



Metropolitan Council

REVISED

**PROPOSED SUBSTITUTES FOR
ORDINANCES AND
AMENDMENTS TO
ORDINANCES TO BE FILED
WITH THE METRO CLERK
FOR THE COUNCIL MEETING OF
TUESDAY, DECEMBER 5, 2017**

SUBSTITUTE ORDINANCE NO. BL2017-975

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 SP to AR2a zoning on property located at ~~7724~~ 7224 Old Burkitt Road, approximately 290 feet east of Nolensville Pike (23.08 acres), all of which is described herein (Proposal No. 2017Z-104PR-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 SP to AR2a zoning on property located at ~~7724~~ 7224 Old Burkitt Road, approximately 290 feet east of Nolensville Pike (23.08 acres), being Property Parcel No. 004 as designated on Map 186-00 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 186 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.

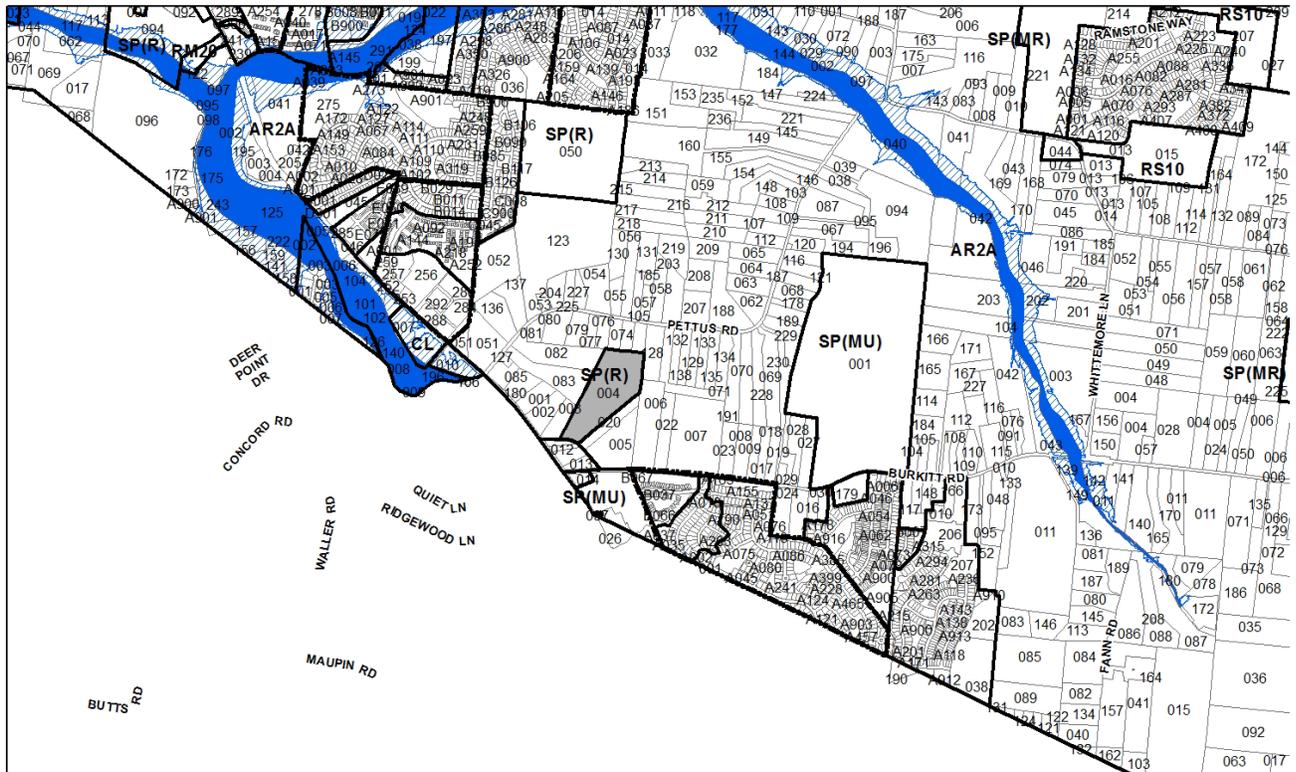
Section 3. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Fabian Bedne
Member of Council

2017Z-104PR-001
Map 186, Parcel(s) 004
Subarea 12, Southeast
District 31 (Bedne)
Application fee paid by: Brentwood United Methodist Church

A request to rezone from SP to AR2a zoning on property located at ~~7724~~ 7224 Old Burkitt Road, approximately 290 feet east of Nolensville Pike (23.08 acres), requested by Civil Site Design Group, PLLC, applicant; McGowan Investments, Inc., owner.



SUBSTITUTE ORDINANCE NO. BL2017-977

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 RM20 to SP zoning on properties located at ~~7447~~ 7477, 7483, 7487 and 7501 Highway 70 South, approximately 465 feet east of Sawyer Brown Road, (4.72 acres), to permit up to 72 multi-family units with appropriate design standards, all of which is described herein (Proposal No. 2017SP-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 RM20 to SP zoning on properties located at ~~7447~~ 7477, 7483, 7487 and 7501 Highway 70 South, approximately 465 feet east of Sawyer Brown Road, (4.72 acres), to permit up to 72 multi-family units with appropriate design standards, being Property Parcel Nos. 031, 032, 033 and 157 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 be limited to a maximum 72 multi-family units with appropriate design standards.

Section 4. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

1. An A-2 landscape buffer shall be provided along the western property line and wrap around the parking fronting Highway 70 South adjacent to the western property line.
2. Elevations for all building types consistent with the bulk and architectural standards and character imagery in the Preliminary SP shall be provided with the submittal of the Final Site plan for each phase.
3. 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.
4. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
5. 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, 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 6. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

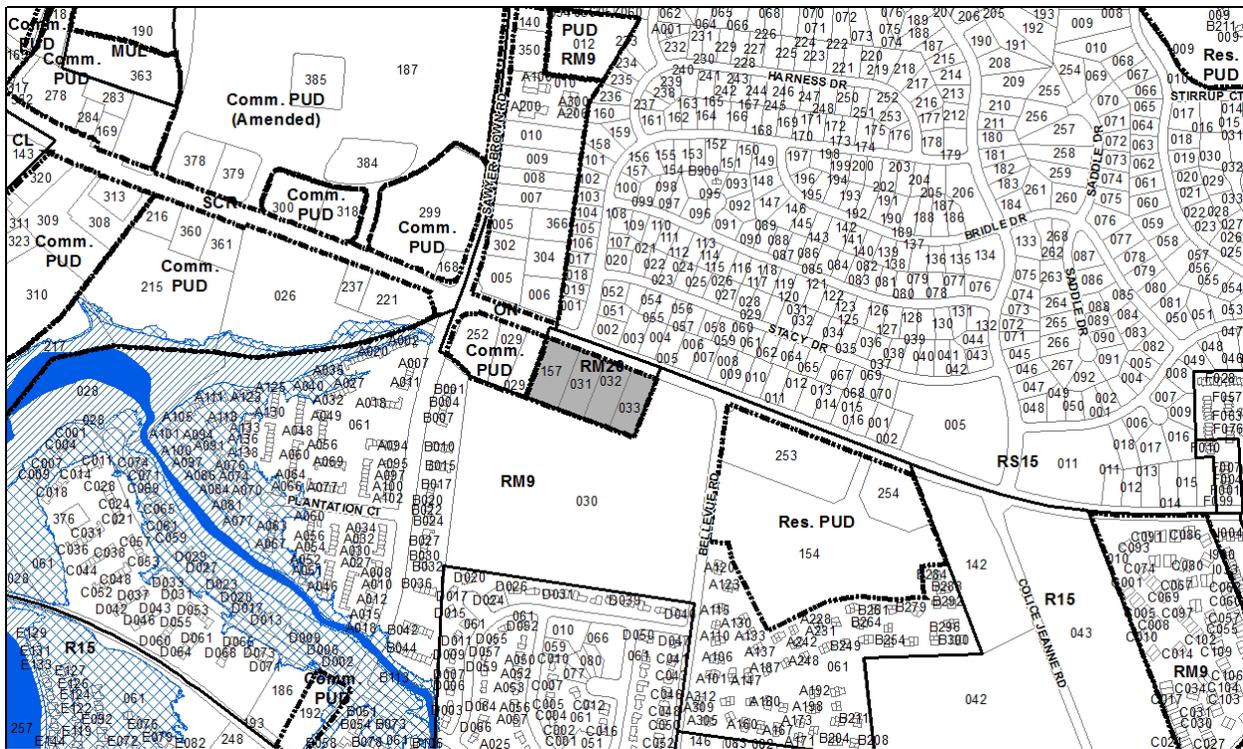
Section 7. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Sheri Weiner
Member of Council

2017SP-043-001
PARKVUE SP
Map 142, Parcel(s) 031-033, 157
Subarea 06, Bellevue
District 22 (Weiner)
Application fee paid by: Fee waived by Council

A request to rezone from RM20 to SP zoning for properties located at 7447 7477, 7483, 7487, and 7501 Highway 70 S, approximately 465 feet east of Sawyer Brown Road (4.72 acres), to permit up to 72 multi-family units with appropriate design standards, requested by Councilmember Sheri Weiner, applicant; various property owners.



SUBSTITUTE ORDINANCE NO. BL2017-1017

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 IWD to SP zoning on a portion of property located at ~~Perimeter Court (unnumbered)~~ 910 Perimeter Court, approximately 420 feet south of Perimeter Place Drive, (3.61 acres), to permit a hotel, all of which is described herein (Proposal No. 2017SP-065-001).

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 IWD to SP zoning on a portion of property located at ~~Perimeter Court (unnumbered)~~ 910 Perimeter Court, approximately 420 feet south of Perimeter Place Drive, (3.61 acres), to permit a hotel, being Property Parcel No. 005 as designated on Map 107-04 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 107 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to a hotel.

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

1. The height of the building is limited to a maximum of 6 stories in 90 feet measured to the roofline.
2. A 5 foot sidewalk and a 4 foot planting strip shall be installed along the driveway.
3. Pedestrian connections shall be included from the driveway extending to the parking lot and building
4. Preserve Court is to be built and accepted by Metro Government prior to issuance of building permit.
5. Comply with all conditions of Public Works and Traffic and Parking.
6. A TIS is required prior to final site plan approval.

7. With the final site plan, a plat shall be submitted to revise the lot lines of Lot 5 to reflect the area included within the SP. The remainder of Lot 5 shall be platted as open space.
8. There shall be no pole or billboard signs, changeable LED, video signs or similar signs allowing automatic changeable messages. All other signs shall meet the ORI zoning requirements.
9. 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 ORI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

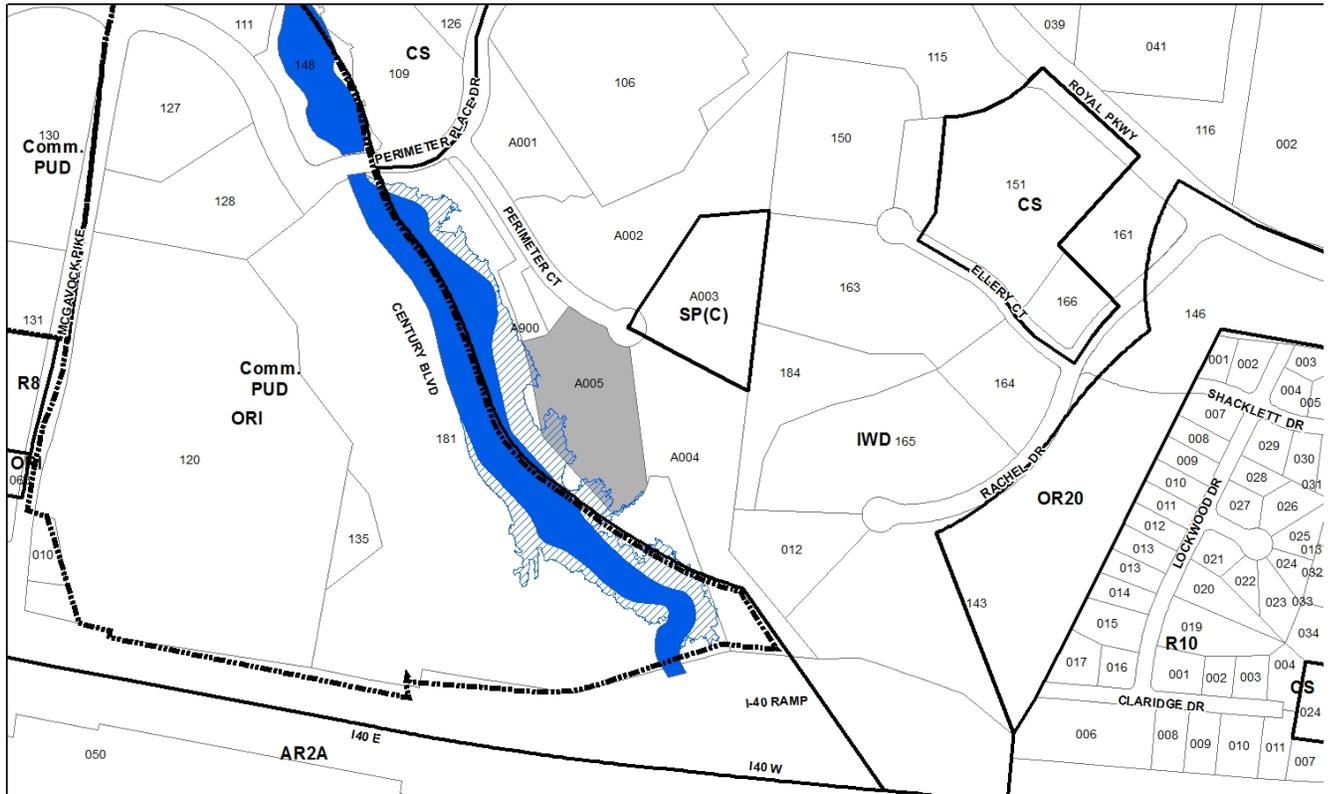
Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Jeff Syracuse
Member of Council

2017SP-065-001
THE PRESERVE HOLIDAY INN SP
Map 107-04-0-A, Part of Parcel 005
Subarea 14, Donelson - Hermitage
District 15 (Syracuse)
Application fee paid by: Mukam Hotels LLC

A request to rezone from IWD to SP zoning on a portion of property located at Perimeter Court (unnumbered) 910 Perimeter Court, approximately 420 feet south of Perimeter Place Drive, (3.61 acres), to permit a hotel, requested by Minal Patel, applicant; Corporate Investors Partnership V, LLC, owner.



SUBSTITUTE ORDINANCE NO. BL2017-1019

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 AR2a to SP zoning on property located at 14899 Old Hickory Blvd, at the southwest corner of Old Hickory Blvd and Benzing Road, (0.967 acres), to permit a grocery store, all of which is described herein (Proposal No. 2017SP-090-001).

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 AR2a to SP zoning on property located at 14899 Old Hickory Blvd, at the southwest corner of Old Hickory Blvd and Benzing Road, (0.967 acres), to permit a grocery store, being Property Parcel No. 104 as designated on Map 162-00 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 162 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to a grocery store.

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

1. Sidewalks shall be installed along Old Hickory Blvd and Benzing Road consistent with standards of the Major and Collector Street Plan (sidewalks 8 feet in width and planting strip 6 feet in width).
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 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.
4. The final site plan/ building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical

obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

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 CN-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:

Fabian Bedne
Member of Council

SUBSTITUTE ORDINANCE NO. BL2017-1021

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 IWD to RM20-A zoning for property located at 851 Cherokee Avenue, approximately 1,900 feet east of Jones Avenue (0.48 acres), all of which is described herein (Proposal No. 2017Z-112PR-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 IWD to RM20-A zoning for property located at 851 Cherokee Avenue, approximately 1,900 feet east of Jones Avenue (0.48 acres), being Property Parcel No. 004 as designated on Map 072-09 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 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. Requesting this rezoning may affect the provision of affordable or workforce housing units in rental projects involving five or more rental units on site, as set forth in Ordinance Nos. BL2016-133, and BL2016-342, which authorizes Metro grants to offset the provision of affordable or workforce housing units.

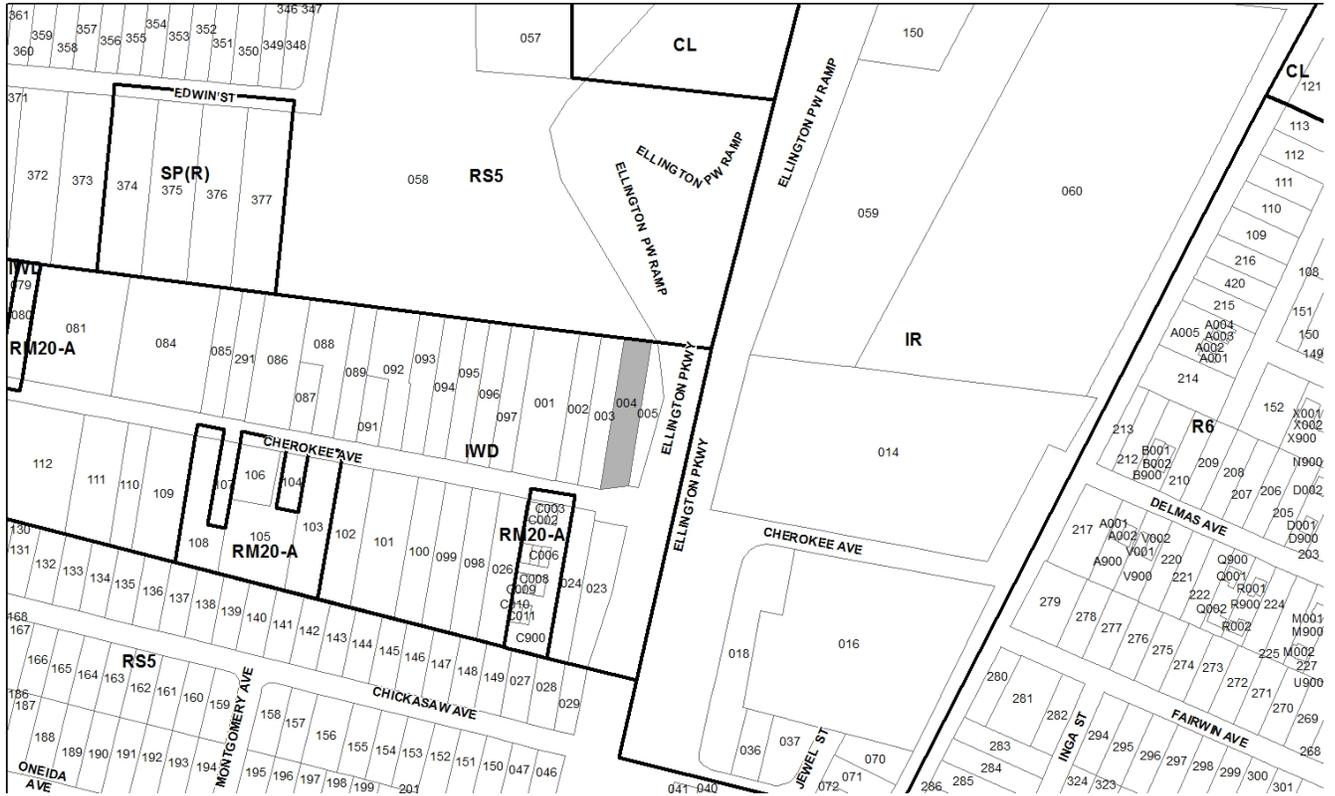
Section 4. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Scott Davis
Member of Council

2017Z-112PR-001
Map 072-09, Parcel(s) 004
Subarea 05, East Nashville
District 05 (Davis)
Application fee paid by: Rhythm Homes & Development

A request to rezone from IWD to RM20-A zoning for property located at 851 Cherokee Avenue, approximately 1,900 feet east of Jones Avenue (0.48 acres), requested by Paul and Rosemarie Aponte Rhythm Homes and Development, LLC, applicant and owner.



SUBSTITUTE ORDINANCE NO. BL2017-1027

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 AR2a to RS10 zoning on properties located at 12474 and 12478 Old Hickory Boulevard, approximately 610 feet northeast of Murfreesboro Pike (21.36 acres), all of which is described herein (Proposal No. 2016Z-087PR-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 AR2a to RS10 zoning on properties located at 12474 and 12478 Old Hickory Boulevard, approximately 610 feet northeast of Murfreesboro Pike (21.36 acres), being Property Parcel Nos. 134, 137, 138 and 139 as designated on Map 164-00 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 164 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:

Antoinette Lee
Member of Council

[View Sketch](#)

2016Z-087PR-001
Map 164, Parcel(s) 134, 137-139
Subarea 13, Antioch - Priest Lake
District 33 (Lee)
Application fee paid by: Bank Tennessee

A request to rezone from AR2a to RS10 zoning for properties located at 12474 and 12478 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), approximately 610 feet northeast of Murfreesboro Pike (21.36 acres), requested by Dale & Associates, applicant; ~~OHB Land Investment Trust and Victor Hazelwood, Trustee~~ OHB Land Investment Trust and John Gill, owners.



AMENDMENT NO. ____
TO
ORDINANCE NO. BL2017-952

Mr. President –

I move to amend Ordinance No. BL2017-952 as follows:

I. By amending Section 1 by deleting proposed subsection 4.48.115.C in its entirety and substituting the following in lieu thereof:

C. The restrictions within this section shall be subject to waiver by regulations of the procurement standards board.

INTRODUCED BY:

Bob Mendes
Member of Council, At-Large

SECOND SUBSTITUTE ORDINANCE NO. BL2017-953

An ordinance amending Chapter 6.64 of the Metropolitan Code of Laws to restrict door-to-door commercial solicitation to daylight hours and to revise eligibility provisions for issuance of a permit.

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

Section 1. That Chapter 6.64 of the Metropolitan Code of Law is hereby amended by adding a new section 6.64.035 as follows:

6.64.035 – Solicitation Restricted to Daylight Hours.

It shall be a violation of this chapter to engage in door-to-door commercial solicitation on any day ~~after sunset or before sunrise~~ (a) before sunrise or (b) after sunset or 7:00 pm, whichever occurs later.

Section 2: That Chapter 6.64 of the Metropolitan Code of Law is hereby further amended by deleting section 6.64.080 in its entirety and substituting the following in lieu thereof:

6.64.080 - Persons prohibited.

A person shall not be eligible for issuance of a permit or identification badge under this chapter if:

- A. Such person, within five years prior to the date of application, has been convicted, placed on probation or parole, or released from incarceration for a felony, or any crime involving theft or dishonesty, or any crime of a sexual nature in any jurisdiction.
- B. A permit or an identification badge previously issued to such person under this chapter has been revoked by the clerk under Sections 6.64.130 or 6.64.140 of this chapter.

Section ~~2-~~ 3. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Brett Withers
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2017-984

Mr. President –

I move to amend Ordinance No. BL2017-984 as follows:

I. By amending Section 15 by deleting the reference to “\$270.00” in proposed section 6.80.550(H)(1)(b).

INTRODUCED BY:

Larry Hagar
Member of Council

SUBSTITUTE ORDINANCE NO. BL2017-985

An ordinance authorizing the transfer of the real property located at 1010 Camilla Caldwell Lane (Map/Parcel No. 08000003500) from the Metropolitan Government of Nashville and Davidson County to the Metropolitan Development and Housing Agency for the purpose of constructing ~~affordable~~ and workforce housing (Proposal No. 2017M-045PR-001).

WHEREAS, the Metropolitan Government owns a certain parcel of property (“the Property”) located at 1010 Camilla Caldwell Lane (Map/Parcel No. 08000003500); and,

WHEREAS, the Metropolitan Government has determined that a portion of the Property should be transferred to the Metropolitan Development and Housing Agency for the purpose of constructing ~~affordable~~ and workforce housing; and,

WHEREAS, it is in the public interest to convey the Metropolitan Government’s ownership interest in the Property to the Metropolitan Development and Housing Agency.

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

Section 1. The Director of Public Property Administration is hereby authorized and directed to transfer a portion of the following parcel of land, owned in fee simple by the Metropolitan Government, and described in Exhibit 1 attached hereto and incorporated herein, to the Metropolitan Development and Housing Agency.

Parcel No.	Address - Location	Lot Size to be Transferred	Council District	Exhibit
08000003500	1010 Camilla Caldwell Lane	5.55 acres	1	1

Section 2. The Director of Public Property Administration or his designee is authorized to execute such documents as are customary and necessary to carry out the intent of this ordinance.

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

INTRODUCED BY:

Nick Leonardo
Member of Council

SUBSTITUTE ORDINANCE NO. BL2017-819

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 ORI to SP on properties located at 109, 111 and 113 29th Avenue North, at the southwest corner of Poston Avenue and 29th Avenue North, located within the 31st Avenue and Long Boulevard Urban Design Overlay District (0.49 acres), to permit a hotel, all of which is described herein (Proposal No. 2017SP-020-001).

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 ORI to SP on properties located at 109, 111 and 113 29th Avenue North, at the southwest corner of Poston Avenue and 29th Avenue North, located within the 31st Avenue and Long Boulevard Urban Design Overlay District (0.49 acres), to permit a hotel, being Property Parcel Nos. 336, 337, 338 as designated on Map 104-02 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 104 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

~~Section 3. Be it further enacted, that the uses of this SP shall be limited to a hotel with a maximum height of 90 feet as stipulated in the 31st Avenue and Long Boulevard Urban Design Overlay.~~

Be it further enacted, that the uses of this SP shall be limited to a hotel with a maximum height of 90 feet measured from the ground elevation (535' EL) at the corner of 29th Avenue North and Poston Avenue for a total height not to exceed 625' EL inclusive of non-occupied roof-top structures, equipment and design elements.

Section 4. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

~~1. On the corrected set, update the Maximum FAR to 4.25.~~

~~1. The total FAR for the building shall be 4.0.~~

1. The maximum FAR shall be 4.0

2. Prior to use and occupancy permit, a mandatory referral approving aerial encroachments for the proposed canopies shall be approved by the Metropolitan Council.
3. Final architectural elevations for all facades of the building consistent with all standards of the 31st and Long UDO shall be provided with the submittal of the Final Site Plan.
4. Comply with all conditions of Public Works and Traffic and Parking in regards to traffic improvements.
5. Final site plan review for the Specific Plan and 31st Avenue and Long Boulevard Urban Design Overlay shall be combined. All requirements of the Specific Plan and Urban Design Overlay shall be met.
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.
- ~~7. Total parking provided shall be 159 parking spaces. All parking spaces shall be made available to the public as paid parking. Underground parking shall be provided. Four on-street parking spaces are to be provided if approved by Metro Traffic and Parking Commission.~~
- ~~8. Pedestrian safety improvements shall be per "Recommended Improvement Plan" and Pedestrian Safety Analysis completed by KRPM Transportation Consultants, LLC. See attached drawing. (Figure 8).~~
8. Pedestrian safety improvements shall be per "Recommended Improvements" Plan and Pedestrian Safety Analysis completed by RPM Transportation Consultants, LLC / KCI Technologies Inc. See attached drawing. (Attachment B Intersection Improvement Plan, Figure 8).
9. Lighting shall be provided for the sidewalks along 29th Ave N and Poston Ave. at a minimum of 1 Foot Candle per sf. Lights shall be mounted on the building envelope.
10. Building signage with integrated lighting shall not be visible from the 30th Ave North.
11. During construction, there shall be no outside work on Sundays.
12. During construction, there shall be no jackhammering nor hoe ramming between 5 PM and 9 AM.
- ~~13. Blasting shall occur between 9AM and 8PM Tuesday thru Saturday unless directed by the State Fire Marshal, the Nashville Fire Department, or other regulating agency for pedestrian safety, traffic safety, and/or the general welfare of the public. Primary shot time will be immediately following implementing safety protocols early in the morning to limit exposure to the public.~~
13. Blasting shall occur between 9AM and 8PM Tuesday thru Saturday unless directed by the State Fire Marshal, the Nashville Fire Department, or authorities having jurisdiction for pedestrian safety, traffic safety, and/or the general welfare of the public. Primary shot time will be immediately following implementing safety protocols early in the morning to limit exposure to the public.
14. During other construction activities specifically not listed, care shall be taken, when reasonably possible, to limit the impact on surrounding properties.
- ~~15. Patrons utilizing the hotel's exterior pool amenity area shall not produce excessive noise levels past 9 PM.~~
15. Patrons utilizing the hotel's exterior pool amenity area shall not produce excessive noise above 70 Db levels past 9 PM.
16. If the project developer cannot secure off-site parking during construction, then the developer will provide parking at another location and provide a carpool service during construction of the underground parking structure. Once the underground parking structure is complete, all parking will be located within the parking structure.
17. Parcel area shall mean the horizontal area included within the boundary lines of the parcel prior to the dedication of right-of-way and shall be quantitatively defined as noted on the SP Plan (Case # 2017SP-020-001) (+/-0.49 acres or 21,344.4 square feet).

Section 5. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that 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 6. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the 31st Avenue and Long Boulevard Urban Design Overlay and ORI zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 7. 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:

Edward Kindall
Member of Council

SUBSTITUTE ORDINANCE NO. BL2017-850

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 R6-A to SP zoning on properties located at 530, 534, and 536 Southgate Avenue, approximately 305 feet east of Martin Street, (1.73 acres), to permit up to 49 multi-family units, all of which is described herein (Proposal No. 2017SP-054-001).

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 R6-A to SP zoning on properties located at 530, 534, and 536 Southgate Avenue, approximately 305 feet east of Martin Street, (1.73 acres), to permit up to 49 multi-family units, being Property Parcel Nos. 013, 014, 015 as designated on Map 105-11 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 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 105 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to a maximum of 49 multi-family residential units.

Section 4. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

1. On the corrected set, update Architectural Note "G" to apply to buildings along street frontages as well as facing open space and parking areas.
2. On the corrected set, update Architectural Note "H" to apply only to the stacked flat buildings. Revise the note to apply to facades along street frontages as well as facing open space and parking areas.
3. On the corrected set, update Architectural Notes "A" and "B" to apply only to the single-family cottage units.
4. On the corrected set, modify the Site Data existing zoning to R6-A.
5. With the submittal of the final SP, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
6. Provide detailed landscaping plans with the submittal of the final SP.
7. On the corrected set, extend the 5' sidewalks located along the northern boundary of the

drive aisle to the eastern and western property lines.

8. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

9. The preliminary SP plan is the site plan and associated documents. Remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.

10. All requirements of the Public Works Department shall be met prior to final SP approval.

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

Section 5. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that 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 6. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of 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 7. 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:

Colby Sledge
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2017-903

Mr. President –

I move to amend Ordinance No. BL2017-903 as follows:

- I. By amending Section 2 by deleting Subsection C in its entirety and replacing with the following subsection C:
C. Rope lighting shall not be used on a building, sign, or any property with non-residential zoning located adjacent to an arterial or collector street as identified on the Major and Collector Street Plan. This provision shall not apply to properties zoned as DTC or CA (Commercial Attraction).

INTRODUCED BY:

Tanaka Vercher
Member of Council

AMENDMENT NO. A

TO

ORDINANCE NO. BL2017-949

Mr. President -

I move to amend Ordinance No. BL2017-949 as follows:

I. By amending Exhibit A, entitled "Debt Management Policy 2017", at page 5, following the phrase "Debt per capita personal income", by adding the following:

- Debt to peer city total consolidated debt
 - Debt per capita to peer city per capita consolidated debt
- a) For the purposes of these metrics, "peer cities" shall mean as compared to the next fifteen (15) U.S. cities larger in population than Metropolitan Nashville and the next fifteen (15) U.S. cities smaller in population than Metropolitan Nashville.
 - b) For the purposes of these metrics, "consolidated debt" shall mean all debts obligated by the general taxpayer of Davidson County as compared to the obligated debts of the general taxpayer of peer cities and their counties, which may include, but are not limited to, such municipal and county debt issuance purposes as schools, transit, housing, public works, water and sewer.

INTRODUCED BY:

John Cooper
Member of Council, At-Large

AMENDMENT NO. B
TO
ORDINANCE NO. BL2017-949

Mr. President -

I move to amend Ordinance No. BL2017-949 as follows:

I. By amending Exhibit A, entitled "Debt Management Policy 2017", at page 13, following the sentence that begins "The underwriter in a publicly offered,..." and ends "...the pricing of the debt." by adding the following additional sentence:

"No underwriter shall be selected if that proposed underwriter has also separately earned any income or fees by providing consulting, feasibility, advisory, or accounting services to the Metropolitan Government for activities which are in any way covered by the same scope of work as the to-be-issued bonds."

INTRODUCED BY:

John Cooper
Member of Council, At-Large