



METROPOLITAN COUNCIL

Metro Council Office

**PROPOSED
SUBSTITUTE RESOLUTION,
AMENDMENTS,
AND
SUBSTITUTE ORDINANCES
ON FILE WITH THE METRO CLERK
FOR THE
COUNCIL MEETING OF
TUESDAY, AUGUST 18, 2015**

SUBSTITUTE RESOLUTION NO. RS2015-1605

A resolution requesting the Davidson County Sheriff to use up to Two Hundred Fifty Thousand Dollars (\$250,000) of unencumbered funds previously appropriated to the Sheriff's Office for the purchase of equipment to purchase a shredder truck.

WHEREAS, pursuant to Section 6.14 of the Metropolitan Charter, four percent of the general fund revenue is to be set aside in a separate fund known as the "General Fund Reserve Fund (4% Fund)" for the purchase of equipment and repairs to buildings; and

WHEREAS, the Davidson County Sheriff's Office has accumulated a surplus of unencumbered 4% Fund dollars that can be used for the purchase of equipment; and

WHEREAS, many citizens in Davidson County do not have the means to safely dispose of financial records and confidential documents; and

WHEREAS, the shredding of such documents is the best way to prevent identity theft and the unauthorized use of confidential information; and

WHEREAS, it is in the best interest of the citizens of Nashville and Davidson County that the Metropolitan Council request the Davidson County Sheriff to purchase a shredder truck that can be brought to community events for use by the public.

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

Section 1. The Metropolitan County Council hereby goes on record as requesting the Davidson County Sheriff to use up to Two Hundred Fifty Thousand Dollars (\$250,000) of unencumbered funds previously appropriated to the Sheriff's Office for the purchase of equipment to purchase a shredder truck.

Section 2. The Metropolitan Clerk is directed to send a copy of this Resolution to Sheriff Daron Hall.

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

INTRODUCED BY:

Charlie Tygard
Member of Council

SUBSTITUTE ORDINANCE NO. BL2015-1098

An ordinance amending Chapters 17.08 and 17.16 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to "Community Education" siting and to allow Community Education as a permitted use in the CN, SCN, and IWD zoning districts (Proposal No. 2015Z-008TX-001).

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

Section 1. Section 17.08.030 of the Metropolitan Zoning Code, District Land Use Table, is hereby amended by adding "Community education" as a permitted (P) use in the CN, SCN, and IWD zoning districts.

Section 2. Section 17.16.040 of the Metropolitan Zoning Code is hereby amended by adding the following new subsection A.7.:

"7. Required school site dedications. All required school site dedications shall follow the zoning requirements in effect at the time the dedication requirement was approved by the metropolitan council through the adoption of an amendment to the official zoning map, or the current requirements of Section 17.16.040, whichever is the least restrictive."

Section 3. Section 17.16.040 of the Metropolitan Zoning Code is hereby amended by adding the following new subsection A.8.:

"8. Adaptive reuse. Community education facilities shall be permitted to operate within an existing structure, regardless of lot size, subject to the following conditions:
a. A valid use and occupancy permit was issued for the structure for use as a community education facility or a religious institution at any point within the previous five year period.
b. The property upon which the structure is located has not been subdivided since the cessation of the previous use as a community education facility or religious institution in such a manner so as to reduce the lot size below the minimum lot size for community education facilities provided in this section."

Section 4. 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:

Emily Evans
Member of Council

Amendment No. 1

To

Ordinance No. BL2015-1098

Madam President:

I move to amend Ordinance No. BL2015-1098 by deleting Section 2 in its entirety and substituting with the following new Section 2:

Section 2. Section 17.16.040 of the Metropolitan Zoning Code is hereby amended by deleting subsection A.5. in its entirety and substituting with the following new subsection A.5.:

5. Reduced Lot Size. The board of zoning appeals may permit new school facilities on smaller lot sizes than set forth above as a special exception subject to demonstrating compliance with Section 17.16.150, and provided the total lot size is not less than three acres..

Introduced By:

Davette Blalock
Member of Council

Amendment No. _____

To

Substitute Ordinance No. BL2015-1120

Madam President:

I move to amend Substitute Ordinance No. BL2015-1120 by amending Section 1 by adding the following provision as subsection A. of the new Code Section 17.36.660 at the end thereof:

17.36.660 Preservation of Contributing Historic Structures.

All applications for demolition permits of principal single-family structures located within a DADU overlay shall be submitted to the metropolitan historical commission staff for review and determination as to whether the structure meets the criteria of a contributing historic structure in a Neighborhood Conservation Zoning Overlay. If the historical commission staff determines that the principal single-family structure on property located within a DADU overlay is a contributing historic structure, no demolition permit shall be issued for the principal structure for a period of three years from the date a use and occupancy permit was issued for a detached accessory dwelling on the property. No permits for the construction of a DADU shall be issued for a period of three years on a property where a structure that meets the criteria of a contributing structure in a Neighborhood Conservation Zoning Overlay has been demolished within the preceding three years.

Introduced By:



Jason Holleman
Member of Council

Amendment No. _____

To

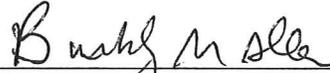
Substitute Ordinance No. BL2015-1120

Madam President:

I move to amend Substitute Ordinance No. BL2015-1120 by amending Section 1 by adding the following provision as subsection A. of the new Code Section 17.36.650, and re-lettering the remaining subsections of Section 17.36.650 accordingly:

- A. Minimum Size Requirements. A DADU Overlay District shall consist of a minimum of 30 contiguous lots.

Introduced By:



Burkley Allen
Member of Council

SECOND SUBSTITUTE FOR ORDINANCE NO. BL2015-1207

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 RS15 to SP zoning for properties located at 7037 Highway 70 S and Highway 70 S (unnumbered), approximately 1,065 feet east of Old Hickory Boulevard (3.17 acres), to permit up to 23,500 square feet of commercial/office space, all of which is described herein (Proposal No. 2015SP-043-001).

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 RS15 to SP zoning for properties located at 7037 Highway 70 S and Highway 70 S (unnumbered), approximately 1,065 feet east of Old Hickory Boulevard (3.17 acres), to permit up to 23,500 square feet of commercial/office space, being Property Parcel Nos. 369, 370, and a portion of Property Parcel No. 106 as designated on Map 142-00 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 142 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 permit up to 23,500 square feet of commercial/office space.

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

1. Uses shall be limited to retail, restaurant, financial institution, general office, ATM, automobile parking, outpatient clinic, medical office, personal care services, business services, furniture store, day care, home improvement sales and commercial amusement (inside).
2. Maximum building height shall be measured to the top of the roofline.

3. Interior sidewalks shall be provided throughout the development and connect to the public sidewalk proposed along the Highway 70 South frontage.
4. The final site plan shall be reviewed and approved by the Planning Commission. The applicant shall work with Planning staff to reduce parking between the building and the street to no more than two rows, reorient the smaller commercial building so that it fronts the street, and provide adequate interior sidewalk connections.

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, or eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance. Any addition of square footage in excess of 17,000 square feet or any vehicular access points not currently present or approved must be approved by Public Works and by the Planning Commission as a modification of this SP.

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 SCC zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

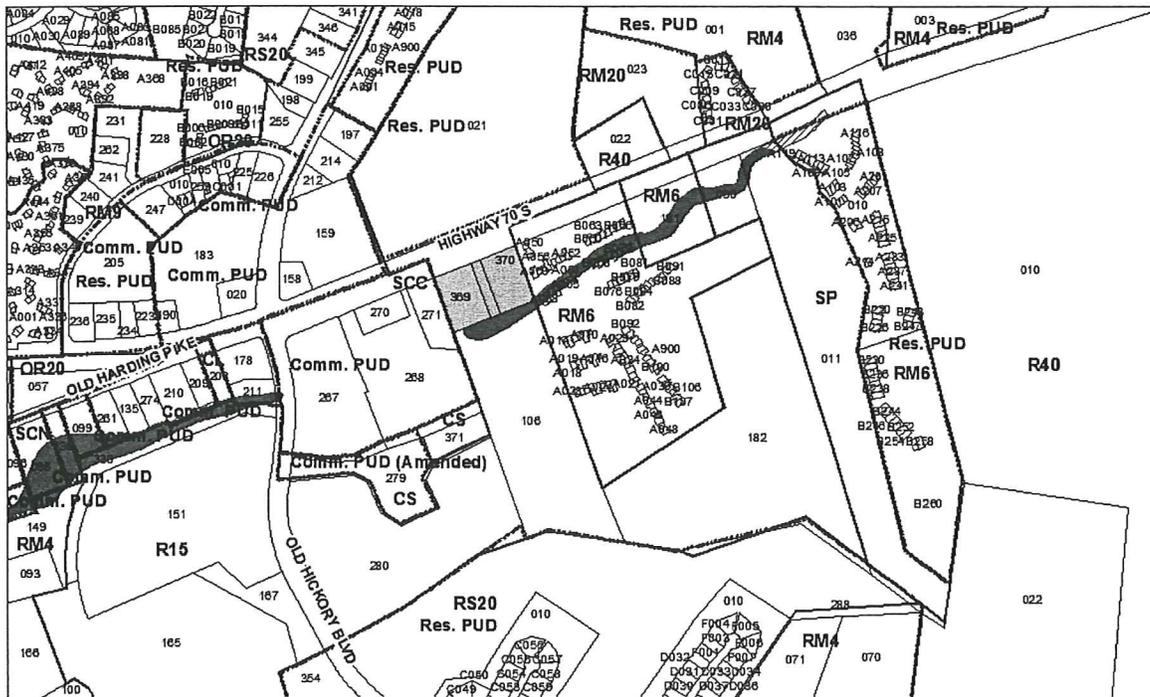
Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

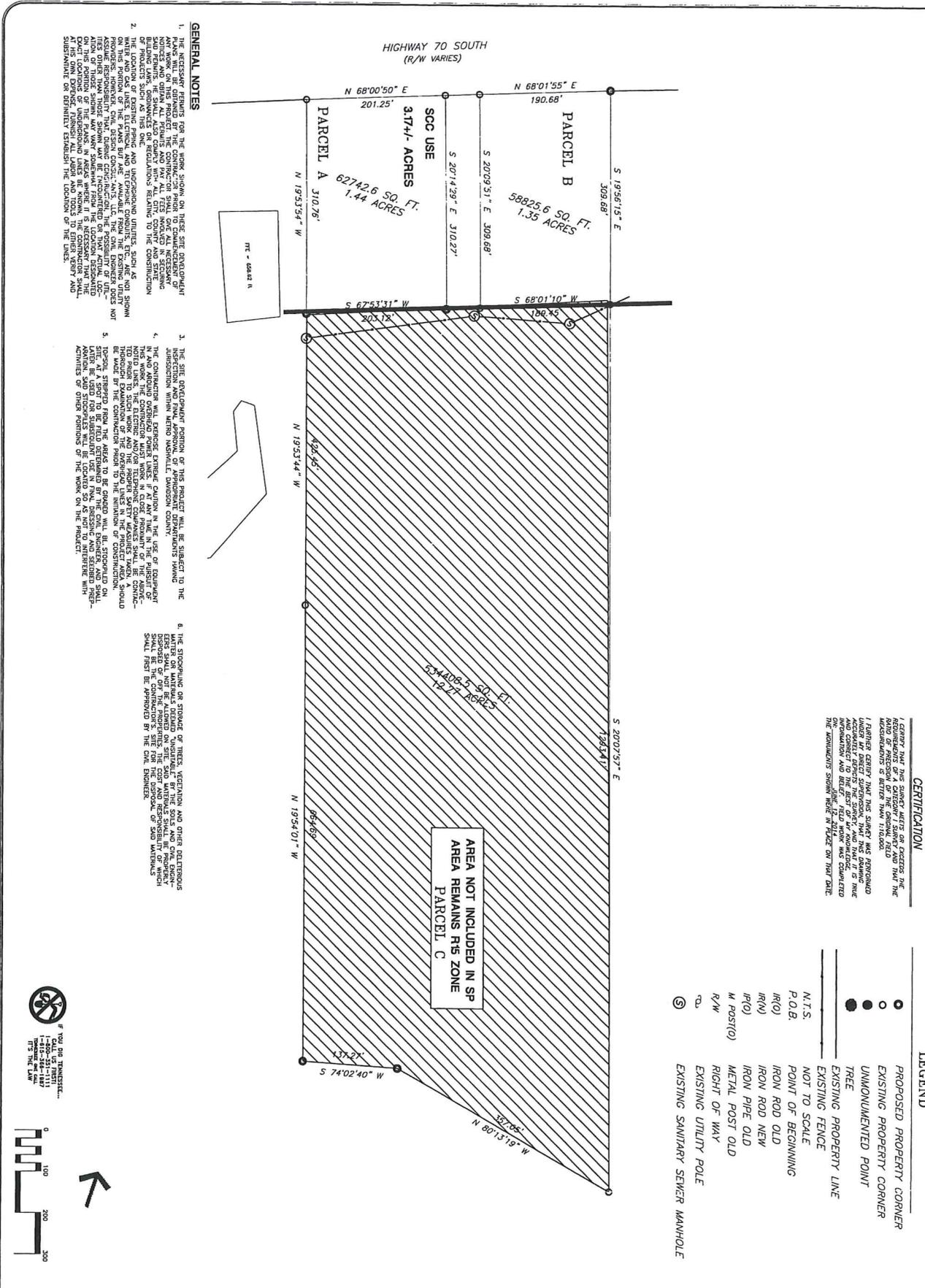
INTRODUCED BY:

Councilmember Carter Todd

2015SP-043-001
HWY 70 RETAIL CENTER
Map 142, Parcel(s) 369-370, Part of 106
Subarea 06, Bellevue
District 34 (Todd)

A request to rezone from RS15 to SP zoning for properties located at 7037 Highway 70 S and Highway 70 S (unnumbered), approximately 1,065 feet east of Old Hickory Boulevard (3.17 acres), to permit up to 23,500 square feet of commercial/office space, requested by Civil Design Consultants, LLC, applicant; Hicks Family Bellevue, LLC, owner.





GENERAL NOTES

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY, COUNTY AND STATE. THE CONTRACTOR SHALL ALSO COMPLY WITH ALL CITY, COUNTY AND STATE REGULATIONS RELATING TO THE CONSTRUCTION OF THIS PROJECT.
- THE LOCATION OF EXISTING PIPES AND UTILITIES, SUCH AS WATER, GAS, AND SEWER, SHALL BE DETERMINED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY, COUNTY AND STATE. THE CONTRACTOR SHALL ALSO COMPLY WITH ALL CITY, COUNTY AND STATE REGULATIONS RELATING TO THE CONSTRUCTION OF THIS PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY, COUNTY AND STATE. THE CONTRACTOR SHALL ALSO COMPLY WITH ALL CITY, COUNTY AND STATE REGULATIONS RELATING TO THE CONSTRUCTION OF THIS PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY, COUNTY AND STATE. THE CONTRACTOR SHALL ALSO COMPLY WITH ALL CITY, COUNTY AND STATE REGULATIONS RELATING TO THE CONSTRUCTION OF THIS PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY, COUNTY AND STATE. THE CONTRACTOR SHALL ALSO COMPLY WITH ALL CITY, COUNTY AND STATE REGULATIONS RELATING TO THE CONSTRUCTION OF THIS PROJECT.

CERTIFICATION

I, THE ENGINEER, HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATIONS COMPLY WITH THE REQUIREMENTS OF THE CITY OF NASHVILLE, TENNESSEE, AND THE REQUIREMENTS OF THE STATE OF TENNESSEE. I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TENNESSEE. MY LICENSE NO. IS 12345. I HAVE REVIEWED THIS PLAN AND SPECIFICATIONS AND AM Satisfied THAT THEY COMPLY WITH THE REQUIREMENTS OF THE CITY OF NASHVILLE, TENNESSEE, AND THE REQUIREMENTS OF THE STATE OF TENNESSEE. I HAVE ALSO REVIEWED THE SURVEY AND FIELD WORK AND AM Satisfied THAT THEY COMPLY WITH THE REQUIREMENTS OF THE CITY OF NASHVILLE, TENNESSEE, AND THE REQUIREMENTS OF THE STATE OF TENNESSEE.

LEGEND

- PROPOSED PROPERTY CORNER
- EXISTING PROPERTY CORNER
- UNADJUDICATED POINT
- TREE
- EXISTING PROPERTY LINE
- EXISTING FENCE
- N.T.S.
- P.O.B.
- NOT TO SCALE
- POINT OF BEGINNING
- IRON ROD OLD
- IRON ROD NEW
- IRON PIPE OLD
- METAL POST OLD
- M POST(0)
- R/W
- EXISTING UTILITY POLE
- EXISTING SANITARY SEWER MANHOLE

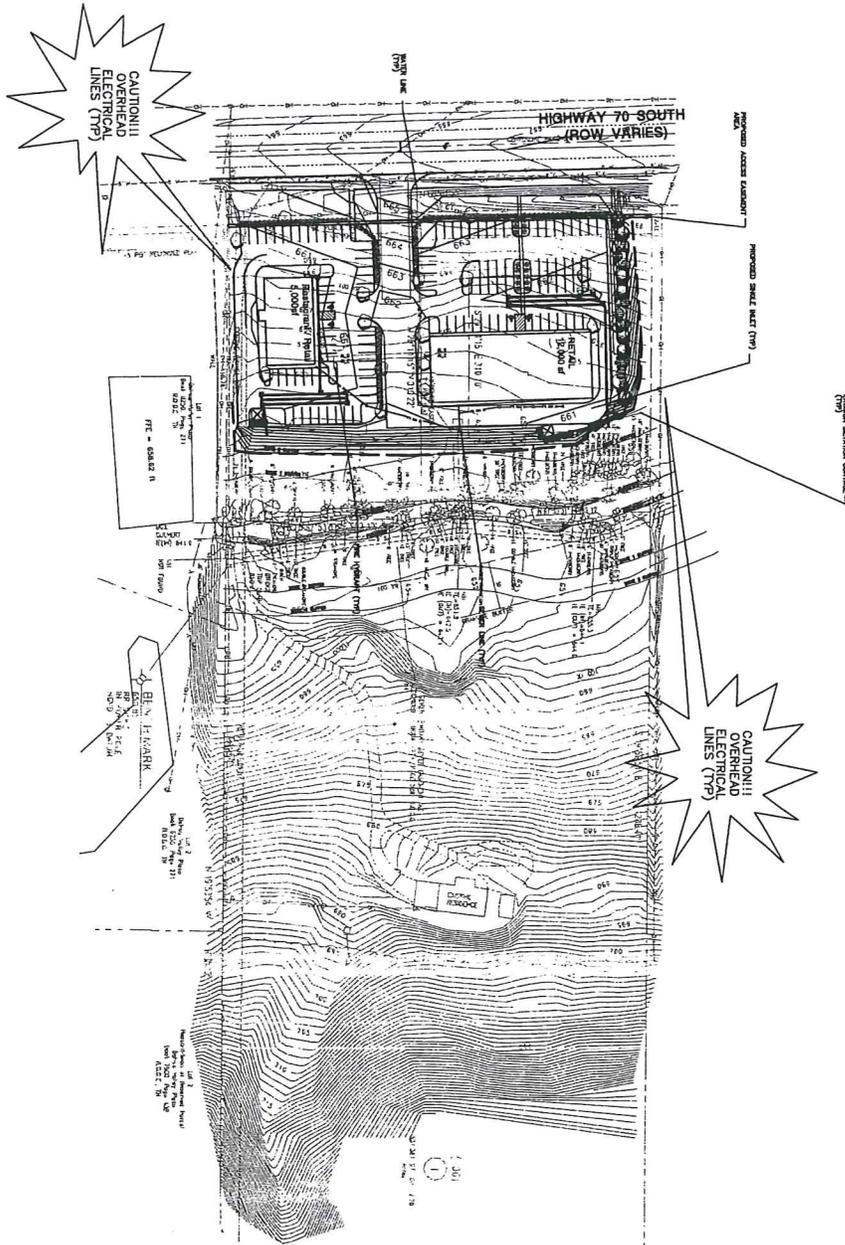
HWY 70 RETAIL CENTER
 SPECIFIC PLAN - CASE #2015SP-043-001
 34TH COUNCIL DISTRICT
 METRO NASHVILLE, DAVIDSON COUNTY TENNESSEE
 EXISTING CONDITIONS & DEMOLITION PLAN

DC
 CIVIL DESIGN CONSULTANTS, LLC
 ONE WOODBURN LANE PLAZA
 NASHVILLE, TENNESSEE 37203
 (615) 261-1111
 WWW.DCCONSULTANTS.COM

YOU OR THIRTSSEVENTH
 100-521-1111
 1-800-281-1111
 1-800-281-1111
 IT'S THE LAW

0 100 200 300

DATE: March 15, 2015
 SCALE: 1"=40'
 APPROVED BY: J. GARY
 DRAWN BY: J. GARY
 DESIGNED BY: J. GARY
 JTB NO. 11-0-02
 MKL ORDER NO. 001
 SHEET NO. CO



FEE NOTE:
 FINAL DESIGN ELEMENTS WILL BE DERIVED WITH THE FINAL SITE PLAN DESIGN SUBMITTAL.

UTILITIES NOTE:
 FINAL UTILITIES & UTILITY DESIGN WILL BE DERIVED WITH THE FINAL SITE PLAN DESIGN SUBMITTAL.

- EROSION/SILTATION CONTROL NOTES**
1. AVIATION AND TYPE OF EXPOSURE OF UNPROTECTED SOILS SHALL BE LEFT TO NATURE UNLESS OTHERWISE SPECIFIED.
 2. NEAR DIRT WHICH IS SUBJECT TO EROSION SHALL BE PROTECTED BY OTHER APPROPRIATE MEASURES.
 3. TEMPORARY VEGETATION AND/OR MULCH TO PROTECT SOILS SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
 4. NO OTHER WORK SHALL BE PERMITTED ON THE PROJECT UNTIL THE EROSION/ SILTATION MEASURES SHOWN ON THE PLANS AND DETAILS ARE INSTALLED IN ACCORDANCE WITH THE EROSION/SILTATION CONTROL PLAN.
 5. EROSION/SILTATION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF CONSTRUCTION.
 6. EROSION/SILTATION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF CONSTRUCTION.
 7. ALL CUTS SHALL BE PROTECTED WITH EROSION/SILTATION CONTROL MEASURES.
 8. EROSION/SILTATION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF CONSTRUCTION.
 9. ALL CUTS SHALL BE PROTECTED WITH EROSION/SILTATION CONTROL MEASURES.
 10. EROSION/SILTATION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF CONSTRUCTION.

In accordance with the Metro Stormwater Management Manual, Division 1, Section 3.9, As-Built Certifications, MWS Stormwater Division must approve the following as-built prior to issuance of the Use & Occupancy Permit:

- Underground detention and water quality infrastructure
- Above ground detention and water quality infrastructure
- Public storm sewer infrastructure
- Cut & fill in the floodplain
- Sink hole alterations

The engineer shall contact Stormwater Development Review staff for substantial requirements.

DESIGNER'S NOTE:
 THE ENGINEER HAS REVIEWED THE PROPOSED EROSION/SILTATION CONTROL PLAN AND FOUND IT TO BE IN ACCORDANCE WITH THE EROSION/SILTATION CONTROL PLAN. THE ENGINEER'S REVIEW IS LIMITED TO THE INFORMATION PROVIDED AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED OR THE RESULTS OF THE DESIGN. THE ENGINEER'S REVIEW IS LIMITED TO THE INFORMATION PROVIDED AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED OR THE RESULTS OF THE DESIGN.

DESIGNER'S NAME: J. GIBBY
DATE: 3-20-15

IF YOU DO NOT KNOW THE LOCATION OF THE EROSION/SILTATION CONTROL MEASURES, CONTACT THE ENGINEER AT THE FOLLOWING PHONE NUMBER:

PHONE NUMBER: 615-251-1111

ADDRESS: 1400 17TH AVENUE SOUTH, SUITE 200, NASHVILLE, TN 37203

SCALE: 1"=40'

DATE: March 15, 2015

JOB NO.: WC 0008

14-001

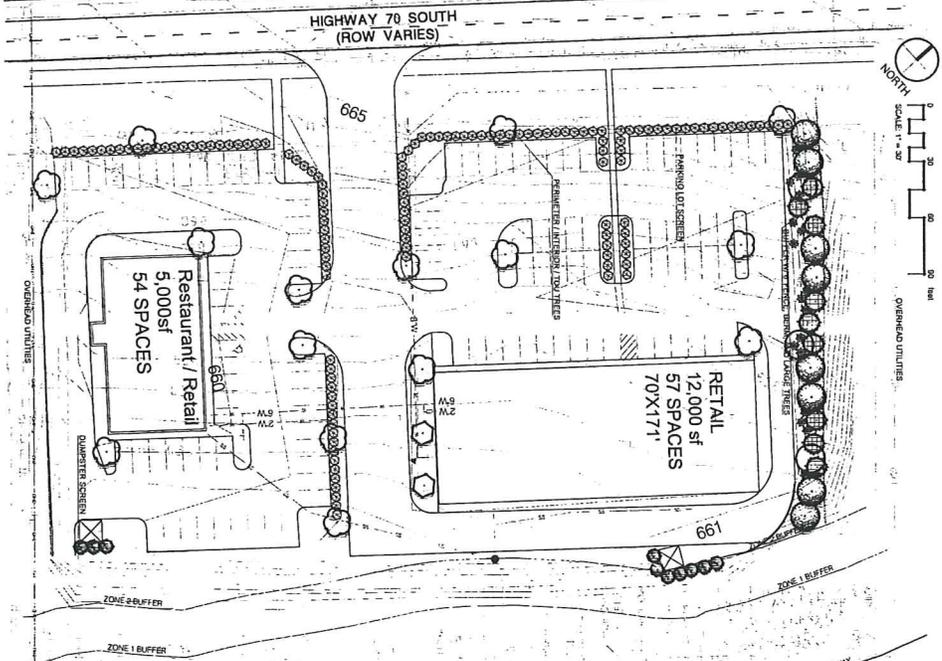
SHEET NO.: C2

HWY 70 RETAIL CENTER
 SPECIFIC PLAN - CASE #2015SP-043-001
 34TH COUNCIL DISTRICT
 METRO NASHVILLE, DAVIDSON COUNTY TENNESSEE

GRADING/DRAINAGE/ EROSION SILTATION CONTROL PLAN



DESIGNED BY:	J. GIBBY
DRAWN BY:	J. GIBBY
APPROVED BY:	J. GIBBY
SCALE:	1"=40'
DATE:	March 15, 2015
JOB NO.:	WC 0008
14-001	
SHEET NO.:	C2



CALCULATIONS WORKSHEET FOR
 METRO ORD # 094-1104
 AREA OF LOT: 3.17 ACRES
 REQUIRED OPEN SPACE: 2.92 ACRES
 REQUIRED TREE DENSITY UNITS: 14.9
 PROVIDED TREE DENSITY UNITS: 14.9
 TO BE MET WITH PROPOSED TREES
 CREDIT FOR NEW TREES: 6.9
 PROVIDED TREE DENSITY UNITS: 20.8
 DEFICIENCY TO BE PROVIDED BY HOSE BIBS

- CONCEPT PLANT SCHEDULE**
- 1. C-2000 - CONCEPT PLANT SCHEDULE
 - 2. C-2000 - CONCEPT PLANT SCHEDULE
 - 3. C-2000 - CONCEPT PLANT SCHEDULE
 - 4. C-2000 - CONCEPT PLANT SCHEDULE
 - 5. C-2000 - CONCEPT PLANT SCHEDULE
 - 6. C-2000 - CONCEPT PLANT SCHEDULE
 - 7. C-2000 - CONCEPT PLANT SCHEDULE
 - 8. C-2000 - CONCEPT PLANT SCHEDULE
 - 9. C-2000 - CONCEPT PLANT SCHEDULE
 - 10. C-2000 - CONCEPT PLANT SCHEDULE
 - 11. C-2000 - CONCEPT PLANT SCHEDULE
 - 12. C-2000 - CONCEPT PLANT SCHEDULE
 - 13. C-2000 - CONCEPT PLANT SCHEDULE
 - 14. C-2000 - CONCEPT PLANT SCHEDULE
 - 15. C-2000 - CONCEPT PLANT SCHEDULE
 - 16. C-2000 - CONCEPT PLANT SCHEDULE
 - 17. C-2000 - CONCEPT PLANT SCHEDULE
 - 18. C-2000 - CONCEPT PLANT SCHEDULE
 - 19. C-2000 - CONCEPT PLANT SCHEDULE
 - 20. C-2000 - CONCEPT PLANT SCHEDULE

SITE DATA

1. SUBJECT PROPERTY IS PRESENTLY SHOWN AS PARCEL 141 LOT 1 3127
2. THE CITY OF NASHVILLE HAS REVIEWED THE PROPOSED DEVELOPMENT AND HAS ISSUED A DEVELOPMENT PERMIT FOR THE PROJECT.
3. THE PROPOSED DEVELOPMENT IS IN CONFORMANCE WITH THE CITY OF NASHVILLE ZONING ORDINANCES AND THE CITY OF NASHVILLE SUBDIVISION MAP ACT.
4. THE PROPOSED DEVELOPMENT IS IN CONFORMANCE WITH THE CITY OF NASHVILLE ZONING ORDINANCES AND THE CITY OF NASHVILLE SUBDIVISION MAP ACT.

Herbert & Ehlert
 LAND DESIGN
 1784 Oak, Oak Ridge, TN 37830
 Phone: 615.878.8881
 Fax: 615.878.8881
 www.herbertandehlert.com

DESIGNED BY:	J. GAW
DRAWN BY:	J. GAW
APPROVED BY:	J. GAW
DATE:	March 20, 2015
SCALE:	1"=50'
TITLE:	CONCEPT PLANT SCHEDULE
PROJECT NO.:	14-001
SHEET NO.:	001

HWY 70 RETAIL CENTER
 SP CASE NO. 2051SP-043-001
 34TH COUNCIL DISTRICT
 METRO NASHVILLE, DAVIDSON COUNTY TENNESSEE
 LANDSCAPE PLAN



CD
CIVIL DESIGN CONSULTANTS, LLC
 1111 BENTLEY BLVD, SUITE 200
 NASHVILLE, TN 37203
 615.878.8881

Amendment No. 1

To

Ordinance No. BL2015-1225

Madam President:

I move to amend Ordinance No. BL2015-1225 by adding the following provisions at the end of Section 4:

3. The final site plan shall include site lighting options that minimize pollution for adjacent neighbors.
4. Alternative locations for the proposed dumpster and/or additional screening measures shall be explored in consultation with the Metro Planning and Public Works Departments, and the final site plan may move the dumpster to a different location than shown on the proposed site plan.
5. Prior to final site plan approval, an application shall be made to the Metro Traffic and Parking Commission for installation of a four-way stop at the intersection of Pillow Street and Merritt Avenue.
6. Prior to final site plan approval, a registered arborist shall perform a comprehensive tree inventory assessment and tree planting plan for the site.
7. Where requested by an owner of a parcel that fronts on Hamilton Avenue and abuts the southern edge of the portion of Alley #1805 that will be constructed with this project, a Type A landscape buffer shall be installed on said owner's property along the southern edge of Alley #1805.

INTRODUCED BY:

Sandra Moore
Member of Council

Amendment No. 1

To

Ordinance No. BL2015-1230

Madam President:

I move to amend Ordinance No. BL2015-1230 by deleting Section 4 in its entirety and substituting with the following new Section 4.

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

1. The area labeled on the plan as tree protection shall remain undisturbed. Any proposals to substantially alter the plan (as determined by the Planning Commission) to disturb this area shall require Metro Council approval. This condition shall not prohibit maintenance of the designated Conservation Space.
2. The Preliminary SP Plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
3. The Final SP site plan and associated documents shall not be filed until after January 1, 2016.
4. The commencement of construction shall not begin until after March 1, 2016.
5. A blasting study and schedule shall be prepared in consultation with the Brentwood Villa Condominiums Board of Directors. The study shall be completed and shared at least 30 days prior to commencement of construction.
6. A traffic impact study shall be completed and shared with the Brentwood Villa Condominiums Board of Directors at least 30 days prior to submission of the Final SP Plan to the Metro Planning Commission.
7. The developer or designee shall attend monthly meetings of the Brentwood Villa Condominiums Board of Directors in preparation of the Final SP drawings and construction details.

Introduced By:

Brady Banks
Member of Council

SUBSTITUTE ORDINANCE NO. BL2015-1240

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 to SP zoning for properties located at 2009, 2011 & 2013 Dabbs Avenue, 301 22nd Street, 2012 Lakeshore Drive and Lakeshore Drive (unnumbered), at the northwest corner of the intersection of Dabbs Ave and 22nd St (1.03 acres), to permit a mixed-use and residential condominium development, all of which is described herein (Proposal No. 2015Z-048PR-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 to SP zoning for properties located at 2009, 2011 & 2013 Dabbs Avenue, 301 22nd Street, 2012 Lakeshore Drive and Lakeshore Drive (unnumbered), at the northwest corner of the intersection of Dabbs Ave and 22nd St (1.03 acres), being Property Parcel Nos. 005-009, 146 as designated on Map 053-08 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, to permit a mixed-use and residential condominium development, all of which is described by words and figures on the plan that is on file with the Metropolitan Planning Department and Metropolitan Clerk's Office 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 053 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 SP shall allow all uses permitted in the MUL-A zoning district except for the following uses:

- Cash Advance
- Check Cashing
- Title Loan
- Pawn Shop
- Donation Center, drop-off
- Wastewater Treatment
- Cremation

Section 4. 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 5. 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 6. Be it further enacted, that this ordinance shall 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:

Larry Hagar
Member of Council

2015Z-048PR-001
Map 053-08, Parcel(s) 005-009, 146
Subarea 14, Donelson - Hermitage
District 11 (Hagar)

A request to rezone from RS5 to SP zoning for properties located at 2009, 2011 & 2013 Dabbs Avenue, 301 22nd Street, 2012 Lakeshore Drive and Lakeshore Drive (unnumbered), at the northwest corner of the intersection of Dabbs Ave and 22nd St (1.03 acres), to permit a mixed-use and residential condominium development, requested by The Marchetti Co., applicant Lucca Properties, LLC, owner.



Marchetti Specific Plan

Development Summary	
SP Name	Marchetti Specific Plan
SP Number	2015SP-087-001
Council District	11
Applicant	The Marchetti Company 112 30 th Avenue North Nashville, TN 37203

Site Data Table	
Site Data	1.04 acres
Existing Zoning	RS5
Proposed Zoning	SP
Allowable Land Uses	All uses allowed in MUL-A zoning, except: <ul style="list-style-type: none"> • Cash Advance • Check Cashing • Title Loan • Pawn Shop • Donation Center, drop-off • Wastewater Treatment • Cremation

Standard SP Notes

1. The purpose of this SP is to permit uses allowed in MUL-A zoning, except for the following uses: cash advance, check cashing, title loan, pawn shop, donation center, drop-off, waste water treatment or cremation for properties located at 2009, 2011 & 2013 Dabbs Avenue, 301 22nd Street, 2012 Lakeshore Drive and Lakeshore Drive (Unnumbered).
2. The front facade of the building shall extend across at least forty-five percent of the parcel's frontage or the building front façade shall be at least twenty-five feet in width, whichever is greater.
3. A maximum of one module of parking (two rows and a drive aisle) shall be permitted between the building and the street.
4. Sidewalks shall be constructed to the standard of the Major and Collector Street Plan or, if on a local street, to local street standards. The build-to zone for alternative zoning districts shall be measured shall be measured from the Standard right-of way line as established by the table entitled "Standard Street Right-of-Way Widths" in the Major and Collector Street Plan. Streets included in the Major and Collector Street Plan are not eligible for the in-lieu fee in Section 17.20.120.D.
5. A parcel located at the intersection of two public streets shall have a building occupy the corner of the parcel that is bounded by the two intersecting public streets, which apply to both frontages.
6. A primary entrance to the building shall be located along the building façade within the build-to zone.
7. Street Level Parking Decks. Parking decks located at street level shall have no less than seventy-five percent of the lineal street frontage devoted to office or nonparking commercial uses, or in districts that only permit residential uses, residential uses at a minimum depth of twenty feet. A minimum of fifty percent of that wall area shall be glazed. That floor area shall be excluded from the calculation of floor area ratio.
8. The zoning administrator may allow necessary adjustments to the build-to zone when existing utilities or utility easements are within the build-to zone and unusual

circumstances require that the utilities cannot be relocated or easements reduced. Upon allowing an adjustment to the build-to zone, the zoning administrator may also allow adjustments to the rear setback and landscape buffer yard as authorized by Table 17.24.230, to provide for a necessary building area. The zoning administrator may allow necessary adjustments to the build-to zone, rear setback and landscape buffer yard based on the nature of the existing and future land uses and site conditions in the general vicinity after receiving a written recommendation from the planning department and any relevant department or agency.

9. For first floor residential uses, a minimum raised foundation of 18-36" is required.
10. Glazing on the first floor of any public street frontage shall be a minimum of 40% for nonresidential uses and a minimum of
 - a. 25% for residential uses. Glazing on the upper floors of any public street frontage shall be a minimum of 25%.
 - b. 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 zoning district as of the date of the applicable request or application.
 - c. 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 Donelson-Hermitage Community Plan (Subarea 14). The proposed SP is located in the following policy areas:

- T4 Urban Mixed Use Neighborhood (T4 MU)

The proposed SP district allows uses that are consistent with the T4 CC Urban Mixed Use land use policy. Changing the zoning on the subject properties to SP based on MUL-A standards is appropriate given the policy and the existing MUL zoning in around the area. Parcels to the east and west of the subject properties are currently zoned MUL.

AMENDMENT NO. 1

TO

ORDINANCE NO. BL2015-1253

Madam President:

I move to amend Ordinance No. BL2015-1253 by amending Section 1 to substitute the Exhibit A referenced with the attached Exhibit A.

INTRODUCED BY:

Councilmember Erica Gilmore

Section II: Subdistrict Standards

Lafayette Subdistrict: Building Regulations

Frontage

A Allowed Frontage Types with Required Build-to Zone

Primary Street	
• Storefront Frontage	0'-10'
• Stoop Frontage	5'-10'
Secondary Street	
• Storefront Frontage	0'-10'
• Stoop Frontage	5'-10'
• Porch Frontage	10'-15'
Tertiary Street	
• Storefront Frontage	0'-10'
• Stoop Frontage	5'-10'
• Porch Frontage	10'-15'

Industrial Frontage is allowed in this Subdistrict.

B Facade width

Primary Street	80% of lot frontage min.
Secondary Street	80% of lot frontage min.
Tertiary Street	60% of lot frontage min.

Remaining lot frontage may be used for pedestrian amenities and shall not be used for parking.

C Min. building depth 15' from building facade

Height

D Min.

• On the roundabout	3 stories or 35'
---------------------	------------------

E Max.

• Transitional Properties	15 stories
• On Lafayette St	12 stories
• Subdistrict general	8 stories

Additional height available through the Bonus Height Program

Step-back *

Step-back required for all buildings 7 stories or greater fronting public streets

F Step-back between	4th and 7th stories
G Min. step-back depth	15'

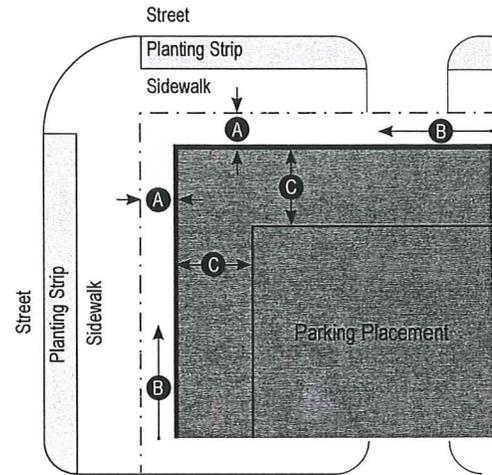
* see page 61 for full description

Sidewalk & Planting

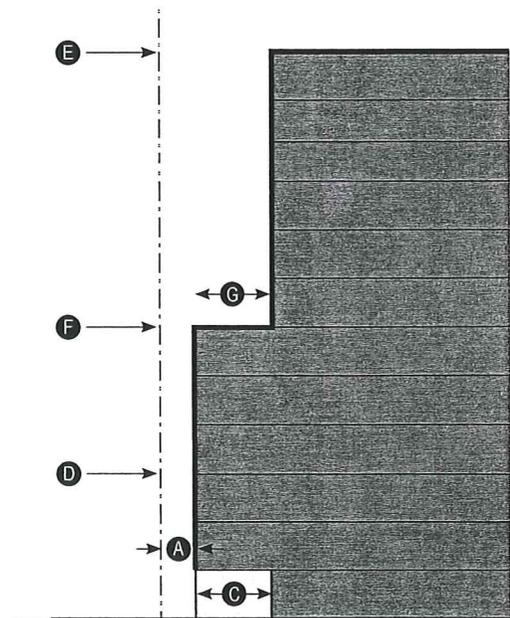
Improvements to the sidewalk corridor according to the General Standards and the Major and Collector Street Plan.

Notes

Uses: page 55; General Standards: page 59



Building Plan



Building Section

Section IV: General Standards

Bonus Height Chart

	Maximum height within the Subdistrict	LEED	LEED ND	Pervious Surface	Historic Building Preservation	Open Space	Workforce Housing	Civil Support Space	Upper Level Garage Liner & Underground Parking	Public Parking	Bonus Height Maximum
General											
James Robertson	elevation of 560'	Any = 2 stories	2 stories	2 stories	2 stories	2 stories	All Levels to a maximum elevation above sea level of 560'	2 stories below 560' elevation	2 stories below 560' elevation	2 stories	elevation 560'
Core	30 stories	Silver = 4 stories, Gold = 8 stories, Platinum = 12 stories	2 stories	2 stories	8 stories	8 stories	All Levels	8 stories	8 stories	2 stories	Unlimited
Comprehensive	8 stories on the interior of blocks, 10 stories on the corners	No bonus	No bonus	No bonus	4 stories	No bonus	No bonus	No bonus	No bonus	No bonus	10 stories
Local Broadway											
Local Broadway	100'	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	100'
Second and Broadway											
Second Broadway	8 stories within 100'	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	8 stories within 100'
Second Broadway	5 stories within 65'	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	5 stories within 65'
South											
General, or 8th Avenue frontage south of roundabout (beyond 100' from frontage)	30 stories	Silver = 4 stories, Gold = 8 stories, Platinum = 12 stories	2 stories	2 stories	8 stories	8 stories	All Levels	8 stories	8 stories	2 stories	Unlimited
West side of 1st and East side of 2nd	15 stories	Silver = 4 stories, Gold = 8 stories, Platinum = 12 stories	2 stories	2 stories	5 stories	5 stories	Levels 1, 2, and 3	5 stories	5 stories	2 stories	30 stories
Central River											
Central River	10 stories within 140'	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	10 stories within 140'
North											
Lafayette											
General	8 stories	Any = 2 stories	2 stories	2 stories	2 stories	2 stories	Levels 1, 2, and 3	2 stories	2 stories	2 stories	11 stories
Transitional Properties	18 stories	Any = 2 stories	2 stories	2 stories	3 stories	3 stories	Levels 1, 2, and 3	3 stories	3 stories	3 stories	18 stories
Lafayette Street	12 stories	Any = 2 stories	2 stories	2 stories	3 stories	3 stories	Levels 1, 2, and 3	3 stories	3 stories	3 stories	16 stories
Rutledge Hill											
Primary and Secondary	6 stories	Any = 1 story	1 story	1 story	1 story	1 story	Levels 1, and 3	1 story	1 story	1 story	7 stories
Tertiary	3 stories	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	3 stories
Rafferty Mill Hill											
Rafferty Mill Hill	65 feet with an SEP of 1:1.5	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	65 feet with an SEP of 1:1.5
Rutledge River											
Rutledge River	8 stories	Any = 2 stories	2 stories	2 stories	2 stories	2 stories	Levels 1, 2, 3 and 4	2 stories	2 stories	2 stories	12 stories
South North											
General											
General	7 stories	Any = 2 stories	2 stories	2 stories	2 stories	2 stories	All Levels	2 stories	2 stories	2 stories	10 stories below 560' elevation
Clark South											
Fronting Herman Street	4 stories	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	4 stories
General											
Fronting Church, Broadway, Demonblum at key intersections	10 stories	Any = 2 stories	2 stories	2 stories	2 stories	2 stories	All Levels	2 stories	2 stories	2 stories	16 stories
	15 stories	Any = 4 stories	2 stories	2 stories	3 stories	3 stories	All Levels	3 stories	3 stories	3 stories	21 stories
	20 stories	Silver or Gold = 2 stories, Platinum = 3 stories	2 stories	2 stories	4 stories	4 stories	All Levels	4 stories	4 stories	2 stories	28 stories
West Gardens											
West Gardens											
Primary	7 stories	Any = 1 story	1 story	1 story	1 story	1 story	Level 1	1 story	1 story	1 story	8 stories
Secondary	4 stories	Any = 1 story	1 story	1 story	1 story	1 story	Level 1	1 story	1 story	1 story	5 stories
Tertiary	3 stories	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	No bonus	3 stories
South Hill											
South Hill											
Primary	7 stories	Any = 1 story	1 story	1 story	1 story	1 story	Level 1	Any = 1 story	1 story	1 story	8 stories
Secondary	5 stories	Any = 1 story	1 story	1 story	1 story	1 story	Level 1	Any = 1 story	1 story	1 story	6 stories
Tertiary	4 stories	Any = 1 story	1 story	1 story	1 story	1 story	Level 1	Any = 1 story	1 story	1 story	5 stories

SUBSTITUTE ORDINANCE NO. BL2015-1255

An ordinance to add Section 17.12.120 of Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to permit the transfer of development rights from historic properties in Metropolitan Nashville as "sending" sites to designated "receiving" sites, which is more particularly described herein (Proposal No 2015Z-015TX-001).

WHEREAS, in 2001, the State of Tennessee promulgated law enabling individual counties and municipalities to permit the transfer of development rights to achieve land use goals, as per Tennessee Code Annotated Sections 13-7-101 and 13-7-201.

WHEREAS, the transfer of development rights can relieve development pressure from areas intended to be low intensity while allowing property owners in the areas intended to be low intensity to realize the value of their development entitlements by permitting these property owners to donate or sell the value of undeveloped development rights.

WHEREAS, the Metropolitan Nashville Davidson County has numerous properties which have been designated historically significant or eligible for the National Historic Register by the Metropolitan Historical Commission.

WHEREAS, the transfer of development rights pursuant to sound community planning standards is hereby declared to be in accordance with the health, safety and welfare of Nashville/Davidson County because it furthers the protection of historic and culturally-relevant structures and districts at a time when this objective is made urgent by development pressures upon these structures and districts.

WHEREAS, the original ordinance defining Transfer of Development rights, which was written in 2007, focused solely on Downtown Nashville as it was facing significant development pressure and now many of sectors of Nashville are facing similar pressure.

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

SECTION 1. By amending Chapter 17.12 of the Metropolitan Zoning Code, "District Bulk Regulations" by adding Section 17.12.120 titled "Transfer of Development Rights" as follows:

A. Transfer of Development Rights for Historic Properties and Sites.

1. Purpose. The transfer of development rights provisions established by this section are intended to protect historic and culturally-relevant structures and sites, while allowing owners of these structures and sites to realize the value of their under-utilized development entitlements. This is accomplished by permitting property owners in "sending sites", defined in this section, to transfer, through sale or donation, all or part of the property's unused development rights (undeveloped square footage) to a "receiving

site" as defined in this section, which is an area intended for higher-intensity development. The transfer of development rights provisions are established pursuant to the authority contained in Sections 13-7-101 and 13-7-201 of the Tennessee Code Annotated.

2. Definitions and Regulations. Transfer of development rights between sites is allowed as follows:

a. Transferrable Development Rights. The development rights available for transfer are the rights for the undeveloped square footage on the property under the base zoning.

b. Sending Sites. Properties outside of the DTC, excluding single family and two family structures in R, RS, R-A, and RS-A, that meet the following standards may transfer development rights:

i. Identified by the Metro Historical Commission as a contributing property listed in the National Register of Historic Places (NR), a contributing property eligible for listing in the National Register (NRE), or a contributing property within a local historic overlay; and

ii. The historic property is well-preserved:

(1) presently demonstrates excellent preservation of the essential features that enable it to convey its historical identity and significance; and

(2) is in an overall good condition or the Metro Historical Commission has approved a preservation, restoration and/or rehabilitation plan based on the Secretary of Interior Standards established to restore the historic property to an overall good condition and provide for the excellent preservation of the essential features that enable it to convey its historical identity and significance.

c. Receiving Sites.

i. Location. Any property within the urban services district, excluding DTC, R, RS, R-A, and RS-A, having frontage on an arterial street or collector street as shown on the adopted Major Street Plan or as otherwise approved by special exception in appropriate policy areas, as determined by the Planning Department.

d. Transfer Procedure. The procedure for a transfer of development rights must meet the following criteria:

i. Application. The owners of the sending site and the receiving site shall file an application for transfer of development rights with the Department of Codes Administration. The application shall be on a form provided by, and available from, the Department of Codes Administration and shall be a joint application for both the sending site and the receiving site. A fee may be assessed with the application.

ii. Recording the Transfer of Development Rights. The conveyances of development rights from the sending site to the receiving site shall be in writing in an instrument that shall be signed by the owners of the sending site and the receiving site and shall be submitted to the Department of Codes Administration to ensure that the transfer of development rights meets all of the requirements of this section. Once it is determined that the transfer of development rights meets the requirements of this section, the Department of Codes Administration shall approve the application and such approval shall be entered in writing on the document by the director or by a designee of the Department of Codes Administration. At that point, the instrument shall be recorded in the office of the register of deeds. This instrument shall include the total square footage permitted on the sending site and the receiving site by the base zoning, square footage transferred from the sending site, and the or square footage of development—that remains for the sending site. Once the instrument is recorded, the sending site shall forfeit any future claim for additional floor area ratio, square footage or other opportunity for increased intensity of development. The transferred development rights shall be noted on any future plat(s), deed(s) or other relevant instruments.

3. Other Development Standards. For receiving sites, the transferred development rights shall be in addition to those currently permitted by the receiving site's base zoning district. All other applicable development standards, including, but not limited to, building heights, sky exposure planes, and building setbacks shall continue to apply to both the sending site and the receiving site. The assessment of whether the transferred development rights can be accommodated within the receiving site's existing applicable development standards is the responsibility of the owners of the receiving sites.

4. Conflict with Provisions of Zoning Code. If there is a conflict between the development rights considered in this section and any other part of the Zoning Code, these provisions shall prevail.

SECTION 2. 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:

Burkley Allen
Member of Council

SUBSTITUTE ORDINANCE NO. BL2015-1257

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 CS, MUL-A, and RS5 to MUG-A and RM40-A for properties located at 1404, 1410, and 1412 Dickerson Pike and Penning Avenue (unnumbered) and a portion of property located at Dickerson Pike (unnumbered), approximately 230 feet north of Fern Avenue (11.94 acres), all of which is described herein (Proposal No. 2015Z-063PR-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 CS, MUL-A, and RS5 to MUG-A and RM40-A for properties located at 1404, 1410, and 1412 Dickerson Pike and Penning Avenue (unnumbered) and a portion of property located at Dickerson Pike (unnumbered), approximately 230 feet north of Fern Avenue (11.94 acres), being Property Parcel Nos. 158, 159, part of 165 as designated on Map 071-10 and Property Parcel Nos. 006, 007, 008 as designated on Map 071-11 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 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.

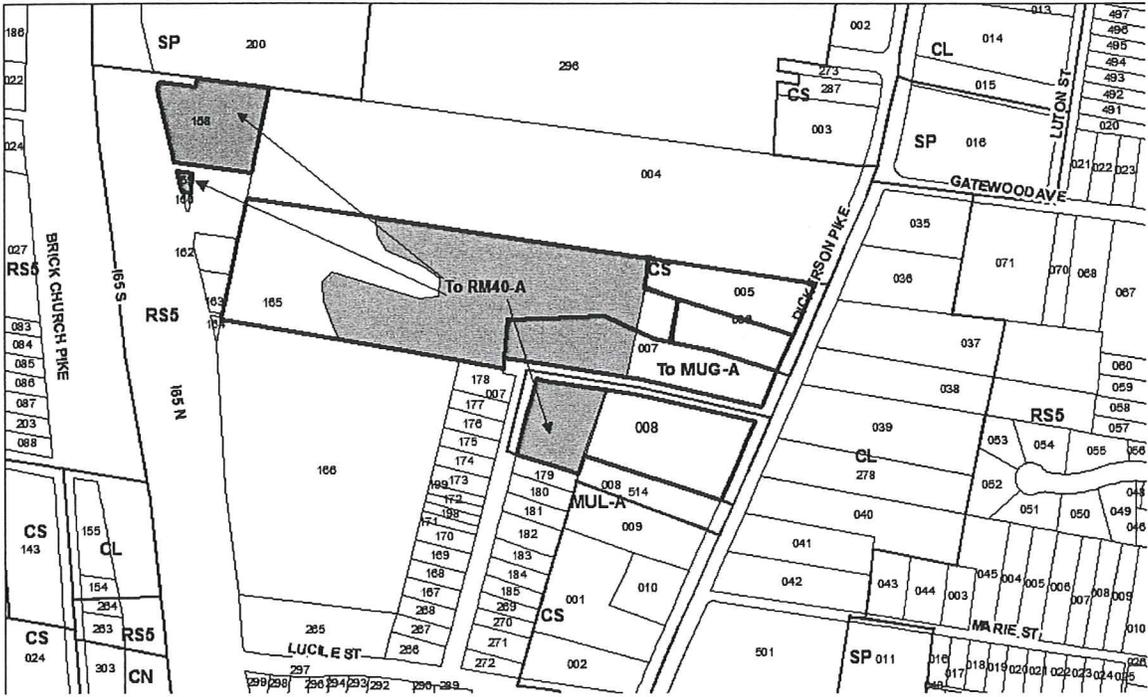
Section 3. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Councilmember Scott Davis

2015Z-063PR-001
Map 071-10, Parcel(s) 158-159, part of 165
Map 071-11, Parcel(s) 006-008
Subarea 05, East Nashville
District 05 (S. Davis)

A request to rezone from CS, MUL-A, and RS5 to MUG-A and RM40-A for properties located at 1404, 1410, and 1412 Dickerson Pike and Penning Avenue (unnumbered) and a portion of property located at Dickerson Pike (unnumbered), approximately 230 feet north of Fern Avenue (11.94 acres) requested by Dale and Associates, applicant; Phillip Parkerson and Regal Homes, owners.



SECOND SUBSTITUTE ORDINANCE NO. BL2015-1259

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 R20 to SP zoning for properties located at 6200, 6202, 6300 Highway 100 and Highway 100 (unnumbered), approximately 630 feet south of Harding Pike (3.44 acres), to permit an office, retail, and/or residential development, all of which is described herein (Proposal No. 2015SP-072-001).

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 R20 to SP zoning for properties located at 6200, 6202, 6300 Highway 100 and Highway 100 (unnumbered), approximately 630 feet south of Harding Pike (3.44 acres), to permit an office, retail, and/or residential development, being Property Parcel Nos. 084-087 as designated on Map 129-08 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 129 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 all uses permitted under MUN-A, provided that the following uses shall be prohibited:

- ATM
- Assisted Living facility
- Auction House
- Bar/nightclub
- Beer and cigarette market (including no vape shops)
- Bed and Breakfast
- Boarding House
- Cash advance
- Check cashing

Community education
Club
Commercial amusement indoor
Cultural center
Custom assembly
Day care
Flea Market
Hotel
Inventory sales
Medical Appliance sales
Rec Center
Religious Institution
Title Loan

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

1. Prior to the issuance of any building permits, a cross access easement shall be recorded to provide cross access between this SP and the adjacent parcels to the north and south.
2. The SP shall be limited to a maximum of two driveways onto Highway 100.
3. All building shall be oriented to Highway 100 and include a primary entrance along Highway 100.
4. Developer should complete and submit a plan along with the preliminary site plan for the removal, relocation and/or preservation of artifacts and human remains pursuant to Tennessee law.
5. Removal and relocation of human remains should be done in a manner sensitive to the traditions and norms of the Native American culture. Developer should consult with the Metro Historical Commission and State Archeologist staff to assure compliance.
6. Such plan should also consider placement of the buildings so as to least disrupt the site.
7. Excavation work should utilize the equipment necessary to limit or eliminate damage to the archeological site. Developer shall consult with State Archeologists to ensure compliance.
8. The Developer, the Metro Historical Commission staff, and the property owner shall mutually develop a plan for the proper storage, preservation, and display of artifacts, to the extent they are not located along with human remains and thus required to be reinterred, and ownership of which is not desired by the property owner.
9. In the event, the Metro Historical Commission is able to locate and identify the Red House Spring and any associated structures or artifacts on the site, then the developer and Metro Historical staff should develop a plan for preservation and or recognition of the site. Metro Historical Staff should consult with the staff of the Belle Meade Plnatation as appropriate.
10. Prior to final site plan approval, a Traffic Impact Study (TIS) shall be completed. In addition to standard Public Works requirements, the TIS must explore the possibility of a signalized pedestrian crossing at either Taggart Avenue or Gilman

Avenue. If Planning and Public Works determines that a signalized crosswalk is not feasible, then other pedestrian improvements may be required.

10. Commercial uses (non-office) shall be limited to 40% of the total permitted floor area.
11. A minimum of 10,000 square feet of commercial is required.
12. Multi-family shall be limited to no more than 20 units.
13. No internally illuminated signage shall be permitted on buildings fronting Highway 100. An externally illuminated monument sign, no more than 8 feet in height, is permitted at each entrance with no more than two such signs permitted for the entire site. Placement of the monument signs should respect the topographical differences between the site and the adjoining and abutting residential properties. No electronic signs are permitted.
14. The maximum spillover lighting shall not exceed:
 - a. At the property boundary, 1 foot candle adjacent to commercial property and 0.5 foot candle adjacent to residential.
 - b. Within 10 feet of the property line, 0.5 foot candles adjacent to commercial property, and 0.25 candles adjacent to residential.

For definition purposes, properties separated by roads shall be considered adjacent.

15. No drive through facilities shall be allowed on site. For purposes of this Section, a drive through facility is an establishment that by design, physical facilities, service, or packaging procedures encourages or permits customers to receive services or obtain goods while in their motor vehicles on a short term basis while in a queue.
16. Businesses on site shall operate only between the hours of 7:00 a.m. and 11:00 p.m.
17. Before preliminary site plan is approved, a tree survey should be conducted. The preference is that mature trees be retained to the extent possible particular those along the Highway 100 frontage. If these trees along the Highway 100 frontage of site are lost, they shall be replaced with comparable vegetation. For this development, vegetation means hardwood trees, not shrubs (street trees).
18. The final site plan shall be revised to eliminate the requirement for a turn lane along the Highway 100 frontage, as it is the desire of the community to create as much of a pedestrian friendly streetscape as possible.
19. Development of nonresidential portions of the project should include buildings of an architectural style and materials that mimic 1½ to 2 story traditional residential structures

found in the area. It is the intent that this development be consistent with and enhance the predominately residential nature of the area. The design of the development shall not have the appearance of a commercial strip mall. To the extent there is any parking in the front of the buildings, such limited parking area shall be substantially smaller than the parking to the side and rear of the buildings in keeping with the design of adaptive reuse developments in the 12th South area, for example.

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 MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

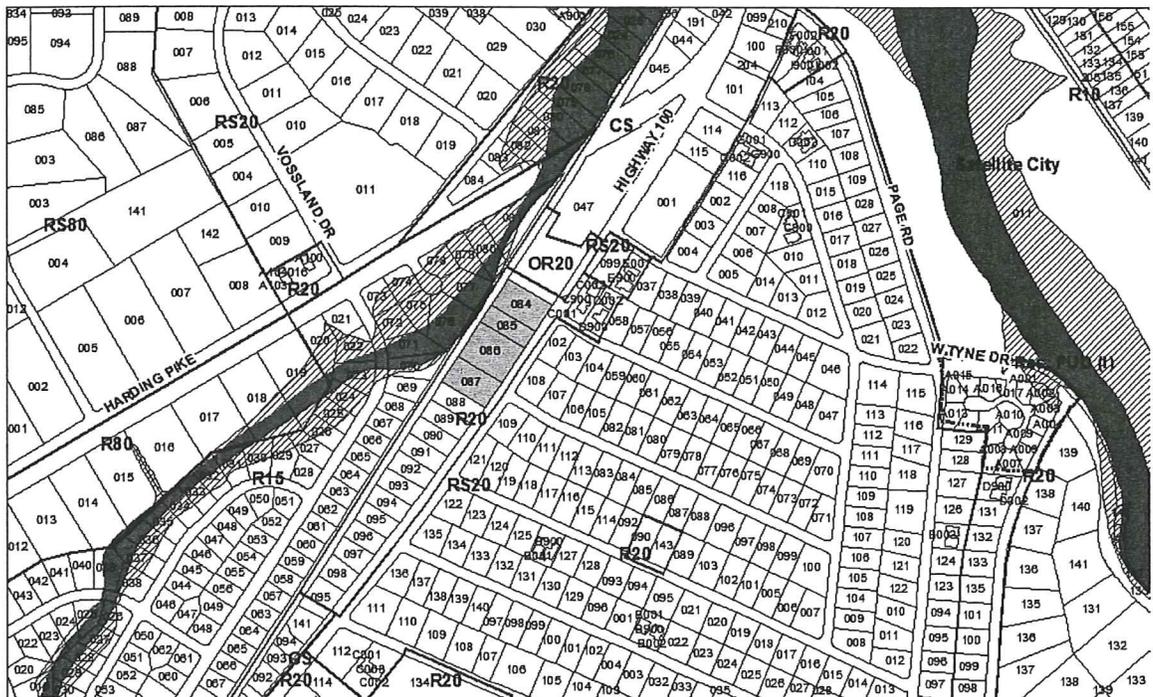
Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Councilmember Emily Evans

2015SP-072-001
OFFICES AT RAIL STATION
Map 129-08, Parcel(s) 084-087
Subarea 07, West Nashville
District 23 Evans)

A request to rezone from R20 to SP zoning for properties located at 6200, 6202, 6300 Highway 100 and Highway 100 (unnumbered), approximately 630 feet south of Harding Pike (3.44 acres), to permit an office, retail, and/or residential development, requested by Dale and Associates, applicant; various property owners.



SUBSTITUTE ORDINANCE NO. BL2015-1299

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by amending an existing SP to permit four townhome units plus two live/work units for a total of six units, where four detached units had previously been approved, approximately 174 feet north of Rosa Parks Blvd (0.18 acres), all of which is described herein (Proposal No. 2006SP-075-001).

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 amending an existing SP to permit four townhome units plus two live/work unit for a total of six units, where four detached units had previously been approved, approximately 174 feet north of Rosa Parks Blvd (0.18 acres), being Property Parcel No. 441 as designated on Map 081-12 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 081 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 six residential units, with two of the six units located along the corner of Taylor Street and 7th Avenue North, allowed to be live/work.

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

1. Live/work unit is defined as a single unit consisting of a commercial space on the first floor and a residential component that is occupied by the proprietor of the commercial

space above. The live/work unit may also serve as solely residential use. Commercial uses include retail, office and personal care services only.

2. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

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 RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

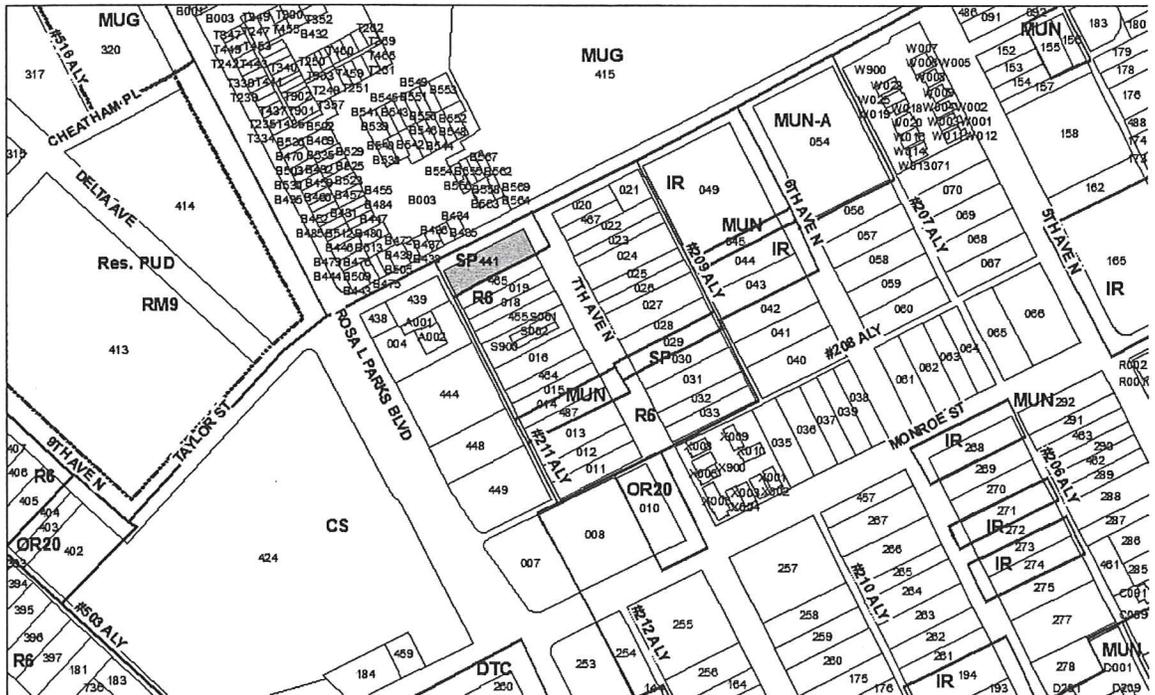
Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

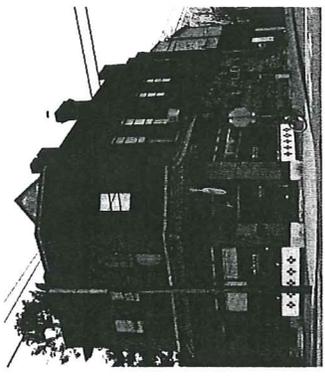
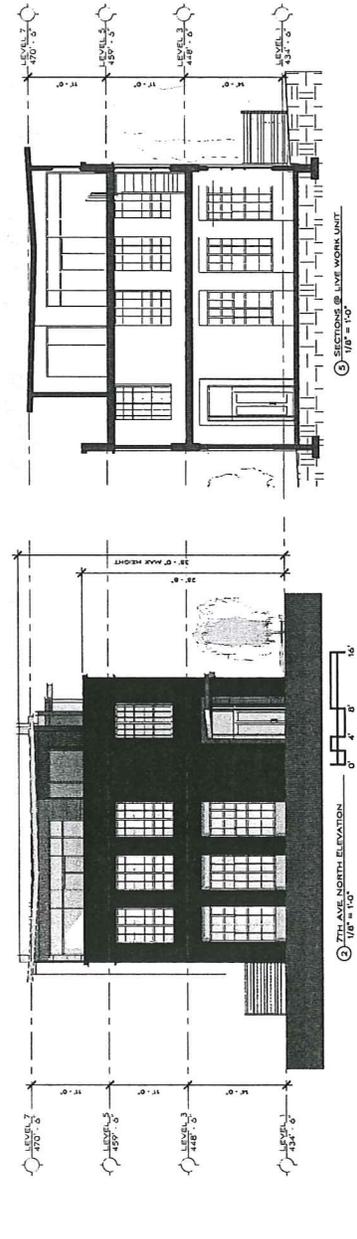
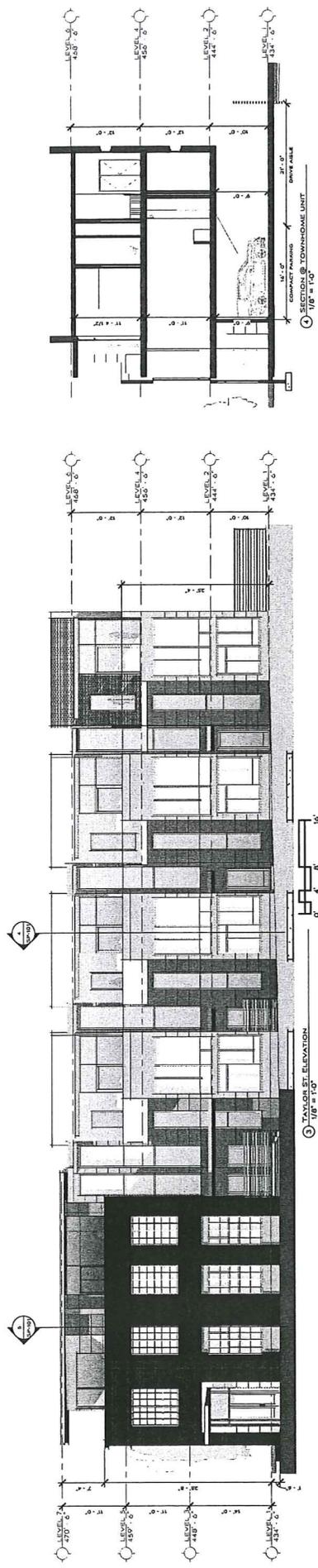
INTRODUCED BY:

Councilmember Erica S. Gilmore

2006SP-075-001
1329 7TH AVENUE NORTH
Map 081-12, Parcel(s) 441
Subarea 08, North Nashville
District 19 (Gilmore)

A request to amend an existing SP to permit four townhome units plus two live/work units for a total of six units, where four detached units had previously been approved, approximately 174 feet north of Rosa Parks Blvd (0.18 acres), requested by Barge Cauthen & Associates, applicant; Village People, LLC, owner.





EXAMPLE OF HISTORIC CORNER COMMERCIAL STRUCTURES IN NEIGHBORHOOD

CORE DEVELOPMENT
2206 23ST AVE SOUTH STE. 200 NASHVILLE, TN 37212

7TH AND TAYLOR
1329 7TH AVE NORTH, NASHVILLE, TN 37208

MANUEL ZEITLIN ARCHITECTS
WWW.MZARCH.COM
516 HAGAN ST. STE. 100 NASHVILLE, TN 37203 615.262.0880

Amendment No. 1
To
Substitute Ordinance No. BL2015-1299

Madam President:

I move to amend BL2015-1299 as follows:

- I. By deleting the current Section 3 and replacing it with the following:

Section 3. Be it further enacted, that he uses of this SP shall permit four townhome units and one live/work unit, for a total of five units.

- II. By amending Section 4 to add the following provisions:

3. The final site plan shall include two parking spaces per unit.
4. The final site plan shall incorporate 3-foot planting strips and pervious pavers into a portion of the public sidewalk. The sidewalk shall be a minimum of 5 feet in depth along Taylor Street to accommodate street trees to be placed between the sidewalk and roadway. The installation of such planters and pavers shall be contingent upon approval of the Department of Public Works and, if determined to be necessary by the Department of Public Works, approval of an ordinance allowing the encroachment in the right-of-way.
5. The final site plan shall incorporate a 4-foot planting strip and pervious pavers into a portion of the public sidewalk. The sidewalk shall be a minimum of 7 feet in depth along 7th Avenue to accommodate street trees to be placed between the sidewalk and roadway. The installation of such planters and pavers shall be contingent upon approval of the Department of Public Works and, if determined to be necessary by the Department of Public Works, approval of an ordinance allowing the encroachment in the right-of-way.

INTRODUCED BY:

Erica Gilmore
Member of Council