



**Metropolitan Council**

**PROPOSED AMENDMENTS TO  
ORDINANCES, LATE-FILED  
RESOLUTION, LATE-FILED  
ORDINANCE, AND  
SUBSTITUTES FOR  
ORDINANCES TO BE FILED  
WITH THE METRO CLERK  
FOR THE COUNCIL MEETING OF  
TUESDAY, JULY 18, 2017**

AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2017-788

Mr. President –

I move to amend Ordinance No. BL2017-788 as follows:

I. By amending the second recital paragraph by deleting it in its entirety and substituting therefore the following:

WHEREAS, the initial rate of levy of the special assessment for the Downtown CBID was to be calculated from midyear 2017 records of the ~~Metro Tax Assessor~~ Metropolitan Assessor of Property, dividing the 2018 CBID budget of \$2,474,943 budget by the total assessed value in the Downtown CBID to determine the required assessment rate per dollar of assessed property value.

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

Section 1. Subsection 2.177.080 of the Metropolitan Code of Laws is hereby amended by deleting subsection B thereof in its entirety and substituting the following in lieu thereof:

B. The initial rate of levy of the special assessment for the Downtown CBID, based on May 16, 2017, records of the ~~Metro Tax Assessor~~ Metropolitan Assessor of Property, shall be \$0.001294 per dollar of assessed property value. Such rate of levy shall continue in force until changed by the Metropolitan Council in accordance herewith. A change in the rate of levy of such special assessment may be initiated only by a resolution from the District Management Corporation. Upon receipt of this resolution from the District Management Corporation, the Metropolitan Council must hold a public hearing on whether there should be a change in the rate of levy for the special assessment, and no such change shall become effective unless and until it is approved by an ordinance enacted by the Metropolitan Council.

INTRODUCED BY:

\_\_\_\_\_  
Freddie O'Connell  
Member of Council

**Resolution No. RS2017-803**

**A resolution authorizing the Metropolitan Mayor to submit the 2017-2018 Annual Update to the 2013-2018 Consolidated Plan for Housing and Community Development to the U.S. Department of Housing and Urban Development.**

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") requires local governments seeking federal assistance through the Community Development Block Grant ("CDBG"), HOME Investment Partnerships ("HOME"), Emergency Solutions Grant ("ESG"), and Housing Opportunities for Persons with AIDS ("HOPWA") programs to develop a Five Year Consolidated Plan for Housing and Community Development; and

WHEREAS, by Resolution R94-1396, the Metropolitan Council designated the Metropolitan Development and Housing Agency ("MDHA") as the lead agency responsible for the preparation of the Five Year Consolidated Plan for Housing and Community Development for The Metropolitan Government of Nashville and Davidson County; and

WHEREAS, the Metropolitan Council approved Ordinance BL 2013-383 and Resolutions No. RS2013-809 and RS2016-229 authorizing the Mayor to submit the 2013-2018 Consolidated Plan for Housing and Community Development and Substantial Amendments; and

WHEREAS, HUD requires annual updates to the Five Year Consolidated Plan providing the public participation process as outlined in the Substantial Amendment to the Consolidated Plan is followed; and

WHEREAS, Public Comment Period for the 2017-2018 Annual Update began on April 17, 2017, and concluded on May 19, 2017, and public hearings were held on April 29, 2017, at the J. Henry Hale Apartments Community Room, and on May 9, 2017, at the Levy Place Community Room, and public notices were advertised in English and Spanish; and

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

Section 1. The Metropolitan Council adopts the 2017-2018 Annual Update to the 2013-2018 Consolidated Plan for Housing and Community Development, attached hereto and made part of this Resolution, and that the Metropolitan Mayor is authorized to submit the Annual Update to HUD; and

Section 2. The Annual Update includes a description for the expenditure of Community Development Block Grant ("CDBG"), HOME Investment Partnerships Program ("HOME"), Emergency Solutions Grant ("ESG"), and Housing Opportunities for Persons with AIDS ("HOPWA") funds for the 2017-2018 Program Year (June 1, 2017-May 31, 2018); and

Section 3. The Metropolitan Development and Housing Agency is authorized to administer the Consolidated Plan on behalf of the Metropolitan Government of Nashville and Davidson County; and

Section 4. The local match required for the Emergency Solutions Grant will be provided by local non-profit organizations selected as sub-grantees. The twenty-five percent local match for the HOME Investment Partnerships Program will be provided by non-federal funds

utilized for HOME projects as well as value of donated land or improvements associated with HOME-funded projects, or by other eligible methods as provided in the HOME regulations; and

Section 5. Funding amounts in the Annual Update are based upon the formula allocations released by HUD on June 14, 2017, and any changes to project budgets greater than twenty-five percent (25%) or the addition of new activities shall be considered criteria for a substantial amendment and be subject to the Citizen Participation Plan described in Substantial Amendment 1 to the 2013-2018 Consolidated Plan; and

Section 6. The Metropolitan Council appropriates funds for projects described in the 2017-2018 Annual Update but expressly withholds any approval for the expenditure of CDBG funds for capital improvement projects. All requested expenditures for capital improvement projects shall be submitted to the Council for final approval by Resolution. And further, detailed project plans for capital improvements shall be on file in the Community Development Department of MDHA at the time of the filing of the Resolution; and

Section 7. The expenditure of CDBG, HOME, ESG, and HOPWA funds shall be in accordance with applicable federal regulations and reporting standards pertaining to the procurement of goods and services from women-owned, minority-owned, and small businesses and low-income individuals; and

Section 8. CDBG, HOME, ESG, and HOPWA funds shall not be used for any property acquisition for which the power of eminent domain is utilized by MDHA, which is restricted by federal law; and

Section 9. This Resolution shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

\_\_\_\_\_  
Executive Director, Metropolitan  
Development and Housing Agency

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\_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY:

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\_\_\_\_\_  
Attorney, Metropolitan Development and  
Housing Agency

\_\_\_\_\_  
Members of Council

APPROVED AS TO AVAILABILITY OF  
FUNDS:

\_\_\_\_\_  
Talía Lomax-O'dneal, Director  
Metropolitan Department of Finance

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**ORDINANCE NO. BL2017-833**

**An ordinance adopting the 2017 Joint Assessment of Fair Housing for the Metropolitan Government of Nashville and Davidson County and the Metropolitan Development and Housing Agency and authorizing the Metropolitan Mayor to submit the 2017 Joint Assessment of Fair Housing to the U.S. Department of Housing and Urban Development and to execute a Memorandum of Understanding with the Metropolitan Development and Housing Agency formalizing each agency's respective responsibilities related to the 2017 Joint Assessment of Fair Housing.**

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires cities and public housing authorities that receive federal funds for housing and community development to Affirmatively Further Fair Housing (AFFH); and

WHEREAS, the requirement to affirmatively further fair housing imposes a duty to not discriminate in housing programs and to address segregation and related barriers for groups with characteristics protected by the Fair Housing Act – race, color, religion, sex, familial status, national origin, or disability; and

WHEREAS, to fulfill this requirement as recipients of HUD funds, the Metropolitan Government of Nashville and Davidson County (Metro) and the Metropolitan Development and Housing Agency (MDHA) must conduct an Assessment of Fair Housing (AFH), which includes an analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals prior to the next Five Year Consolidated Plan and Five Year Public Housing Authority (PHA) Plan; and

WHEREAS, the current Five Year Consolidated Plan ends on May 31, 2018 and the next Five Year Consolidated Plan cycle will begin on June 1, 2018; and

WHEREAS, pursuant to 24 CFR 5.160, Metro must submit an AFH to HUD no later than 270 days prior to the start of the next Five Year Consolidated Plan, which would be September 1, 2017; and

WHEREAS, by Resolution R94-1396, the Metropolitan Council designated MDHA as the lead agency responsible for the preparation and administration of the Consolidated Plan for Metro, and, as the lead agency for the Consolidated Plan, MDHA led the development of Metro's AFH; and

WHEREAS, MDHA's current Five Year PHA Plan expires on September 30, 2019 and the next PHA Plan cycle will begin on October 1, 2019; and

WHEREAS, even though MDHA's PHA AFH would not be due to HUD until January 2019, MDHA wishes to be included in a joint AFH with Metro to be submitted to HUD no later than September 1, 2017; and

WHEREAS, HUD requires that each agency participating in a joint AFH enter into an agreement formalizing the collaboration and respective responsibilities related to individual goals; and

WHEREAS, the AFH was developed using the HUD-provided local government assessment tool, analyzing HUD-provided data and maps, as well as local data, and gathering community input; and

WHEREAS, community input came through a series consultations with stakeholders, community meetings; and meetings with MDHA residents at 17 different MDHA properties; and

WHEREAS, the public comment period on the draft AFH began on May 26, 2017, and concluded on July 10, 2017, and five public hearings were held throughout Davidson County and one public hearing was held before the MDHA Board of Commissioners; and

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

Section 1. The Metropolitan Council adopts the 2017 Joint Assessment of Fair Housing (AFH) for the Metropolitan Government of Nashville and Davidson County and the Metropolitan Development and Housing Agency, attached hereto and made part of this Ordinance, and that the Metropolitan Mayor is authorized to submit the AFH to HUD and to execute a memorandum of understanding with MDHA formalizing the collaboration and respective responsibilities related to individual goals under the AFH; and

Section 2. The responsibilities of the Metropolitan Government under the AFH are limited to the requirements extending to local governments and do not extend to the responsibilities of public housing authorities; and

Section 3. The applicable goals and priorities identified in the AFH shall be incorporated into the next Five Year Consolidated Plan, and progress on meeting these goals shall be reported in the Consolidated Annual Performance and Evaluation Report (CAPER). MDHA is authorized pursuant to R94-1396 to prepare the next Five Year Consolidated Plan and related CAPERs on behalf of Metro.

Section 4. Any amendments to the AFH related to local government requirements shall be by Resolution.

Section 5. This Ordinance shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

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Executive Director, MDHA

APPROVED AS TO FORM AND LEGALITY:

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MDHA Attorney

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Member(s) of Council

AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2017-800

Mr. President –

I move to amend Ordinance No. BL2017-800 as follows:

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

Section 1. Sections 11.28.210 of the Metropolitan Code is amended by deleting this section in its entirety and by substituting the following:

Section 11.28.210 Curfew for Juveniles.

It shall be unlawful for any person seventeen (17) years of age or less [under eighteen (18)] to be or remain in or upon a public place, or a private place without consent of the property owner, leasee or a person of apparent authority acting on behalf of the leasee or owner, in Davidson County during the period ~~beginning at 11:00 pm and ending at 5:00 a.m. and beginning:~~

- A. At 10:00 p.m. between September 1st and May 31st, and
- B. At 11:00 p.m. between June 1st and August 31st.

INTRODUCED BY:

\_\_\_\_\_  
DeCosta Hastings  
Member of Council

**SECOND SUBSTITUTE ORDINANCE NO. BL2016-360**

**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 for property located at 3920 Stewarts Lane, approximately 3,580 feet south of Ashland City Highway and partially located within the Floodplain Overlay District (10.0 acres), to permit uses as specified on the attached plan, all of which is described herein (Proposal No. 2017SP-059-001).**

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 for property located at 3920 Stewarts Lane, approximately 3,580 feet south of Ashland City Highway and partially located within the Floodplain Overlay District (10.0 acres), to permit uses as specified on the attached plan, being Property Parcel No. 072 as designated on Map 069-00 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 069 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 uses as specified on the plan.

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

1. 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.
- ~~2. All final site plans shall be reviewed and approved by the Metropolitan Planning Commission, with public hearing notification mailed to property owners of record within 600 feet of the boundaries of the SP.~~
2. Sidewalks shall be required along Stewarts Lane consistent with local street standards.
3. Areas in the floodplain/floodway of CO policy shall remain undisturbed and shall be identified as such on the final site plan.
4. 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 located 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 IWD 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:

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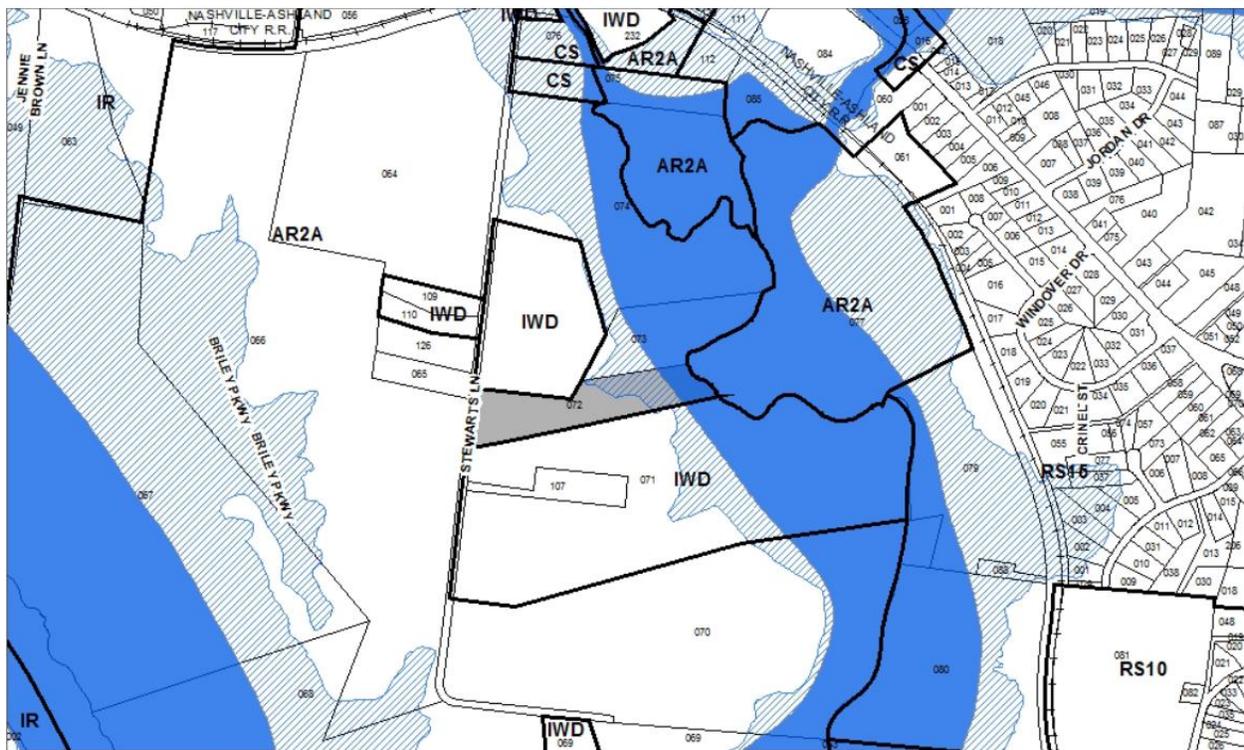
Nick Leonardo  
Member of Council

[View Sketch](#)

[View Site Plan](#)

2017SP-059-001  
3920 STEWARTS LANE SPECIFIC SP  
Map 069-00, Parcel(s) 072  
Subarea 03, Bordeaux-Whites Creek  
District 1 (Leonardo)

A request to rezone from AR2a to SP zoning for property located at 3920 Stewarts Lane, approximately 3,580 feet south of Ashland City Highway and partially located within the Floodplain Overlay District (10.0 acres), to permit uses as specified on the attached plan, requested by Acree Development, applicant; Robert and Gloria Poole Revocable Trust, owner.



### 3920 Stewarts Lane Specific Plan (SP)

Development Summary		Site Data Table	
SP Name	3920 Stewarts Lane Specific Plan District	Site Data	10.0 acres
2016SP-086-001	2017SP-059-001	Existing Zoning	AR2a
Council District	1	Proposed Zoning	SP
Map & Parcel	Map 069-00; Parcel 072	Allowable Land Uses	Uses within this SP shall be limited to community education, personal instruction, general office, custom assembly, grocery store, home improvement sales, restaurant fast-food, restaurant full-service, restaurant take-out, retail, multi-media production, building contractor supply, distributive business/wholesale, manufacturing, light, and warehouse.

Specific Plan (SP) Standards

1. Uses within this SP shall be limited to community education, personal instruction, general office, custom assembly, grocery store, home improvement sales, restaurant fast-food, restaurant full-service, restaurant take-out, retail, multi-media production, building contractor supply, distributive business/wholesale, manufacturing, light, and warehouse.
2. 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 IWD zoning district as of the date of the applicable request or application.
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. Areas in the floodplain/floodway shall remain undisturbed and shall be identified as such on the final site plan.

General Plan Consistency Note

The proposed Specific Plan is located within Bordeaux- Whites Creek Community Plan (Subarea 3). The proposed SP is located in the following policy area:

- District Industrial
- Conservation

The proposed SP is consistent with District Industrial policy as it permits uses supported by the D-Industrial policy. The proposed SP also protects areas with sensitive environmental features by requiring that areas in the floodplain/floodway be preserved in their natural, undisturbed state.

**SUBSTITUTE ORDINANCE NO. BL2016-408**

**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 for property located at 2040 Hickory Hill Lane, approximately 105 feet northwest of Bonna Creek Drive (285.03 acres), to permit up to 500 single-family lots, all of which is described herein (Proposal No. 2016SP-046-001).**

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 for property located at 2040 Hickory Hill Lane, approximately 105 feet northwest of Bonna Creek Drive (285.03 acres), to permit up to 500 single-family lots, being Property Parcel No. 052 as designated on Map 074-00 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 074 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 500 single family lots and one estate lot.

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

~~1. Extend the greenway easement along the Cumberland to Bonnamere Drive, and construct greenway per Metro Greenway standards from Bonnamere Drive to the Stones River Greenway. Provide trail head with at least five parking spaces at Bonnamere Drive.~~

1. Extend and construct greenway trail to Metro standards from terminus of Hickory Hill Lane to connect to existing greenway along Cumberland River with first phase of development. The greenway shall be completed with completion of the first phase of development and prior to recording the second phase. The attached exhibit provides standards for Metro Greenway to be constructed.

2. A deed shall be granted to Metro along the entire Cumberland River frontage, and shall be depicted on the final site plan and shall include a minimum of 125 acres. The deed shall be recorded prior to the first recorded plat.

3. A secondary trailhead shall be depicted on the final site plan off of Hickory Hill Lane. The developer shall construct eleven parking spaces at the trailhead that meet ADA requirements.

4. EFIS, vinyl siding and untreated wood shall be prohibited. Only brick, stone and cementitious siding shall be permitted materials for facades. No more than 50% of each residence shall be cementitious siding. A minimum 8" raised foundation is required for all residential units. All building facades fronting a street shall have a minimum 15% glazing, and one principal entrance (doorway) shall be provided along the primary street to which the structure is oriented.

~~2-~~ 5. Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students.

This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the McGavock High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final site plan for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final site plan consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education- or, in lieu of the above school site dedication, a donation of 5 acres adjacent to the existing Hermitage Elementary School shall be made by the developer. This alternative to the standard school site dedication is appropriate in this instance, given the proximity of the proposed development to an existing school site that could be required to expand as a result of the proposed development. Easements shall be provided by the developer so that Metro Schools can utilize the adjacent stormwater detention facilities to accommodate future expansion of the Hermitage Elementary school, including but not limited to the existing school site and the proposed donated 5 acres, serving both the proposed development, as well as the existing school. Design and Construction shall be provided by the Developer. The stormwater facilities serving both the school and the development shall be maintained by the HOA until such time as the school expansion occurs. Upon completion of the school expansion, MNPS will maintain the stormwater facilities that serve the school site.

~~3. Prior to the issuance of a grading permit the site must be evaluated per Tennessee State law to determine if grave sites or other historically significant archaeological features are present on the site and/or within the proposed development footprint. If graves or other archaeological significant features are found on the site, the final site plan shall be revised to ensure that these areas are not disturbed, or graves and/or other archaeological significant features shall be relocated per approval of the Tennessee State Division of Archaeology.~~

6. If graves are found on the site, the applicant shall notify the Tennessee State Division of Archaeology. The final site plan shall be revised to ensure that these areas are not disturbed without court approval, or graves shall be relocated as approved by the Tennessee State Division of Archaeology.

7. The existing historic home shall be preserved and shall be used for a single-family residential use or as common area for the development.

~~4-~~ 8. Provide an emergency access connection at the planned extension of Mountainbrook Circle unless a permanent secondary emergency access is provided for the Ravenwood PUD at an alternative location.

~~5-~~ 9. Provide a sidewalk connection with a minimum sidewalk width of five feet at the planned extension of Mountainbrook Circle.

10. All sidewalks abutting private streets shall be within a public access easement to be recorded with a final plat.

11. If approved by the Metro Traffic and Parking Commission, four-way stop signs shall be installed at following intersections: the intersections of Hickory Hill Lane and Bonnaside Drive; Plantation Drive and

Bonnabrook Drive; Plantation Drive and Bonnaspring Drive; and development. The developer will pay an in lieu contribution of \$225,000.00 to Metro Public Works for satisfaction of all off-site road improvements (including repaving Hickory Hill Lane to Lebanon Pike) associated with this project and Traffic and Parking conditions. These monies will be paid at the time when the first plat is recorded.

12. The development is intended for the development of homes for residents above fifty-five (55) years of age. The deed attached as an exhibit transferring the property shall reflect the intention of seller this community is for said purpose.

~~6.~~ 13. 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.

~~7.~~ 14. 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.

~~8.~~ 15. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

16. Gated entrances shall be designed and constructed in such a manner as not to allow a backup of vehicles in the public right of way and shall be designed and constructed to allow the safe turnaround of vehicles not able to enter the gated development. The location of gates shall be determined with the final site plan. The gates entering the neighborhood shall be constructed in a manner which does not impede access to the greenway and parking areas designed for the greenway and conservation area.

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 RS7.5 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:

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Kevin Rhoten  
Member of Council

[View Sketch](#)

[View Site Plan](#)

<p align="center"><u>RECORDING INFORMATION</u></p>	<p>STATE OF _____ )  COUNTY OF _____ )</p> <p>The actual consideration for this transfer or value of property transferred (whichever is greater) is \$7,250,000.00.</p> <p align="center">_____  Affiant</p> <p>Sworn to and subscribed before me this ____ day of _____, 2017.</p> <p align="center">_____  Notary Public</p> <p>My Commission Expires: _____</p>
<p><u>PREPARED BY AND RETURN TO:</u>  Webb Sanders PLLC  3037A Highway 31W  White House, TN 37188</p>	<p>(SEAL)</p>

**SPECIAL WARRANTY DEED**

<b>Address New Owner(s):</b>	<b>Send Tax Bills To:</b>	<b>Map/Parcel Number(s):</b>
Binns Farm Land Company 421 East Iris Drive, Suite 300 Nashville, TN 37204	New owner	Map 074, Parcel 052.00

This Indenture is made on the \_\_\_\_ day of \_\_\_\_\_, 2017, by and between LINDA BINNS DISSPAYNE, an individual (“LBD”) as to a one-third (1/3) undivided interest, TOM DOUGLASS BINNS, TRUSTEE FOR THE TOM DOUGLAS BINNS TRUST DATED JUNE 12, 2014 (“TDB”) as to a one-third (1/3) undivided interest, and MARY KATHLEEN BINNS, an individual (“MKB”) as to a one-third (1/3) undivided interest (LBD, TDB, and MKB are hereinafter referred to herein individually and collectively as “**Grantor**”), and BINNS FARM LAND COMPANY, a Tennessee general partnership (“**Grantee**”).

Grantor, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, bargains, sells and conveys to Grantee the following described real estate, situated in the County of Davidson, State of Tennessee (the "Property"):

**[Include survey description]**

Land in the 4<sup>th</sup> Civil District of Davidson County, Tennessee, the same known as Clifton on the south bank of Cumberland River lying between the lands of Morgan Hurt and Joe Dodson, and described as follows:

Beginning at a white oak at entrance of land; thence North 193 poles along the line of said Dodson Land to three horn beams; thence North 62° West 57 poles to white oak on a branch; thence with said branch to red oak of Cumberland River; thence in a southwesterly direction with Cumberland River to a corner of Joe Dodson's land, mulberry and sycamore pointers; thence with Dodson's land, North 79½° East 174¼ poles to a stake, 1 pole south of an elm corner; thence North 83° East 81.32 poles to an ash on southeastern corner of original Clifton Tract; thence South 87° East 110 poles to the beginning, containing 293½ acres.

Being the same property conveyed to Linda Binns Disspayne as to one-third (1/3) undivided interest; Tom Douglas Binns, as to one-third (1/3) undivided interest; and Mary Kathleen Binns, as to one-third (1/3) undivided interest by Trustee's Quitclaim Deed of record in Instrument No. 20120502-0037822 and further conveys Tom Douglas Binns interest to Tom Douglas Binns, Trustee for the Tom Douglas Binns Trust dated June 12, 2014, as to one-third (1/3) undivided interest in Quitclaim Deed of record in Instrument No. 20141017-0096096, in the Register's Office of Davidson County, Tennessee.

This is improved property known as 2040 Hickory Hill Lane, Hermitage, Tennessee 37076.

This conveyance is being made subject to the following reservations (the "Reservations"):

1. Grantee, or its successor(s) in title, shall record a plat encumbering the Property entitled \_\_\_\_\_ (the "Plat") which shall create certain building lots, setback lines, streets and easements to include a conservation easement (the "Easement") outside the boundaries of the platted building lots abutting the Cumberland River and extending to Hickory Hill Lane on the east and Bonnamere Drive on the west and containing 140 acres, more or less. The Easement shall preserve the open space yet provide a blanket easement for the benefit of The Metropolitan Government of Nashville and Davidson County, Tennessee ("Metro") for the purpose of the construction and maintenance of public greenways, trails, trailheads and other elements to support a greenway system or parks. Upon recording of the Plat in the Register's Office for Davidson County, Tennessee (the "RODC"), this reservation shall be deemed to have merged into the Plat.
2. Grantee, or its successor(s) in title, shall record a document entitled \_\_\_\_\_ (the "CCR") whereby ownership of the building lots shown on the Plat will be restricted to persons fifty-five (55) years of age or older subject to reasonable exceptions and rules necessary to comply with applicable laws. Upon recording the CCR in the RODC, this reservation shall be deemed to have merged into the CCR.

Until merger as provided herein, Metro shall have the authority to enforce the Reservations.

This conveyance is being made subject to the following:

1. Agreement for Dedication of Easement for Water Mains and Appurtenances of record in Instrument No. 20030516-0067076, in the Register's Office for Davidson County, Tennessee.
2. Application for Greenbelt Assessment—Agricultural of record in Instrument No. 20150303-0018625, in the Register's Office for Davidson County, Tennessee.
3. Davidson County taxes for the year 2017 and thereafter, not yet due and payable.

TO HAVE AND TO HOLD the Property, together with the appurtenances, hereditaments, estate, title and interest thereto belonging, to Grantee.

Grantor covenants and binds themselves and their respective heirs, successors and assigns, subject to the matters set forth above, to warrant and defend to Grantee forever the title to the Property against the lawful claims of all claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument or has caused same to be executed as of the \_\_\_\_ day of \_\_\_\_\_, 2017.

**GRANTOR:**

\_\_\_\_\_  
Linda Binns Disspayne

\_\_\_\_\_  
Tom Douglas Binns, Trustee for the Tom Douglas Binns Trust dated June 12, 2014

\_\_\_\_\_  
Mary Kathleen Binns

\_\_\_\_\_  
STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

Personally appeared before me, the undersigned, Notary Public for the aforesaid State and County, Linda Binns Disspayne, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that such person(s) executed the within instrument for the purposes therein contained.

Witness my hand, at office, this \_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

Personally appeared before me, the undersigned, Notary Public for the aforesaid State and County, Tom Douglas Binns, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged the he is the Trustee for the Tom Douglas Binns Trust dated June 12, 2014, and is authorized by the trust to execute this instrument on behalf of the trust.

Witness my hand, at office, this \_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

Personally appeared before me, the undersigned, Notary Public for the aforesaid State and County, Mary Kathleen Binns with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that such person(s) executed the within instrument for the purposes therein contained.

Witness my hand, at office, this \_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

# A Preliminary SP Binns Farms

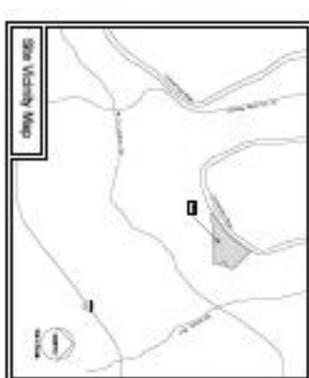
Being Parcel 52 on Tax Map 74  
Heritage Davidson County, Tennessee  
Case No. 2016SP-046-001

**PROPOSED LOT**

1. The proposed lot shall be a minimum of 100 feet wide.
2. The proposed lot shall be a minimum of 100 feet deep.
3. The proposed lot shall be a minimum of 10,000 square feet in area.
4. The proposed lot shall be a minimum of 100 feet from the adjacent property line.
5. The proposed lot shall be a minimum of 100 feet from the adjacent street.
6. The proposed lot shall be a minimum of 100 feet from the adjacent utility line.
7. The proposed lot shall be a minimum of 100 feet from the adjacent easement.
8. The proposed lot shall be a minimum of 100 feet from the adjacent water body.
9. The proposed lot shall be a minimum of 100 feet from the adjacent flood plain.
10. The proposed lot shall be a minimum of 100 feet from the adjacent wetland.
11. The proposed lot shall be a minimum of 100 feet from the adjacent environmentally sensitive area.
12. The proposed lot shall be a minimum of 100 feet from the adjacent historic site.
13. The proposed lot shall be a minimum of 100 feet from the adjacent archaeological site.
14. The proposed lot shall be a minimum of 100 feet from the adjacent cultural resource.
15. The proposed lot shall be a minimum of 100 feet from the adjacent natural resource.
16. The proposed lot shall be a minimum of 100 feet from the adjacent scenic resource.
17. The proposed lot shall be a minimum of 100 feet from the adjacent historic district.
18. The proposed lot shall be a minimum of 100 feet from the adjacent historic landmark.
19. The proposed lot shall be a minimum of 100 feet from the adjacent historic structure.
20. The proposed lot shall be a minimum of 100 feet from the adjacent historic site.

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2. The proposed lot shall be a minimum of 100 feet deep.
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18. The proposed lot shall be a minimum of 100 feet from the adjacent historic landmark.
19. The proposed lot shall be a minimum of 100 feet from the adjacent historic structure.
20. The proposed lot shall be a minimum of 100 feet from the adjacent historic site.



**Architectural Standards**

1. Minimum yard setback to a minimum height of 7'0" tall.
2. No front yard setback.
3. Minimum side yard setback of 5'0" on all sides.
4. Minimum rear yard setback of 5'0" on all sides.
5. Minimum lot coverage of 20%.
6. Maximum height of 30'0" for any structure.
7. Maximum height of 40'0" for any structure.
8. Maximum height of 50'0" for any structure.
9. Maximum height of 60'0" for any structure.
10. Maximum height of 70'0" for any structure.
11. Maximum height of 80'0" for any structure.
12. Maximum height of 90'0" for any structure.
13. Maximum height of 100'0" for any structure.
14. Maximum height of 110'0" for any structure.
15. Maximum height of 120'0" for any structure.
16. Maximum height of 130'0" for any structure.
17. Maximum height of 140'0" for any structure.
18. Maximum height of 150'0" for any structure.
19. Maximum height of 160'0" for any structure.
20. Maximum height of 170'0" for any structure.

NO.	DESCRIPTION	DATE	BY
1	Issue Sheet		
2	Revised Sheet		
3	Revised Sheet		
4	Revised Sheet		
5	Revised Sheet		
6	Revised Sheet		
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20	Revised Sheet		

**Sheet Schedule**

NO.	DESCRIPTION
1	Issue Sheet
2	Revised Sheet
3	Revised Sheet
4	Revised Sheet
5	Revised Sheet
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8	Revised Sheet
9	Revised Sheet
10	Revised Sheet
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20	Revised Sheet

Notes & Project Standards

A Preliminary SP  
**Binns Farms**  
Being Parcel 52 on Tax Map 74  
Heritage Davidson County, Tennessee

**Dale & Associates**  
ARCHITECTS

**C0.0**  
Issue Sheet

DATE: 10/10/2016  
TIME: 10:10 AM  
BY: [Signature]



Existing Conditions


  
**Dale & Associates**
  
 ENGINEERS

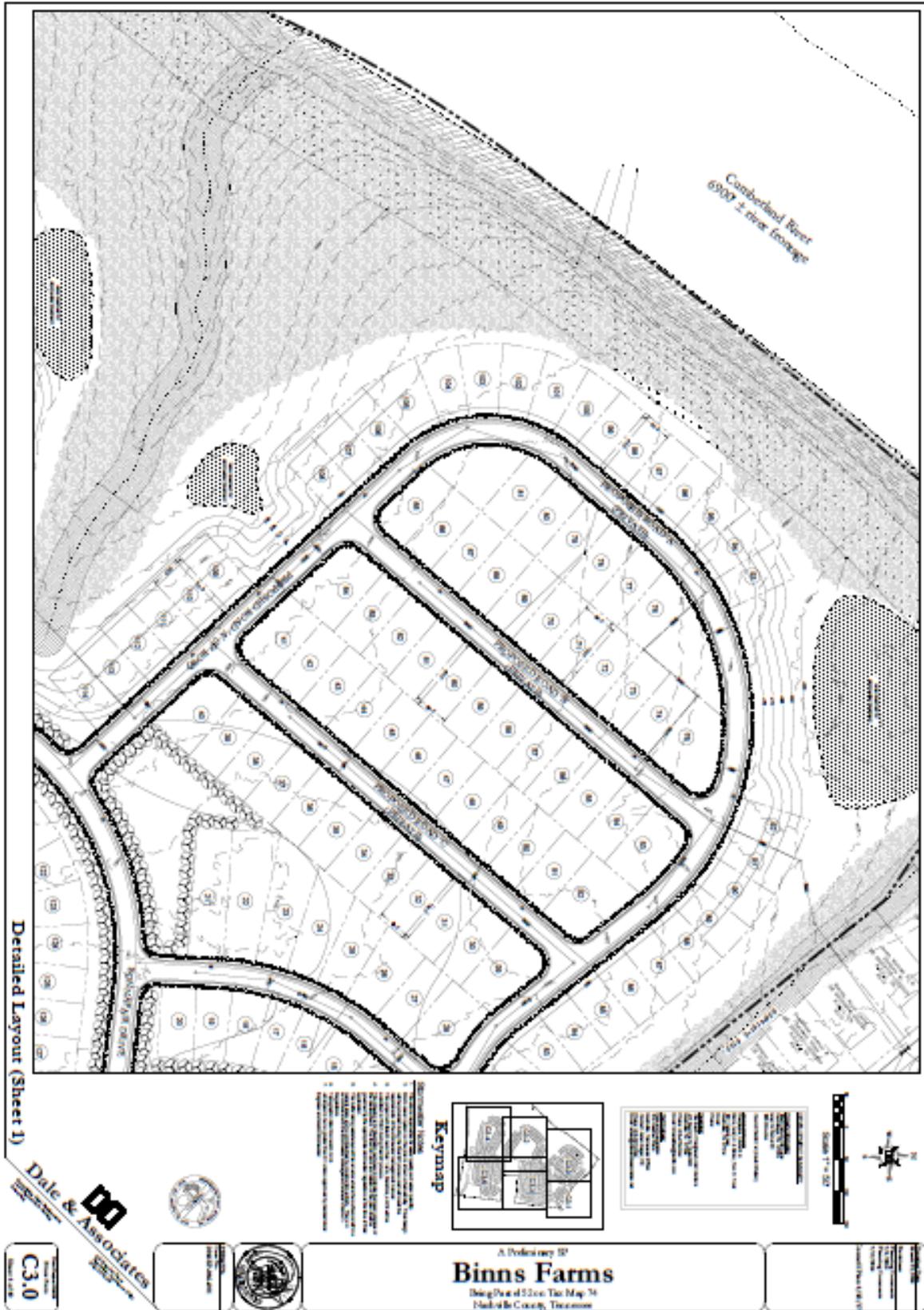

  
**CL10**



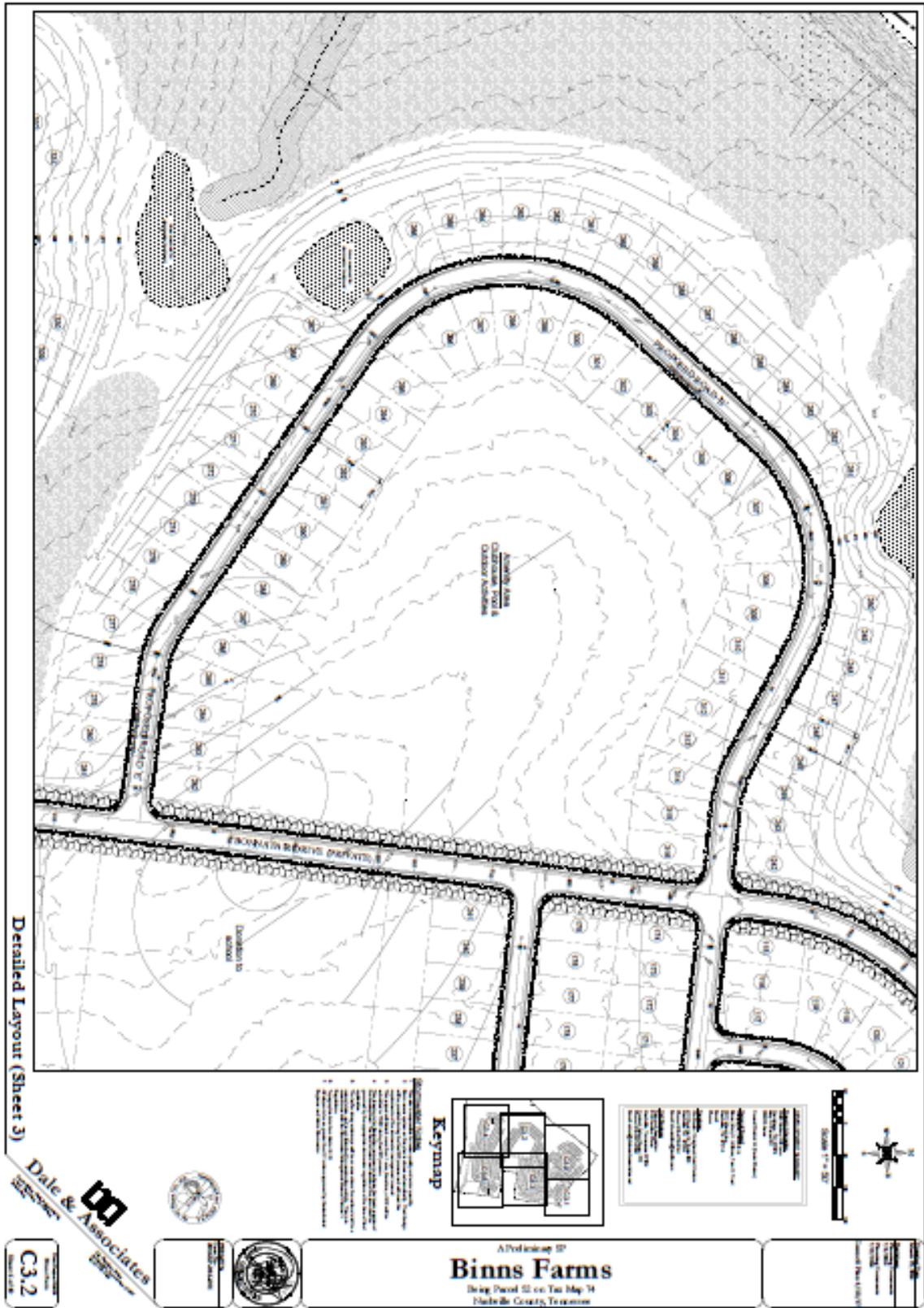
A Preliminary EIP  
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 Being/Used On Tax Map T4  
 Pickens County, Tennessee

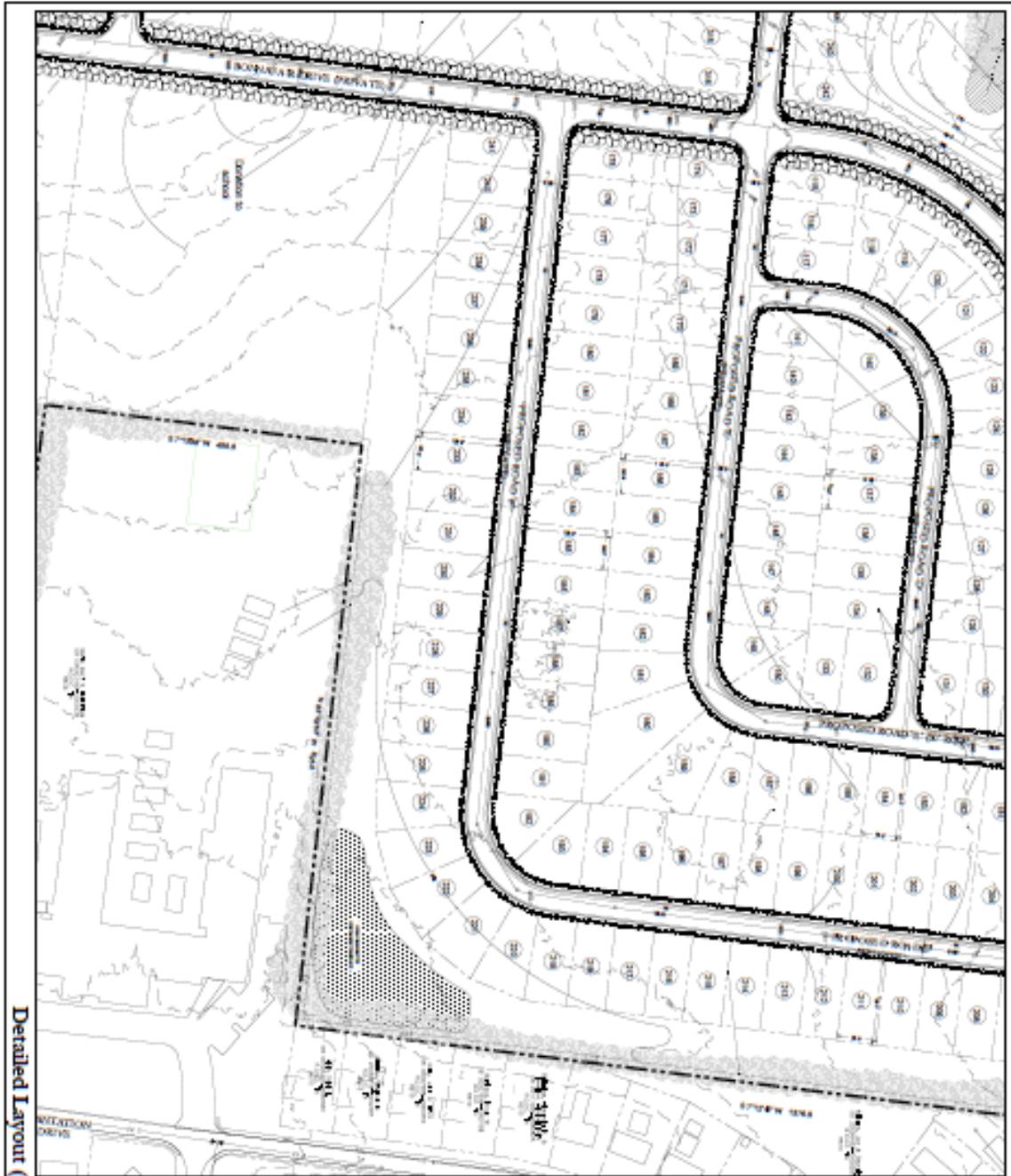
DATE: 10/15/2014 DRAWN BY: [Name] CHECKED BY: [Name]
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Detailed Layout (Sheet 4)

**Dale & Associates**  
 10000 Dale Road  
 Dallas, Texas 75243  
 Phone: 972-440-1100  
 Fax: 972-440-1101  
 Website: www.daleandassociates.com



**Keymap**

1. THE PROJECT IS LOCATED IN THE NORTHWEST CORNER OF THE SECTION 36, T12N, R10E, S4E, DEER CREEK TOWNSHIP, DALLAS COUNTY, TEXAS.

2. THE PROJECT IS BOUND BY THE WEST AND SOUTH SIDES OF THE SECTION 36, T12N, R10E, S4E, DEER CREEK TOWNSHIP, DALLAS COUNTY, TEXAS.

3. THE PROJECT IS BOUND BY THE WEST AND SOUTH SIDES OF THE SECTION 36, T12N, R10E, S4E, DEER CREEK TOWNSHIP, DALLAS COUNTY, TEXAS.

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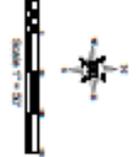
8. THE PROJECT IS BOUND BY THE WEST AND SOUTH SIDES OF THE SECTION 36, T12N, R10E, S4E, DEER CREEK TOWNSHIP, DALLAS COUNTY, TEXAS.

9. THE PROJECT IS BOUND BY THE WEST AND SOUTH SIDES OF THE SECTION 36, T12N, R10E, S4E, DEER CREEK TOWNSHIP, DALLAS COUNTY, TEXAS.

10. THE PROJECT IS BOUND BY THE WEST AND SOUTH SIDES OF THE SECTION 36, T12N, R10E, S4E, DEER CREEK TOWNSHIP, DALLAS COUNTY, TEXAS.



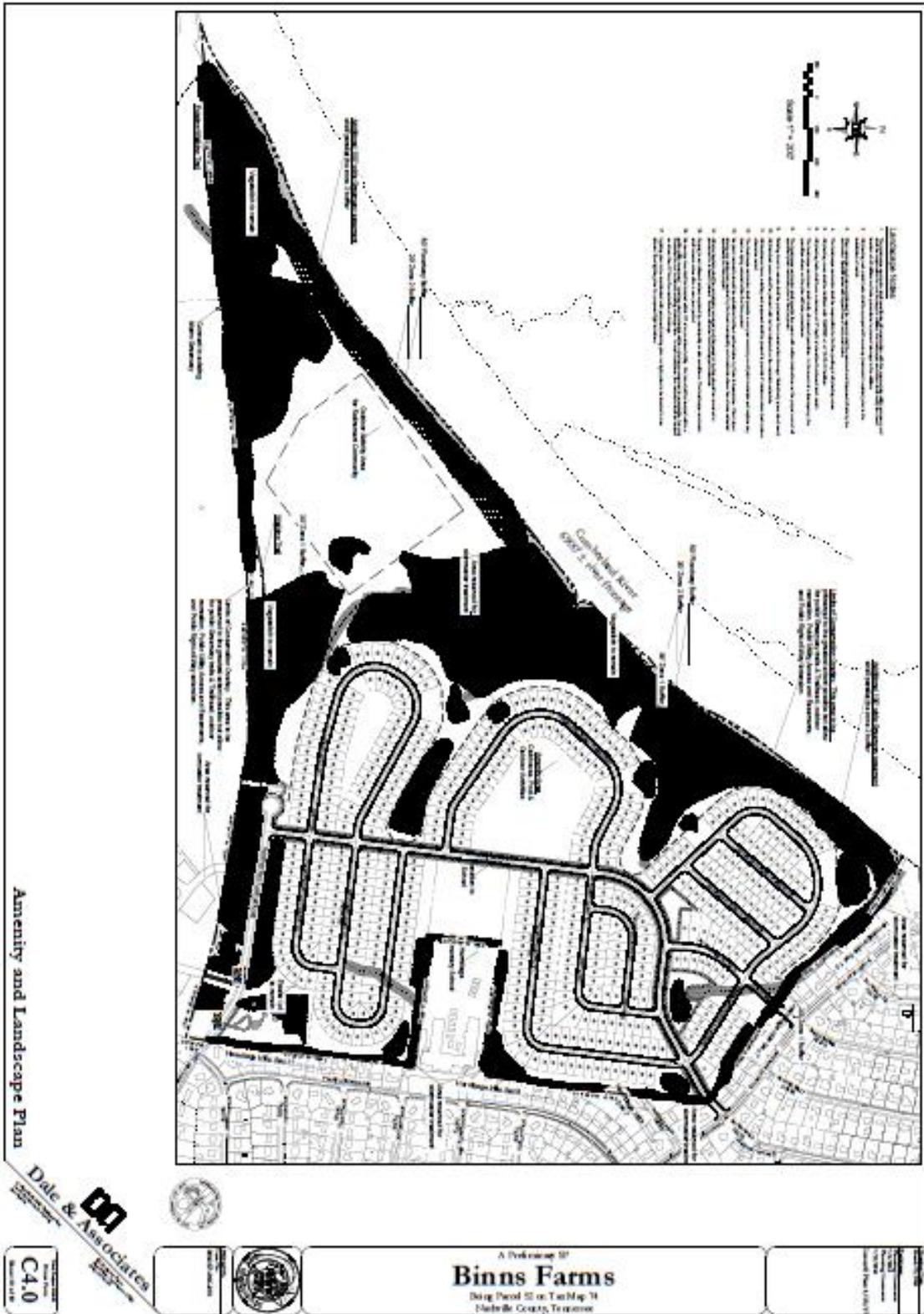
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A Professional SE  
**Binns Farms**  
 Being Divided Into Lots, Tracts, Blocks  
 Dallas County, Texas

NO.	DESCRIPTION
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**SUBSTITUTE ORDINANCE NO. BL2016-513**

**An Ordinance amending Title 15 and Title 17 of the Metropolitan Code of Laws pertaining to the Department of Water and Sewerage Services. (Proposal No. 2016Z-022TX-001).**

WHEREAS, Substitute Resolution No. RS2012-277, Ballot Amendment 5, adopted by the Metropolitan Council and subsequently approved by referendum, removed responsibility for stormwater from the Department of Public Works; and,

WHEREAS, Section 8.502 of the Charter of The Metropolitan Government of Nashville and Davidson County, as amended by referendum, delegates to the Department of Water and Sewerage Services (“Metro Water”) authority and responsibility for the construction, operation, and maintenance of all water, sewer, and stormwater facilities of the Metropolitan Government; and,

WHEREAS, certain provisions of Title 15 and Title 17 of the Metropolitan Code of Laws need to be updated to better reflect current local, state, and federal requirements and procedures pertaining to stormwater; and,

WHEREAS, certain provisions of Title 15 are redundant and consolidation is beneficial for clarity; and,

WHEREAS, such changes are needed in order to protect the health and safety of the citizens of Nashville and Davidson County.

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

Section 1. That Title 15, Section 15.64.010 of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing it with the following:

“As used in this chapter, the following words and terms shall have the meanings ascribed herein:

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year. This is the regulatory standard also referred to as the "100-year flood."

“Base Flood Elevation” means the computed elevation to which floodwater is anticipated to rise during the base flood. Base Flood Elevations (BFEs) are shown on Flood Insurance Rate Maps (FIRMs) and on the flood profiles.

“Channel" means a natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow thus is that water which is flowing within the limits of the defined channel.

"Community waters" means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, ~~drainage systems~~, springs, wetlands, ~~wells~~ and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the Metropolitan Government of Nashville and Davidson County.

"Contaminant" means any physical, chemical, biological or radiological substance or matter.

"Department" means the Metropolitan Government of Nashville and Davidson County's Department of Water and Sewerage Services.

"Director" means the Director of the Metropolitan Government of Nashville and Davidson County's Department of Water and Sewerage Services, or his designee.

"Discharge" means any substance disposed, deposited, spilled, poured, injected, seeped, dumped, leaked, or placed by any means, intentionally or unintentionally, into community waters, the waters of the state, or any area draining directly or indirectly into the municipal stormwater system of the Metropolitan Government.

"Drainage basin" means a part of the surface of the earth that is occupied by and provides surface water runoff into a drainage system which consists of a surface stream or a body of impounded surface water together with all tributary surface streams and bodies of impounded surface water.

"Erosion" means the disintegration or wearing away of the earth's surface by the action of wind and water.

"Flood" means water from a river, stream, watercourse, lake or other body of standing water that temporarily overflows and inundates adjacent lands and which may affect other lands and activities through increased surface water levels, and/or increased ground water level.

"Floodplain" means the relatively flat or lowland area adjoining a river, stream, watercourse, lake, or other body of standing water which has been or may be covered temporarily by flood water. For administrative purposes, the "floodplain" is defined as the 100-year floodplain, which is the area predicted to be inundated by the base flood.

"Floodproofing" means a combination of structural provisions, changes, or adjustments to properties and structures subject to flooding primarily for the reduction or elimination of flood damages to properties, water and sanitary facilities, structures, and contents of buildings in a flood hazard area.

"Flood protection elevation" means at least four feet above the base flood elevation for residential construction and at least one foot above the base flood elevation for non-residential construction.

"Floodway" means that portion of the stream channel and adjacent floodplain required for the passage or conveyance of a 100-year flood discharge. The floodway boundaries are placed to limit encroachment in the floodplain so that a 100-year flood discharge can be conveyed through the floodplain without increasing the water surface elevation by more than a foot at any point and without producing hazardous velocities or conditions. This is the area of significant depths and velocities, and due consideration should be given to effects of fill, loss of cross-sectional flow area, and resulting increased water surface elevations.

"Floodway fringe" means that portion of the floodplain lying outside the floodway. This is the area of the floodplain that may be developed or encroached upon as long as the water surface elevation of the 100-year flood is not increased

"Green infrastructure" means an approach to wet weather management that is cost-effective, sustainable, and environmentally friendly, which incorporates management approaches and technologies that infiltrate, evapotranspire, capture and reuse stormwater to maintain or restore natural hydrologies. Green infrastructure practices include, but are not limited to open space, rain gardens, porous pavements, green roofs, infiltration planters, trees and tree boxes, swales, and curb extensions.

"Green street" means a public right-of-way that utilizes green infrastructure to manage wet weather flows and enhance water quality.

"Human occupancy" means any portion of any enclosed structure wherein humans principally live or sleep, such as mobile homes, permanent residential activities, semitransient residential activities, health care community facilities, nursing home community facilities, orphanages, family care facilities, group care facilities, or transient habitation.

"Impervious area" means the portion of a parcel of property that is covered by any material, including without limitation roofs, streets, sidewalks and parking lots paved with asphalt, concrete, compacted sand, compacted gravel or clay, that substantially reduces or prevents the infiltration of storm water. Impervious area shall not include natural undisturbed surface rock."

"Infill (regulated residential)" means the creation of eight hundred to fifteen thousand square feet of additional net impervious area (IA) for a residential dwelling(s) through new development, redevelopment, or rehabilitation in existing neighborhoods.

"Lot" means a tract, plot or portion of a subdivision parcel of land intended as a unit for the purpose, whether immediate or future, for transfer of ownership or for building development.

"Metropolitan Government" means the Metropolitan Government of Nashville and Davidson County.

"Municipal separate storm sewer system of the Metropolitan Government" means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, and storm drains) designed or used for collecting or conveying stormwater; provided, however, that sanitary and combined sewers are not included in the definition of the municipal separate storm sewer system.

"Non-residential property" shall mean a parcel of property that is not a residential property as defined in this section.

"Non-stormwater discharge" means any discharge to the municipal separate storm sewer system except as permitted by subsection 15.64.205(C) of this section.

"One-hundred-year flood" is one that has an average frequency of occurrence of once in one hundred years, determined from an analysis of floods on a particular watercourse and other

watercourses in the same general region. Statistically, it has a one percent chance of occurring in any given year.

"Public system" shall mean and include storm water and flood control devices, structures, conveyances, facilities or systems, including natural watercourses, streams, creeks and rivers used wholly or partly to convey or control storm water or flood water within the jurisdictional boundaries of the Metropolitan Government. The public system shall include, without limitation, natural conveyances (a) for which the Metropolitan Government has assumed maintenance responsibility; (b) to which the Metropolitan

Government has made improvements; (c) which have or may pose a threat to public property because of flooding; or (d) for which the Metropolitan Government is accountable under federal or state regulations governing protection of water quality.

"Qualified control structure" shall mean a device, structure, or practice meeting design standards and approved by the Department that substantially limits the discharge and / or discharge rate of storm water from a parcel of property into or through any public system or that substantially improves the purity of storm water so discharged.

"Residential property" shall mean any property whose primary use, as shown on the use and occupancy permit issued by the Department of Codes Administration, is residential single-family or residential two-family.

"Stormwater" shall mean stormwater run-off, snow melt run-off, surface run-off, street wash waters related to street cleaning and maintenance, infiltration other than infiltration contaminated by seepage from sanitary sewers or other discharges and drainage.

"Structure" means anything constructed or erected, the use of which requires a more or less permanent location on or in the ground. Such construction includes but is not limited to objects such as buildings, towers, smokestacks, overhead transmission lines, carports and walls. Structure shall not include fences.

"Structure, permanent" means a structure which is built of such materials and in such a way that it would commonly be expected to last and remain useful for a substantial period of time.

"Structure, temporary" means a structure which is built of such materials and in such a way that it would commonly be expected to have a relatively short useful life, or is built for a purpose that would commonly be expected to be relatively short-term.

"User" shall mean the owner of record of a non-exempt residential or non-residential property or the person or entity in possession if other than the owner.

"Watercourse" means a channel, natural depression, slough, gulch, stream, creek, pond, reservoir, or lake in which storm runoff and flood water flows either regularly or infrequently. This includes major drainageways for carrying urban storm runoff.

"Waters of the state" means any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through or border upon Tennessee or any portion

thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine to effect a junction with natural surface or underground waters.”

Section 2. That Title 15, Section 15.64.015 of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing it with the following:

“There is hereby created a Stormwater Division within the Metropolitan Department of Water and Sewerage Services ("MWS"), which in coordination with the Department of Public Works, the Metropolitan Finance Director, the Metropolitan Department of Codes Administration and the Metropolitan Planning Commission, shall have the responsibility for compliance with the Clean Water Act of 1977, as amended and the National Pollution Discharge Elimination System permit (NPDES) and applicable regulations for stormwater discharges; developing stormwater management plans; identifying capital requirements and developing necessary financing for maintenance and rehabilitation of existing and new stormwater facilities; collecting fees and charges for the division; educating the public on the importance of stormwater management and pollution control; developing written regulations and technical guidelines as may be necessary to enforce the terms of this chapter; and other related duties as required by the Director ("Director") of MWS.

MWS shall be responsible for plan approval and construction inspection of both private stormwater facilities and public stormwater facilities. Additionally, MWS may accept the responsibility for the operation and maintenance of private stormwater facilities only pursuant to criteria defined and adopted by the Stormwater Management Committee and upon a written agreement approved by the Metropolitan Council.”

Section 3. That Title 15, Section 15.64.020 of the Metropolitan Code of Laws shall be amended by deleting in both the heading and the code provision the phrase “director of public works” and substituting in lieu thereof the phrase “Director of the Department of Water and Sewerage Services.”

Section 4. That Title 15, Section 15.64.030 of the Metropolitan Code of Laws shall be amended by deleting it in its entirety.

Section 5. That Title 15, Section 15.64.032, Subsection A of the Metropolitan Code of Laws shall be amended by deleting it in its entirety. Numbering and lettering shall be adjusted accordingly.

Section 6. That Title 15, Section 15.64.032, Subsection C(1) of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing it with the following:

“Owners and/or operators of agricultural land (see TCA § 1-3-105(2)(A)(i) and TCA § 68-221-1102(1)), in the municipality, upon which the owner or operator conducts activities that enable the owner or operator to satisfy the requirements of a qualified farmer or nurseryman (as defined by TCA § 67-6-207(e)). The specific criteria for exemption of agricultural properties applies to parcels which are actively engaged in the commercial production of agricultural commodities (defined by TCA §67-6-301(c)(2)).”

Section 7. That Title 15, Section 15.64.032, Subsection C(4) of the Metropolitan Code of Laws shall be amended by deleting the word “Lakewood.”

Section 8. That Title 15, Section 15.64.032, Subsection D(3) of the Metropolitan Code of Laws shall be amended by deleting the phrase “in a newspaper of general circulation.” Section 9. That Title 15, Section 15.64.032, Subsection F of the Metropolitan Code of Laws shall be amended by deleting the section in its entirety. Lettering shall be adjusted accordingly.

Section 10. That Title 15, Section 15.64.032, Subsection J of the Metropolitan Code of Laws shall be amended by deleting the phrase “in a newspaper of general circulation.”

Section 11. That Title 15, Section 15.64.034 of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing it with the following:

“The Director of MWS shall submit an annual written report to the Metro Council, and shall personally appear annually before a joint meeting of the Council public works and budget and finance committees on the Stormwater Management Program. Such report shall contain, at a minimum:

1. A list of properties that are exempt from the stormwater fees or have been granted adjustments under 15.64.032. The report shall identify each property by street address and owner name, and shall state the adjustment amount granted or the basis for considering the property exempt.
2. A list of all stormwater projects completed within the previous year for each council district broken down by priority category.
3. The status of the Stormwater Management Program in Metro.
4. The fee structure imposed to fund the implementation of the stormwater program and the adequacy of funds to implement the program.
5. Any long-range plans which have been developed to implement the provisions of this chapter.
6. The status of any projects to control stormwater run-off.
7. Any other information deemed relevant by the Director or upon request of the Public Works or Budget and Finance Committees of the Metropolitan Council.”

Section 12. That Title 15, Section 15.64.080 of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing it with the following:

“The Stormwater Management Committee shall adopt such rules and regulations as it may deem necessary to conduct its business. The committee, in open meeting, shall hear all appeals, variance requests, and other relevant issues under the provisions of this chapter. The committee shall meet at regular monthly intervals with the day and time to be determined by the chairman. In the event no appeals have been filed and there is no business pending, the chairman may cancel the meeting ten days before its scheduled date.”

Section 13. That Title 15, Section 15.64.100 of the Metropolitan Code of Laws shall be amended by deleting the heading and the code provision it in its entirety and replacing it with the following:

“Appeal and variance request procedure.

A. 1. Whenever the Director of the Department of Water and Sewerage Services ~~or the Director of Codes Administration~~ shall uphold enforcement taken by the Department for violations of the Metropolitan Code of Laws this chapter or ~~with~~ the regulations established in the Metropolitan Government of Nashville and Davidson County Stormwater Management Manual, Volume 1 – Regulations, the owner or authorized agent may appeal ~~from~~ the decision of the Director to the Stormwater Management Committee. All appeals must be filed within thirty days after an adverse decision by ~~either~~ the Director of the Department of Water and Sewerage Services ~~or the Director of Codes Administration~~. A filing fee in the amount established pursuant to Section 15.64.215 shall be charged to each applicant payable to Metro Water Services.

2. Whenever the Director of the Department of Water and Sewerage Services shall reject or refuse to approve a plan for noncompliance with this chapter or the regulations established in the Metropolitan Government of Nashville and Davidson County Stormwater Management Manual, Volume 1 – Regulations, the owner or authorized agent may appeal the decision of the Director to the Stormwater Management Committee. All appeals must be filed within thirty days after an adverse decision by the Director of the Department of Water and Sewerage Services. A filing fee in the amount established pursuant to Section 15.64.215 shall be charged to each applicant payable to Metro Water Services.

32. An applicant may request a variance from the regulations established in the Metropolitan Government of Nashville and Davidson County Stormwater Management Manual, Volume 1 – Regulations, by submitting a completed application to appear before the committee. A filing fee in the amount established pursuant to Section 15.64.215 shall be charged to each applicant payable to Metro Water Services.

B. Any action taken by the committee shall be by motion which shall state the reasons therefore with particularity. All the decisions of the committee shall be by resolution, must be in writing, and must indicate the vote of each member of the committee upon the decision, and shall specify in what manner such variation or modifications shall be made, the conditions upon which they are to be made, and the reasons therefore.

C. Unless otherwise stated, every decision of the committee shall be final; subject however, to such remedy as any aggrieved party or the Metropolitan Government may have at law or in equity. Every decision shall be promptly entered into the minutes of the meeting of the committee by the secretary and filed with Metro Water Services. The records of the committee shall be open to public inspection, and a copy of each decision shall be sent by mail or otherwise to each appellant.

D. The committee shall, in every case, render a decision without unreasonable or unnecessary delay.”

Section 14. That Title 15, Section 15.64.110, Subsection C of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing as follows:

“No building permit, except for structures exempted in Section 15.64.130, shall be issued until grading, drainage and erosion control plans are approved by the Director of the Department of Water and Sewerage Services or his designee, and the grading permit is issued.”

Section 15. That Title 15, Section 15.64.110 of the Metropolitan Code of Laws shall be amended by adding Subsection E, and the following:

“Metro Water Services may withhold approvals and grading permit issuance from any person, partnership, limited partnership, joint venture, corporation or any other type of business entity or related entity who has another grading permit project or building permit that is currently in violation of stormwater regulations. For purposes of this section, partnerships, limited partnerships, joint ventures, corporations or other type of business entities owned or operated by common person(s) or having common person(s) involved in the day-to-day operation of the business will be viewed as a related entity unless a significant change of control can be evidenced.”

Section 16 That Title 15, Section 15.64.130, Subsection (B)(1) of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing as follows:

“Disturbs less than ten thousand square feet.”

Section 17. That Title 15, Section 15.64.140, Subsection A of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing as follows:

“Persons responsible for property developments shall be required to submit detailed grading and drainage plans, with supporting calculations prepared by a registered engineer, to the Department of Water and Sewerage Services for review and approval prior to initiation of work. Where applicable, an erosion control plan prepared by a design professional or soil scientist shall be included in order to prevent sedimentation from reducing the flow carrying capacity of the downstream drainage system.

Section 18. That Title 15, Section 15.64.140, Subsection B of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing as follows:

“For purposes of this section, property developments shall include the grading, excavation, clearance or other alteration of the landscape for other than agricultural purposes, whether or not a building application has been filed, and whether or not subdivision of the land or construction on the land is contemplated in the near future.”

Section 19. That Title 15, Section 15.64.150 of the Metropolitan Code of Laws shall be amended by deleting the heading and the code provision in its entirety and replacing as follows:

“Application of Tennessee Water Quality Control Act and Federal Water Pollution Control Act. Approval by the Metropolitan Government does not relieve the developer of obtaining any

permits required by the Tennessee Water Quality Control Act and Federal Water Pollution Control Act.”

Section 20. That Title 15, Section 15.64.160, Subsection A of the Metropolitan Code of Laws shall be amended by deleting the references to “Chapter 17.136” and substituting in lieu thereof the reference “Chapter 17.36.”

Section 21. That Title 15, Section 15.64.160, Subsection B of the Metropolitan Code of Laws shall be amended by deleting it in its entirety, including the Note appearing at the end of Subsection B.

Section 22. That Title 15, Section 15.64.180, Subsection A of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing as follows:

“The placement or construction of a levee, earth fill, building or other structure which alters the floodplain area shall only be permitted based on a plan prepared by a registered and licensed professional engineer of Tennessee, showing existing and proposed elevations, existing and proposed drainage channels, and existing and proposed structures, and the plan shall be approved by the Director of the Department of Water and Sewerage Services of the Metropolitan Government certifying that the alteration and construction as proposed would not increase the degree of flooding in other areas, and that any structures proposed to be constructed in the floodplain shall meet the following special conditions.”

Section 23. That Title 15, Section 15.64.180, Subsections A(1) and A(2) of the Metropolitan Code of Laws shall be amended by deleting said subsections in their entirety and replacing them as follows:

1. The minimum floor elevation of that portion of any structure intended for human occupancy shall be at least equal to or higher than four feet above the base flood elevation. Those portions of such structures not intended for human occupancy shall be at least equal to or higher than one foot above the base flood elevation. All other related facilities thereto such as electrical equipment, water service, and sanitary sewer connections shall be at least equal to or higher than one foot above the base flood elevation. 2. The minimum floor elevation of any structure not intended for human occupancy, as defined, shall be at least equal to or higher than one foot above the base flood elevation. Floodproofing of these structures will only be authorized by the Director of the Department of Water and Sewerage Services as specific individual exceptions to minimum floor elevation requirements where it can be shown that the proposed floodproofing is acceptable from an engineering standpoint.”

Section 24. That Title 15, Section 15.64.195 of the Metropolitan Code of Laws shall be amended by deleting it in its entirety.

Section 25. That Title 15, Section 15.64.205, Subsection A of the Metropolitan Code of Laws shall be amended by deleting it in its entirety. Lettering and numbering shall be adjusted accordingly.

Section 26. That Title 15, Section 15.64.205, Subsection D shall be amended by deleting it in its entirety and replacing as follows:

“The Director of MWS, with the approval of the mayor, shall have authority to implement this chapter by appropriate regulation. The Director of MWS shall enforce the provisions of this chapter, and he or his duly authorized representative may enter, upon presentation of proper identification to the owner, occupant, or person in control thereof, any building, structure or premises within the area of jurisdiction of the Metropolitan Government to perform any duty imposed upon him by this chapter or by the regulations and technical guidelines promulgated by the Department pursuant to this chapter. Such entry for the purpose of making any inspection required in this chapter shall be made during reasonable hours, so as to cause the least inconvenience to the occupants thereof, unless emergency circumstances exist. It is unlawful for any person, whether owner, occupant, or party in control of the building, structure, or premises, to refuse the entry of the Director or any of the Director’s duly authorized representatives or to interfere in any manner in the performance of the duties imposed upon the Director by this chapter or by the regulations and technical guidelines promulgated by the Department pursuant to this chapter.”

Section 27. That Title 15, Section 15.64.205, Subsection E of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing it as follows:

“Discharges with valid and effective NPDES permits issued by the State of Tennessee that meet the pollutant parameters specified within each permit are not prohibited by this section.”

Section 28. That Title 15, Section 15.64.205, Subsection G of the Metropolitan Code of Laws shall be amended by deleting it in its entirety.

Section 29. That Title 15, Section 15.64.215 of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing as follows:

“Notwithstanding any other provision of the Metropolitan Code of Laws, the Department shall develop a schedule of charges for services provided in reviewing permit applications, processing appeal and variance requests to the Stormwater Management Committee, or reviewing plans submitted by private entities for proposed projects that must comply with the Metropolitan Government's stormwater management regulations. The schedule of charges shall ~~reflect~~ not exceed the Department's actual costs incurred in providing such services. A copy of the schedule of charges shall be filed with the Metropolitan Clerk, furnished to each member of the Metropolitan Council and made available on request to any citizen of Davidson County. The Department shall bill and collect in accordance with the schedule of charges, which may be amended from time to time to reflect changes in the Department's actual costs of providing the services contemplated herein. Fees may be waived by the Department to incentivize certain practices.”

Section 30. That Title 15, Section 15.64.220, Subsection A of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing as follows:

“Any violation of this chapter shall be punishable by an administrative penalty in an amount authorized by ~~state law~~ Tennessee Code Annotated, Section 68-221-1106. For purposes of assessing administrative penalties under this chapter, each day of violation shall constitute a separate violation. Any assessment of an administrative penalty shall be in writing and shall be served on the violator in any manner authorized by law.”

Section 31. That Title 15, Section 15.64.220, Subsection B of the Metropolitan Code of Laws shall be amended by replacing the word “civil” with the word “administrative” and by adding the word “administrative” before the word “penalty.”

Section 32. That Title 17, Section 17.28.040, Subsection A of the Metropolitan Code of Laws shall be amended by deleting it in its entirety. Lettering shall be adjusted accordingly.

Section 33. That Title 17, Section 17.28.040, Subsection C of the Metropolitan Code of Laws shall be amended by deleting it in its entirety. Lettering shall be adjusted accordingly.

Section 34. That Title 17, Section 17.28.040, Subsection D of the Metropolitan Code of Laws shall be amended by deleting in its entirety and replacing as follows:

“D. All development shall be undertaken consistent with the flood insurance standards and requirements of the Federal Emergency Management Agency, as necessary, to maintain the eligibility of the National Flood Insurance Program within Davidson County. Notwithstanding any provision herein to the contrary, all development alterations or improvements that would otherwise be subject to Chapter 15.64 of this Code shall comply with the provisions of that chapter and the regulations and technical guidelines promulgated by the Department pursuant to that chapter.”

Section 35. That Title 17, Section 17.28.040, Subsection E of the Metropolitan Code of Laws shall be amended by deleting it in its entirety. Lettering shall be adjusted accordingly.

Section 36. That Title 17, Section 17.28.040, Subsection F of the Metropolitan Code of Laws shall be amended by deleting the phrase “department of public works” and substituting in lieu thereof the phrase “Department of Water and Sewerage Services.”

Section 37. That Title 17, Section 17.36.210 of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing it as follows:

“Alterations of floodplain land and drainage channels shall be in accordance with applicable provisions of Chapter 15.64, “Stormwater Management.”

Section 38. That Title 17, Section 17.36.220 of the Metropolitan Code of Laws shall be amended by deleting the heading and code provision in its entirety and replacing it as follows:

“Report to Stormwater Management Committee. A request for a variance to the requirements of Chapter 15.64, Stormwater Management, shall be considered by the Stormwater Management Committee according to the provisions of Chapter 15.64 of the Metropolitan Code of Laws. Prior to consideration of a variance, the Stormwater Management Committee shall solicit a

report from the Zoning Administrator and the Planning Department regarding the applicability of Chapter 17.28, Article I, or any other provision of this title.”

Section 39. That this Ordinance shall take effect after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

\_\_\_\_\_  
Scott A. Potter, Director  
Water and Sewerage Services

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Steve Berry, Director  
Public Property Administration

\_\_\_\_\_  
Council Member(s)

APPROVED AS TO THE  
AVAILABILITY OF FUNDS:

\_\_\_\_\_  
Talia Lomax-O'dneal, Director  
Finance

APPROVED AS TO FORM  
AND LEGALITY:

\_\_\_\_\_  
Assistant Metropolitan Attorney

**SUBSTITUTE ORDINANCE NO. BL2017-767**

**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 and R8 to SP zoning on properties located at 6120, 6122, and 6124 Robertson Avenue and Robertson Avenue (unnumbered), approximately 340 feet east of Waco Drive, (1.25 acres), to permit up to 15 multi-family dwelling units, all of which is described herein (Proposal No. 2017SP-004-001).**

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 and R8 to SP zoning on properties located at 6120, 6122, and 6124 Robertson Avenue and Robertson Avenue (unnumbered), approximately 340 feet east of Waco Drive, (1.25 acres), to permit up to 15 multi-family dwelling units, being Property Parcel Nos. 011, 012, 013, 311 as designated on Map 091-09 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 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 through 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 on Map 091 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 15 residential units.

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

1. The access easement to adjacent properties shall be recorded prior to issuance of building permit.
2. With submittal of the Final SP, a type A-3 landscape buffer yard shall be provided along the northern (rear) property line.
3. Building elevations consistent with the architectural standards included in the Preliminary SP plan shall be provided with the Final SP.
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. Street trees within the 6-foot grass planting strip along Robertson Avenue shall contain only cherry trees spaced at intervals of one tree per every 15 feet.

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 RM15-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:

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Mary Carolyn Roberts  
Member of Council

[View Sketch](#)

[View Site Plan](#)

2017SP-004-001  
6124 ROBERTSON AVENUE SP  
Map 091-09, Parcel(s) 011-013, 311  
Subarea 07, West Nashville  
District 20 (M. C. Roberts)  
Application fee paid by: Richland South LLC

By changing from R6 and R8 to SP zoning on properties located at 6120, 6122, and 6124 Robertson Avenue and Robertson Avenue (unnumbered), approximately 340 feet east of Waco Drive, (1.25 acres), to permit up to 15 multi-family dwelling units, requested by Richland South, LLC, applicant and owner.



**6124 ROBERTSON AVENUE  
SPECIFIC PLAN  
CASE NUMBER 2017SP-004-001**



**LOCATION MAP  
EXISTING CONDITIONS  
(NOT TO SCALE)**

**PURPOSE**

Develop the property to align with the corridor of the West Nashville Community Plan. Remove the existing 50' and 70' zoning and replace with a single-family and multi-family residential housing development.

**TOTAL SITE AREA**

**54,720 SQ. FT. OR  
1.26 ACRES**

**OWNER/DEVELOPER**

Richard South, LLC  
740 Duran Court  
Frankford, TN 37027

**EXISTING SITE DATA**

Parcel 211  
Vance Davidson County Parcel ID: 08100001100  
Robertson Ave. - unimproved  
Owner: Richard South, LLC  
Instrument: 00-20170210-001-4450  
0.11 acres ZONED 75R  
Parcel 11  
Vance Davidson County Parcel ID: 08100001100  
8124 Robertson Ave.  
Owner: Richard South, LLC  
Instrument: 00-20170210-001-4450  
0.69 acres ZONED 75R  
Parcel 12  
Vance Davidson County Parcel ID: 08100001200  
6123 Robertson Ave.  
Owner: Richard South, LLC  
Instrument: 00-20170210-001-4450  
0.16 acres ZONED 75R  
Parcel 13  
Vance Davidson County Parcel ID: 08100001300  
6120 Robertson Ave.  
Owner: Richard South, LLC  
Instrument: 00-20170210-001-4450  
0.20 acres ZONED 75R

**COUNCIL DISTRICT**

Vance Council District 20  
Council Member: Wiley Carolyn Roberts

**PLANNING BY:**

Mr. Duane O'Connell  
1910 Aulden Avenue  
Nashville, TN 37203  
615-854-9818

**INDEX OF SHEETS**

SHEET NO.	SHEET TITLE
1	COVER SHEET - EXISTING CONDITIONS
2	SP SITE PLAN
3	SP UTILITIES AND DRAINAGE

**WAMBLE & ASSOCIATES**  
Civil Engineering  
Land Surveying  
Land Planning  
40 Middleclass Street  
Nashville, TN 37210  
615.251.9555



REVISIONS:  
02/27/17 - revised layout  
03/09/17 - revised layout  
04/10/17 - revised owners  
DATE: November 30, 2016  
WMA NO.: 671-0316

**6124  
ROBERTSON  
AVENUE  
SP PLAN  
EXISTING  
SHEET 1 OF 3**



**6124 ROBERTSON AVENUE  
SPECIFIC PLAN**

**CASE NUMBER 2017SP-004-001**



**WATER AND SEWER NOTES**

1. All water and sewer connections shall be in accordance with specifications and standard details of the Metro Water Services.
2. All water mains shall be a minimum of 24" below finished grade and not to exceed a maximum of 30" below finished grade.
3. Pressure regulating devices will be required on the customer side of the meter when pressure exceeds 100 psi.
4. Pressure regulating devices will be required on the street side of the meter when pressure exceeds 100 psi.
5. Backflow preventer shall be installed on the service line as required for the application.
6. The location of the building is such a manner that any portion of a building shall be no further than 500 feet from a fire hydrant as maintained on a street within the city - not a direct fire hydrant location that is not the hydrant location. The hydrant location shall be approved by the Metro Fire Marshal Office.

**STORMWATER NOTES**

1. The proposed method for the collection, storage and treatment of on-site stormwater will be primarily surface drainage to convey the runoff to sub-surface structures that will provide quality treatment and quality treatment in accordance with the stormwater management manual volume 1 - regulations.
2. Any excavation, fill or disturbance of the existing ground elevation shall be done in accordance with stormwater management criteria. The field is approved by the Metropolitan Department of water.
3. The stormwater treatment system shall be installed in a manner that will allow for the collection, storage and treatment of stormwater.
4. Any excavation, fill or disturbance of the existing ground elevation shall be done in accordance with stormwater management criteria. The field is approved by the Metropolitan Department of water.
5. The proposed stormwater treatment system shall be installed in a manner that will allow for the collection, storage and treatment of stormwater.
6. The proposed stormwater treatment system shall be installed in a manner that will allow for the collection, storage and treatment of stormwater.

**PUBLIC WORKS NOTES**

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works, to effect at the time of the approval of the preliminary development plan or final development plan or building permit, as applicable. Final design may vary based on their conditions.
2. The proposed stormwater treatment system shall be installed in a manner that will allow for the collection, storage and treatment of stormwater.
3. The proposed stormwater treatment system shall be installed in a manner that will allow for the collection, storage and treatment of stormwater.

**WAMBLE & ASSOCIATES**  
Civil Engineering  
Land Surveying  
Land Planning  
40 Middlefield Street  
Nashville, TN 37210  
615.251.9555

Professional Engineer  
James E. Wamble  
State of Tennessee  
License No. 20177

DATE: November 30, 2015  
WBA NO.: 871-0316  
6124 ROBERTSON AVENUE SP PLAN  
UTILITIES AND DRAINAGE SHEET 3 OF 3

**SUBSTITUTE ORDINANCE NO. BL2017-768**

**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 3605 and 3739 Hoggett Ford Road and Hoggett Ford Road (unnumbered), approximately 1,700 feet east of Brandau Road (87.91 acres), to permit up to 289 dwelling units, all of which is described herein (Proposal No. 2016SP-021-001).**

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 3605 and 3739 Hoggett Ford Road and Hoggett Ford Road (unnumbered), approximately 1,700 feet east of Brandau Road (87.91 acres), to permit up to 289 dwelling units, being Property Parcel Nos. 126, 127, 128, 129, 130, 131, 751 as designated on Map 086-00 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 on Map 086 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 289 dwelling units, including no more than 34 villa lots (68 units).

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

1. Villa type lots shall be limited to 25% of type "B" units.
2. Raised foundations of a minimum of 18" and a maximum of 36" are required for all residential buildings, except villa units.
3. The extension of Hoggett Ford Road shall provide a complete connection to both existing sides of Hoggett Ford Road.
4. Existing residential driveways south along Hoggett Ford Road shall be connected to the proposed Hoggett Ford Road. With submittal of a final site plan, these existing driveway connections shall be screened. Appropriate screening shall be determined by Planning staff and the Urban Forester, but may include street trees or shrubbery.

5. All sidewalks and trails shall be within right-of-way or a public pedestrian easement.
6. 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.
7. Parking spaces along Hoggett Ford Road shall be kept to a minimum so as to not interfere with traffic along Hoggett Ford Road. Any parking spaces designed along Hoggett Ford Road shall be designed of a size and shape to keep vehicles completely out of the flow of traffic along Hoggett Ford Road.
8. If approved by the Metro Traffic and Parking Commission, Stop Lights shall be installed at the intersection of Hoggett Ford and Dodson Chapel, prior to the final Use & occupancy permit being issued for the first phase of this development. If approved by the Metro Traffic and Parking Commission, Stop Lights shall be installed at the intersection of Bell Road and Dodson Chapel Road, prior to the final Use & Occupancy permit being issued for the first phase of the development. Intersection improvements as required by Public Works shall be bonded or completed prior to the issuance of the final Use & Occupancy permit for the first phase of the development.

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 ~~R6~~ RS15 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:

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Kevin Rhoten  
Member of Council

[View Sketch](#)

[View Site Plan](#)

AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2017-778

Mr. President –

I move to amend Ordinance No. BL2017-778 as follows:

I. By amending Section 7 as follows:

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 ~~RS6~~ R6 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

INTRODUCED BY:

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DeCosta Hastings  
Member of Council

**SUBSTITUTE ORDINANCE NO. BL2017-782**

**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 and R6 to ~~RM15~~ RM15-A zoning on property located at 622 Croley Drive, west of the terminus of Deal Avenue (2.64 acres), all of which is described herein (Proposal No. 2017Z-050PR-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 and R6 to ~~RM15~~ RM15-A zoning on property located at 622 Croley Drive, west of the terminus of Deal Avenue (2.64 acres), being Property Parcel Nos. 265 as designated on Map 090-12 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 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 on Map 090 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:

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Mary Carolyn Roberts  
Member of Council

[View Sketch](#)

2017Z-050PR-001  
Map 090-12, Parcel(s) 265  
Subarea 07, West Nashville  
District 20 (Roberts)  
Application fee paid by: Equitable Property Company,  
LLC

A request to rezone from CS and R6 to RM15-A zoning on property located at 622  
Croley Drive, west of the terminus of Deal Avenue, requested by  
Dale and Associates, applicant; Michaels Real Estate, LLC, owner.

