

Metropolitan Council

REVISED

**PROPOSED AMENDMENTS TO
ORDINANCES, SUBSTITUTE
FOR ORDINANCE, AND THIRD
SUBSTITUTE FOR ORDINANCE
TO BE FILED WITH THE METRO
CLERK**

**FOR THE COUNCIL MEETING OF
TUESDAY, APRIL 18, 2017**

AMENDMENT NO.____

TO

ORDINANCE NO. BL2017-658

Mr. President,

I move to amend Ordinance No. BL2017-658 as follows:

I. By amending Section 1 by deleting the second paragraph of subsection 6.32.080.A.1 and substituting the following in lieu thereof:

Beginning at the ~~southeast~~ northwest corner of the ~~Broadway~~ Demonbreun Street and First Avenue South and proceeding in a southerly direction along the eastern margin and sidewalk of First Avenue South adjacent to the Ascend Amphitheater to the northeast corner of the intersection of Korean Veterans Boulevard and First Avenue South, thence proceeding in an east-northeasterly direction along the northern margin and sidewalk of Korean Veterans Boulevard to the Cumberland River.

INTRODUCED BY:

Nancy VanReece
Member of Council

SUBSTITUTE ORDINANCE NO. BL2016-473

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 the Hillwood Court at Nashville West Specific Plan District for property located at 6813 B and 6817 Charlotte Pike, approximately 640 feet southwest of West Hillwood Drive, (4.37 acres), to add parcel 015 permit and permit a maximum of 50 residential units where 34 residential units were previously approved, all of which is described herein (Proposal No. 2013SP-048-003).

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 the Hillwood Court at Nashville West Specific Plan District for property located at 6813 B and 6817 Charlotte Pike, approximately 640 feet southwest of West Hillwood Drive, (4.37 acres), to add parcel 015 permit and permit a maximum of 50 residential units where 34 residential units were previously approved, being Property Parcel No. 015 as designated on Map 102-11 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 102 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 50 residential units.

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

1. Revise purpose note " A request to amend the Hillwood Court at Nashville West Specific Plan District to add parcel 015 and permit a maximum of 50 residential units where 34 residential units were previously approved. "
2. Provide sidewalk connection from guest parking area in Phase 2 to the sidewalk east of guest parking.
3. Elevations shall be submitted with the final site plan application.
4. 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.
5. 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.
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. Prior to approval of the final site plan, construction details, including materials, for a six-foot tall masonry wall shall be included on the plan. The masonry wall shall be installed along the entire southern property line and along the southern ten feet of the eastern and western property line, prior to the issuance of any use and occupancy permits.

Section 5. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 6. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Section 7. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

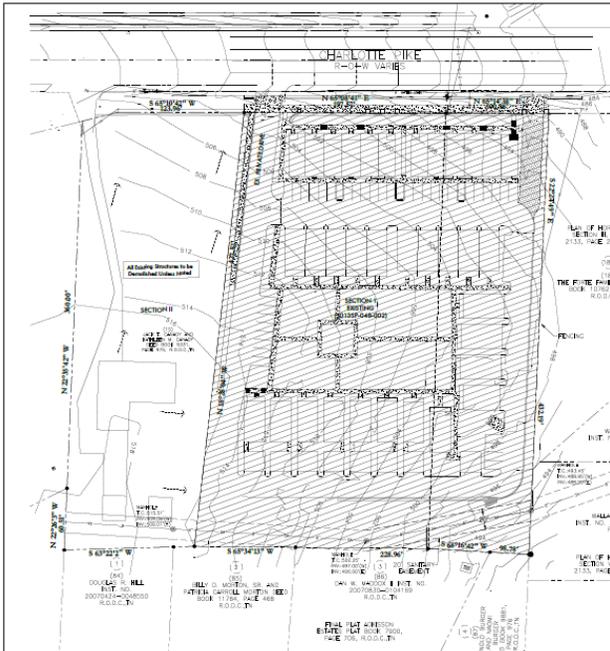
Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

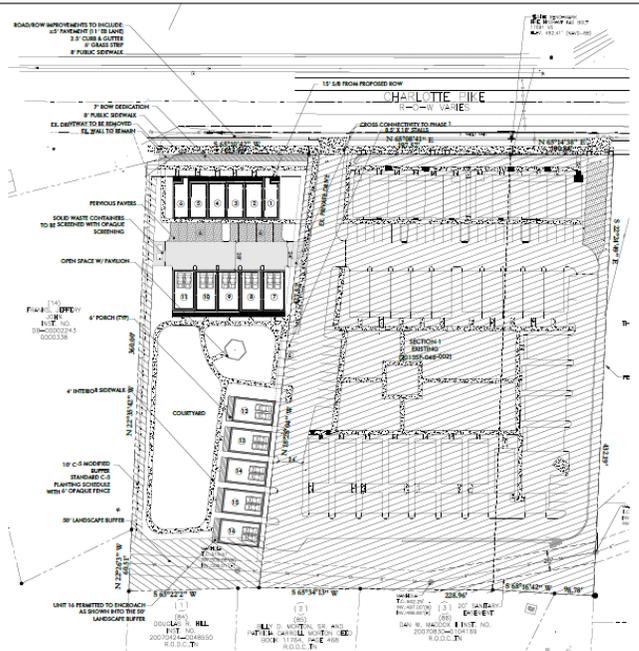
Mina Johnson
Member of Council

[View Sketch](#)

[View Site Plan](#)

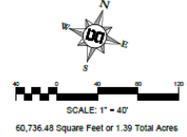


Existing Conditions (1"=40')



Site Layout (1"=40')

Hillwood Court at Nashville West	
PHASE 1:	24 UNITS APPROVED UNDER 20122P-048-001 (PRELIM SP)
PHASE 2:	24 UNITS APPROVED UNDER 20122P-048-002 (FINAL SP)
PHASE 3:	14 UNITS APPROVED UNDER 20122P-048-003 (PRELIM SP)
PHASE 4:	14 UNITS APPROVED UNDER 20122P-048-004 (PRELIM SP)



60,736.48 Square Feet or 1.39 Total Acres

Existing Conditions & Site Layout

Dale & Associates
 Consulting Civil Engineering
 Land Planning & Zoning
 Surveying

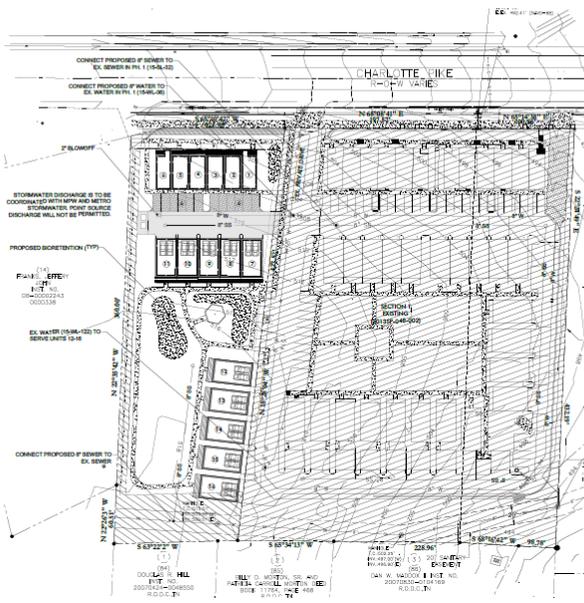
4/17/17

20122P-048-001
 Hillwood Court
 at Nashville West SP
 Section II

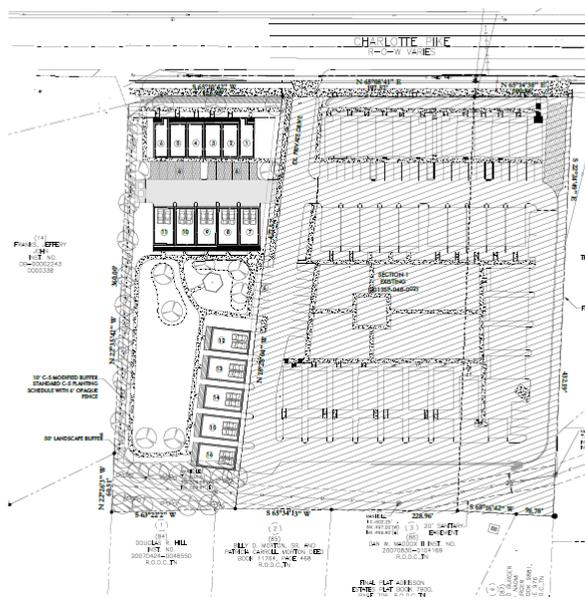
Sheet 2 of 3

Hillwood Court at Nashville West
 Section II
 Preliminary Specific Plan
 Being Paired 15 on Tax Map 102-11
 Nashville, Davidson County, Tennessee

4/17/17



Grading, Utility & Layout (1"=40')



Landscape Layout (1"=40')

STORMWATER NOTES

- 1) THE SOIL TYPE FOR THIS SITE IS MUD (MIMOSA-URBAN LAND COMPLEX, 2 TO 7 PERCENT SLOPES WHICH FALLS WITHIN THE 1st HYDROLOGICAL SOIL GROUP.
- 2) THIS SITE IS RESPONSIBLE FOR WATER QUALITY AND WATER QUANTITY.
- 3) FINAL DESIGN SHALL CONFORM WITH VOLUME 8 OF THE STORM WATER MANAGEMENT DESIGN MANUAL.
- 4) STORM SEWER SYSTEM ON THIS PLAN IS SHOWN SCHEMATICALLY. FINAL DESIGN WILL BE PROVIDED DURING THE FINAL LP PROCESS AND WILL MEET THE REQUIREMENTS OF THE STORMWATER MANAGEMENT MANUAL.

UTILITY NOTES

- 1) WATER AND SEWER SERVICE TO BE PROVIDED BY METRO WATER SERVICES.
- 2) WATER AND SEWER SERVICES ARE SCHEMATICALLY SHOWN. FINAL WATER AND SEWER SERVICE LOCATIONS WILL BE PROVIDED DURING FINAL LP PROCESS.
- 3) WATER SERVICE SHALL BE PROVIDED BY AN 8" PUBLIC WATER LINE EXTENSION. INDIVIDUAL WATER METERS SHALL BE PROVIDED FOR EACH UNIT.
- 4) SEWER SERVICE SHALL BE PROVIDED BY AN 8" PUBLIC SEWER EXTENSION. INDIVIDUAL SERVICES TO BE PROVIDED FOR EACH UNIT.

PRE/POST CALCULATIONS

EXISTING CONDITIONS	
TOTAL SITE AREA	+1.39 ACRES
EXISTING IMPERVIOUS	+0.24 AC @ 98
PRE-DEVELOPED GRASS	+1.15 AC @ 79
COMPOSITE CDFI 82.7	
POST-DEVELOPMENT	
TOTAL SITE AREA	+1.39 ACRES
ROOF TOP	+0.34 AC @ 98
IMPERVIOUS ROADWAYS/CONC.	+0.12 AC @ 98
REVELOUS PAVEMENT	+0.34 AC @ 79
POST-DEVELOPED GRASS	+0.88 AC @ 79
COMPOSITE CDFI 82.7	

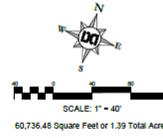
PRELIMINARY CALCULATIONS ABOVE INDICATE THAT THIS PROJECT WILL EXCEED THE AMOUNT OF RUNOFF GENERATED BY THIS SITE. THEREFORE, WATER QUANTITY OR EXTENSION IS REQUIRED AND REQUIRED THROUGH POCKET BAY GARDENS AS WELL AS REVELOUS PAVEMENT.

TREE DENSITY NOTES

METRO TREE DENSITY REQUIREMENTS WILL BE ADDRESSED IN FINAL CONSTRUCTION DOCUMENTS. AT THE PRELIMINARY PHASE OF THIS PROJECT NO TREE INFORMATION IS AVAILABLE.

TREE DENSITY LIMITS:

1.29 AC @ 30 AC = 1.09 AC @ 14 = 18.34 TDU'S REQ'D
 0.3 PROPOSED 1" CALIBER TREES = 14.0 TDU PROV.
 (INCHES DOES NOT INCLUDE EX. TREES TO BE PRESERVED)
 TDU EXCEEDED



Grading & Utility Plan



METRO: Metro Regional Land Use Planning Commission Report

Preparation Date: SEP 2005

Hillwood Court at Nashville West
 Section II
 Preliminary Specific Plan
 Nashville, Davidson County, Tennessee

4/12/07



Dale & Associates
 Consulting Civil Engineering
 Land Planning & Zoning
 Surveying

MPC Case Number: 200509-04-000
 Hillwood Court at Nashville West SP Section II
C3
 Sheet 3 of 3

THIRD SUBSTITUTE ORDINANCE NO. BL2016-493

An ordinance amending Chapters 17.04, 17.20 and 17.40 of the Metropolitan Code pertaining to sidewalks (Proposal No. 2016Z-024TX-001).

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

Section 1. Section 17.20.120 (Provision of sidewalks) is hereby amended by deleting the section in its entirety and replacing with the following:

Sidewalks are required to facilitate safe and convenient pedestrian movements for the residents, employees and/or patrons, and to reduce dependency on the automobile, thus reducing traffic congestion on the community's streets and protecting air quality. This article shall not decrease the allowable floor area ratio for development.

A. Applicability.

1. Multi-family or nonresidential redevelopment. ~~The All~~ provisions of this section shall apply to the redevelopment of multi-family or nonresidential property when the property is located within the Urban Services District, or within a center designated in the general plan, or any of the property frontage is within a quarter mile of the boundary of a center designated in the general plan, or the property is on a street in the Major and Collector Street plan. Properties on the opposite side of navigable waterways or controlled access highways from a center designated in the general plan are not subject to this provision. Redevelopment of multi-family or nonresidential property shall include one or more of the following:
 - a. Construction of a new structure on a vacant lot, including lots on which all structures have been or are planned to be demolished; or
 - b. The cost value of any one renovation equal to or greater than fifty percent of the assessed value of all structures on the lot, or the value of multiple renovations during any five-year period equal to or greater than seventy five percent of the assessed value of all structures on the lot; or
 - c. The cost value of any one expansion equal to or greater than twenty-five percent of the assessed value of all structures on the lot, or the value of multiple expansions during any five-year period equal to or greater than fifty percent of the assessed value of all structures on the lot; or
 - d. The total building square footage of any one expansion is equal to or greater than twenty-five percent of the total square footage of all structures on the lot, or the total building square footage of multiple expansions during any five-year period is equal to or greater than fifty percent of the total square footage of all structures on the lot.
2. Single-family or two-family construction. Single-family or two-family construction when the property is within the Urban Zoning Overlay, or within a center designated in the general plan, or any of the property frontage is within a quarter mile of the boundary of a center designated in the general plan, or the property is on a street in the Major and Collector Street plan in the Urban Services District. Properties on the opposite side of navigable waterways or controlled access highways from a center designated in the general plan are not subject to this provision.

- a. All provisions of Section 17.20.120 shall apply to the construction of a new single-family or attached or detached two-family structure(s).
- b. Dedication of Right-of-Way and Easements required by subsection E of this section shall apply to all single-family and two-family permits for an addition or any renovation with a cost equal to or greater than twenty-five percent of the assessed value of all structures on the lot.

B. On-Site Sidewalk Installation For Multi-Family and Nonresidential Development. A continuous, all-weather internal sidewalk network, constructed to a minimum width of five feet shall connect all pedestrian building entryways to parking areas and all public rights of way. Sidewalks shall be designed and constructed to be distinguishable from driving surfaces.

C. Public Sidewalk Installation. The provisions of this subsection apply to all property frontage, regardless of whether sidewalks are provided in public right-of-way or pedestrian easements.

1. Construction of new sidewalks is required along the entire property frontage under any one or more of the following conditions, unless the property abuts a sidewalk segment that the Department of Public Works has funded and scheduled for construction:

- a. When there is eExisting sidewalk in need of repair or replacement.
- b. To extend the existing sidewalk or sidewalk proposed by an ~~adjacent~~ abutting development.
- c. Existing sidewalk present on the same block face.
- d. Multi-family or nonresidential properties within the Urban Zoning Overlay.
- e. Multi-family or nonresidential properties along a street in the Major and Collector Street Plan.

2. Sidewalk Design Standards.

- a. Sidewalks dimensions and required elements shall comply with the Major and Collector Street Plan or, for a street not in the Major and Collector Street Plan, the adopted standards of the Metropolitan Government. Design of sidewalks shall comply with approved Public Works' standards.
- b. Obstructions are prohibited within the required pedestrian travelway, but may be located within a grass strip/green zone or frontage zone. Prior to the issuance of use and occupancy permits, existing obstructions shall be relocated outside of the required pedestrian travelway.

D. Contribution to the fund for the pedestrian benefit zone as an alternative to sidewalk installation.

1. When a public sidewalk is required by subsection A, but installation is not required by subsection C of this section, the building permit applicant may make a financial contribution to the fund for the pedestrian benefit zone in lieu of construction. The value of the contribution shall be the average linear foot sidewalk project cost, including new and repair projects, determined by July 1 of each year by the Department of Public Works' review of sidewalk projects contracted for or constructed by the Metropolitan Government.

- ~~a. Multi family or nonresidential development. The value of the contribution shall be the average linear foot sidewalk project cost, excluding repair projects, determined by July 1 of each year by the Department of Public Works' review of sidewalk projects contracted for or constructed by the Metropolitan Government.~~
 - ~~b. Single family or two family construction. The value of the contribution shall be the average linear foot sidewalk project cost, including repair projects, determined by July 1 of each year by the Department of Public Works' review of sidewalk projects contracted for or constructed by the Metropolitan Government.~~
- 2. Any such contributions received by the Metropolitan Government shall be assigned and designated for implementation of the Strategic Plan for Sidewalks and Bikeways, as approved by the Planning Commission. The applicant's payment shall be allocated within ten years of receipt of the payment within the same pedestrian benefit zone as the property to be developed; otherwise, the payment shall be refunded to the building permit applicant.
- 3. Contribution to the pedestrian network as an alternative to sidewalk installation required under this section shall be received by the Department of Public Works and written confirmation of the contribution sent to the Department of Codes Administration prior to the issuance of a building permit.

E. Dedication of Right-of-Way and Easements Required. Dedication of right-of-way and/or public pedestrian easement is required to permit present or future installation of a public sidewalk built to the current standards of the Metropolitan Government. For pProperties abutting an existing sidewalk or planned sidewalk identified in the Priority Sidewalk Network in the Strategic Plan for Sidewalks and Bikeways, all driveways, walkways and other improvements within public right-of-way or pedestrian easement shall be designed and graded in accordance with Public Works' design standards necessary to accommodate future sidewalk construction.

F. Improvements required or elected on public rights-of-way and/or public pedestrian easements under subsection C of this section shall be reviewed for compliance by the Department of Public Works. No building permit shall be issued by the Department of Codes Administration until the Department of Public Works has released the building permit. Prior to the Department of Codes Administration authorizing final use and occupancy, the Department of Public Works shall inspect and approve the sidewalk improvements in the public rights-of-way and/or public pedestrian easements.

Section 2. Section 17.20.125 (Right to appeal and seek variances) is hereby amended by deleting the section in its entirety and replacing with the following:

The provisions of Section 17.20.120 may be varied or interpretations appealed in conformance with Chapter 17.40, Administration and Procedures. The Board of Zoning Appeals may require a contribution to the pedestrian network, consistent with subsection DE of this section, an alternative sidewalk design, or other mitigation for the loss of the public improvement as a condition to a variance.

Section 3. Section 17.40.340 (Limits to jurisdiction) is hereby amended by deleting subsection B in its entirety and replacing with the following subsection B:

B. The board shall not grant variances within the following sections, tables, zoning districts, or overlay districts without first considering a recommendation from the Planning Commission.

Sections/Tables

Section 17.20.120 (Provision of sidewalks)

Section 17.28.103 (Underground utilities)

Zoning Districts

SP District

Overlay Districts

PUD

UDO

Institutional

Section 4. Section 17.04.060 (Definitions of General Terms) is hereby amended by adding the following definitions in alphabetical order:

“Pedestrian benefit zones” means the sixteen zones in which fees contributions in lieu of sidewalk construction may be collected, and where such fees contributions shall be spent for the safety and convenience of pedestrians. Pedestrian benefit zones are as follows:

Zone 1: Bounded by I-40 on the south; I-65 on the southeast; Cumberland River on the north; State Route 155 on the west. (North Nashville, Metro Center, Nations areas)

Zone 2: Bounded by Cumberland River and I-65 on the south; I-24 on the east; State Route 155 on the north and west. (Bordeaux area)

Zone 3: Bounded by Cumberland River on the south and east; State Route 155 on the north; I-24 on the east. (East Nashville, Parkwood areas)

Zone 4: Bounded by I-40 on the south; Stones River on the east; the Cumberland River on the north; I-24 on the west. (Spence Lane, Donelson areas)

Zone 5: Bounded by I-440, I-24, and State Route 155 on the south and east; I-40 on the north; I-65 on the west. (South Nashville, North Mill Creek areas)

Zone 6: Bounded by I-440 on the west and south; I-65 on the east; I-40 on the north. (Midtown area)

Zone 7: Bounded by the downtown interstate loop. (Downtown area)

Zone 8: Bounded by the county line on the south; I-65 on the east; I-440 and I-40 on the north; State Route 251, State Route 100, and Harpeth River on the west. (West Nashville, Green Hills areas)

Zone 9: Bounded by the county line on the west and south; Harpeth River, State Route 100, and State Route 251 on the east; I-40 on the north. (Bellevue, Pasquo, Harpeth River areas)

Zone 10: Bounded by I-40 on the south; State Route 155 on the east; Cumberland River on the north; county line on the west. (Newsom Station, Whites Bend, Cockrill Bend areas)

Zone 11: Bounded by Cumberland River and State Route 155 on the south; I-24 on the east and north; county line on the west. (Joelton, Beaman Park, Bells Bend areas)

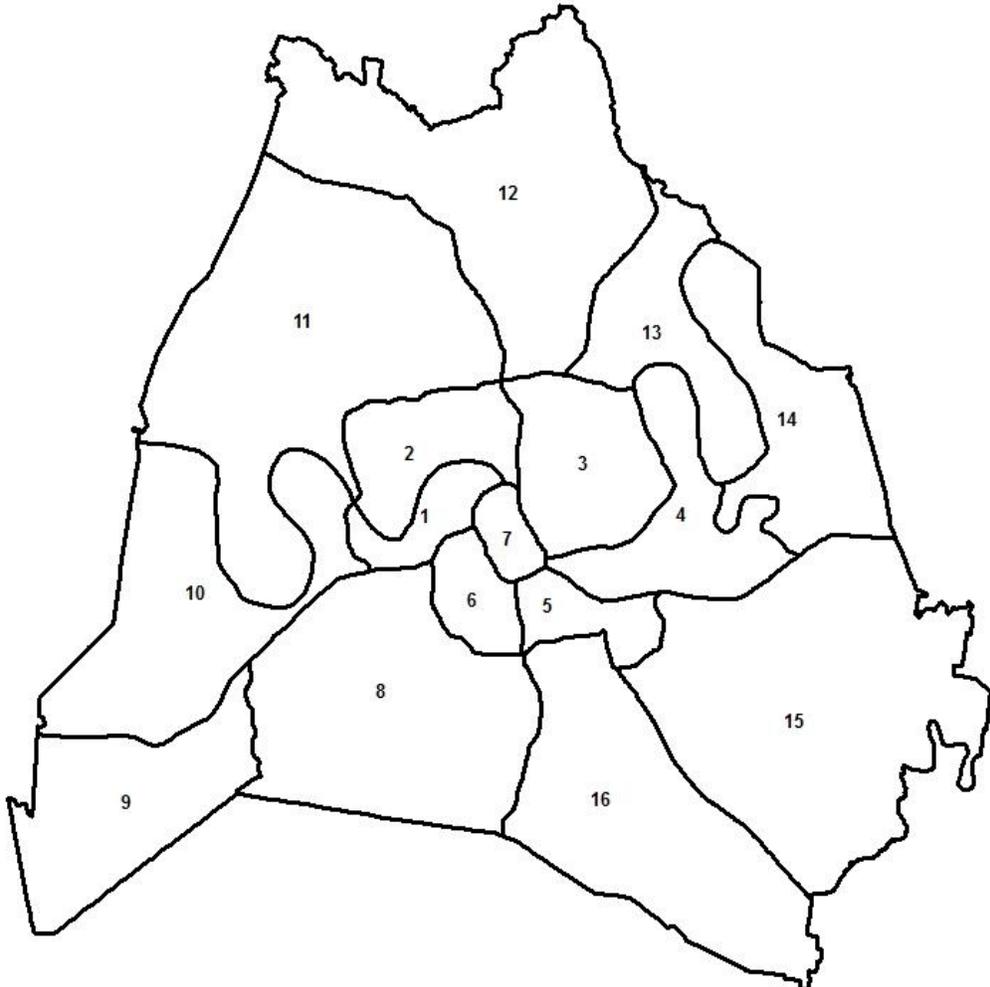
Zone 12: Bounded by State Route 155 on the south; I-65 on the east; county line on the north; and I-24 on the west. (Paradise Ridge, Union Hill, Goodlettsville areas)

Zone 13: Bounded by State Route 155 and Cumberland River on the south and east; county line on the north; I-65 on the west. (Madison, Neelys Bend, Rivergate areas)

Zone 14: Bounded by I-40 on the south; county line on the east; Old Hickory Lake and Cumberland River on the north and west; Stones River on the southwest. (Old Hickory, Lakewood, Hermitage areas)

Zone 15: Bounded by I-24 on the southwest; county line on the south and east; I-40 on the north; State Route 155 on the northwest. (Antioch, Priest Lake areas)

Zone 16: Bounded by county line on the south; I-24 on the east; I-440 on the north; I-65 on the west. (Grassmere, Southeast Nashville, Cane Ridge areas)



"Sidewalk" means all Streetside Elements included in the Major and Collector Street Plan and Streetside Elements for local streets required by other standards of the Metropolitan Government located within the public right-of-way or a pedestrian easement.

"Sidewalk, On-site" means pedestrian facilities located outside of the public right-of-way.

Section 5. Section 17.20.060 (Parking area design standards) is hereby amended by deleting subsection H in its entirety and replacing with the following:

H. Curbs. Curbs or other equivalent means shall be provided to prevent any vehicle using a parking area from encroaching on any public right-of-way, on-site sidewalk, required landscaping area or adjacent property.

Section 6. Be it further enacted, that this ordinance take effect July 1, 2017, 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:

Angie Henderson
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2017-603

Mr. President:

I move to amend Ordinance No. BL2017-603 as follows:

- I. By inserting the following Section 3 and renumbering remaining sections accordingly:

~~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.~~

Section 3. Prior to obtaining a use and occupancy permit for this site, the owner of the property, or the owner's successor or assignee, shall make the following traffic improvements pursuant to Public Works' specifications and oversight:
1. Improve Old Hickory Boulevard north of Logistics Way, via restriping, to include a three-lane cross-section, including one through lane and a continuous center turn lane between Logistics Ways and Preserve Blvd.
2. Expand Old Hickory Boulevard between Owen Drive to Firestone Parkway to install a new 11' southbound travel lane between Owen Drive and Firestone Parkway as indicated in the attached Exhibit.

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:

Sam Coleman
Member of Council



PROPOSED IMPROVEMENTS: OWEN DRIVE TO FIRESTONE PKWY

CIVIL SITE
CONSTRUCTION

LOGISTICS WAY WAREHOUSE
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

ARCO
MURRAY

DRG
DISTRIBUTION
HEALTH GROUP

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2017-628

Mr. President:

I move to amend Ordinance No. BL2017-628 as follows:

I. By amending Section 4 by adding the following conditions:

6. All garage parking shall be valet parking at all times. This includes parking for the hotel and restaurant use. No valet parking shall be allowed on any public streets and no self-service parking shall be permitted in the garage.

7. Any off-site valet parking shall be on lots managed by a valet service and shall not be allowed on any public streets.

8. Free parking shall be provided to all employees either on-site in the existing garage or off-site on leased lots. Employees shall only park at these locations.

9. Prior to the issuance of a Use & Occupancy permit, the developer shall facilitate meetings with the neighborhood association pertaining to traffic calming. Documented proof of this meeting (s) shall be provided to Metro Codes, signed by members of each party, prior to the issuance of a Use & Occupancy permit.

INTRODUCED BY:

Freddie O'Connell
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2017-634

Mr. President:

I move to amend Ordinance No. BL2017-634 as follows:

I. By amending Section 4 by adding the following condition:

9. The final site plan shall depict a 30 foot undisturbed landscape buffer on the western and southern lot lines of Lot #19.

INTRODUCED BY:

Robert Swope
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2017-642

Mr. President:

I move to amend Ordinance No. BL2017-642 as follows:

- I. By deleting the original exterior elevations illustrations from the previously submitted site plan and submitting in lieu thereof the revised exterior elevations illustrations attached hereto and incorporated herein by reference.

- II. By inserting the following Section 4 and renumbering the remaining sections accordingly:

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

- 1. The triangular area across the creek, at the southeastern portion of the property, including stream buffer zones, shall not be a building site and shall be designated as open space to be graded as a finished green space, including specific final grading and contours, drainage features and ground cover;
- 2. Architectural elevations shall contain glazing areas as depicted on the revised exterior elevations illustrations included with this amendment;
- 3. Prior to the issuance of a building permit, an instrument containing covenants, conditions and restrictions pertaining to the required open space at the southeast corner of the site, shall be recorded with the Register of Deed's for the benefit of adjacent homeowner's association; and
- 4. 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.

INTRODUCED BY:

Robert Swope
Member of Council

