2017 to 2021-2022 Capital Improvements Budget is hereby adopted as the official Capital Improvements Budget of The Metropolitan Government of Nashville and Davidson County for fiscal year 2016-2017.

Section 2. That there shall be no authorization for expenditure of funds for the construction of any building, structure, work, or improvement, unless such project is included in and in conformance with the adopted 2016-2017 to 2021-2022 Capital Improvements Budget, except to meet a public emergency threatening the lives, health, or property of the inhabitants, when passed by two-thirds vote of the membership of Council.

Section 3. That no fund shall be encumbered nor expended for a capital improvements project unless such project is included in and in conformance with the adopted 2016-2017 to 2021-2022 Capital Improvements Budget.

Section 4. That this Capital Improvements Budget may be amended by resolution at any time during the year to add a capital improvements project to the 2016-2017 to 2021-2022 Capital Improvements Budget, when adopted by two-thirds vote of the membership of the Council.

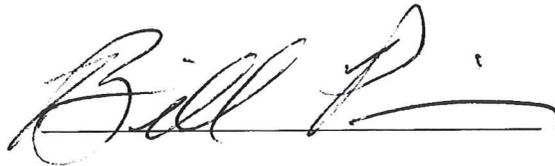
Section 5. That this ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it, but that the Capital Improvements Budget and Program of The Metropolitan Government of Nashville and Davidson County for fiscal year 2016-2017 shall not take effect until July 1, 2016.

APPROVED AS TO FINANCIAL
MATTERS:



Talia Lomax-O'dneal,
Director of Finance

INTRODUCED BY:



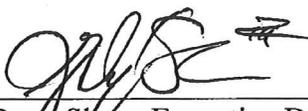
APPROVED AS TO FORM AND
LEGALITY:



Jon Cooper
Director of Law

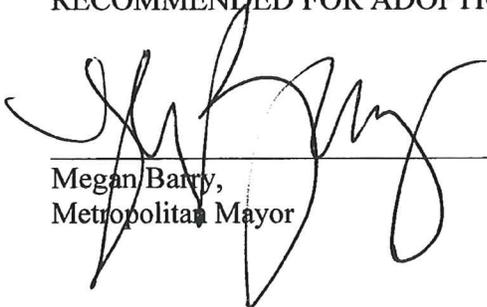
Members of Council

RECOMMENDED FOR ADOPTION:



Doug Sloan, Executive Director
Metropolitan Planning Commission

RECOMMENDED FOR ADOPTION:



Megan Barry,
Metropolitan Mayor

Electronic Signature Page

(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink that reads "Burkley Allen". The signature is written in a cursive style with a large initial 'B' and 'A'.

Burkley Allen
Councilmember, District 18