



Metropolitan Council

**PROPOSED AMENDMENTS TO
ORDINANCES TO BE FILED
WITH THE METRO CLERK
FOR THE COUNCIL MEETING OF
TUESDAY, NOVEMBER 20, 2018**

AMENDMENT NO. ____

TO

ORDINANCE NO. BL2018-1363

Mr. President:

I move to amend Ordinance No. BL2018-1363 by deleting Section 4, condition number 2, in its entirety and substituting in lieu thereof the following condition:

"2. Sidewalks 6 feet in width and a planting strip 6 feet in width shall be installed along site frontage on Currey Road and continuing along Currey Road to McGavock Pike. Sidewalks 6 feet in width and a planting strip 6 feet in width shall be installed along McGavock Pike from Currey Road to Tara Ann Court. Sidewalk improvements consistent with local standards shall be installed along the new proposed public road."

INTRODUCED BY:

Holly Huevo
Member of Council

AMENDMENT NO. ____

TO

ORDINANCE NO. BL2018-1385

Mr. President:

I move to amend Ordinance No. BL2018-1385 by deleting the proposed Metro Code of Laws Section 1.04.070 in Section 1 in its entirety and substituting in lieu thereof the following:

“1.04.070 – General compliance requirement for permits issued by metropolitan government

An individual or entity to which a permit is issued by the metropolitan government or any of its departments, agencies, boards, or commissions shall act at all times in compliance with the terms, conditions and requirements of the permit until its termination or expiration. Absent such compliance, a permit may be revoked or suspended following any notice requirements, subject to existing rights to re-apply and recognized rights of appeal. Permits issued as a result of false, inaccurate, or misleading information submitted by an applicant may likewise be revoked or suspended. The revocation or suspension of a permit by the metropolitan government shall be in addition to other penalties or enforcement measures authorized by metropolitan code sections providing for the issuance of particular permits.”

INTRODUCED BY:

Angie Henderson
Member of Council

AMENDMENT NO. ____

TO

ORDINANCE NO. BL2018-1386

Mr. President:

I move to amend Ordinance No. BL2018-1386 by adding the following new language to the end of Section 4:

“Nothing in this Ordinance shall be construed to conflict or otherwise interfere with the State of Tennessee’s governance of Tennessee State Park property or any property owned by the State of Tennessee. The relevant provisions of the Tennessee Code Annotated, the Effective Rules and Regulations of the State of Tennessee, and the policies of the Tennessee Department of Environment and Conservation govern conduct on Tennessee State Park property.”

INTRODUCED BY:

Freddie O’Connell
Member of Council

AMENDMENT NO. _____

TO

SUBSTITUTE ORDINANCE NO. BL2018-1350

Mr. President –

I move to amend Substitute Ordinance No. BL2018-1350 as follows:

I. By amending Section 4 by deleting paragraph 2 in its entirety and substituting therefore the following:

2. The Developer shall conduct additional traffic analysis that at a minimum includes a signal warrant analysis for the access driveway at Lebanon Pike. This shall be done prior to the submittal of the final SP plan or as directed by the Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. Additional review and approval from the Tennessee Department of Transportation may be required. The developer shall design and install a traffic signal that meets the standards of the Metro Public Works Department, including pedestrian infrastructure, ~~when if~~ approved by the Traffic and Parking Commission and the Tennessee Department of Transportation.

INTRODUCED BY:

Jeff Syracuse
Member of Council

AMENDMENT NO. _____
TO
ORDINANCE NO. BL2018-1370

Mr. President –

I move to amend Ordinance No. BL2018-1370 as follows:

I. By amending Section 4 by deleting it in its entirety and substituting therefore the following:

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

1. In the event that any structures are demolished, the developer shall work with the Metro Historical Commission staff and appropriate consultants, if the staff deems necessary, to document the property through plans and photographs, according to guidelines outlined by the Historic American Buildings Survey (HABS) and provide interpretive materials/markers as appropriate. The developer shall also, if deemed appropriate by the staff of the Metropolitan Historical Commission, salvage materials from the buildings.
2. Required parking for all uses shall be provided in accordance with the requirements of the Metro Zoning Code.
3. A five foot sidewalk and four foot planting strip shall be ~~provided~~ installed along Duncanwood Court, Granny White Court, and Glendale Lane.
4. With the submittal of the final site plan for institutional phase, a traffic impact study (TIS) shall be submitted. Recommendations of the TIS, as approved by Metro Public Works and Metro Planning staff, shall be constructed prior to the issuance of use and occupancy permits.
5. A ~~Tree Survey~~ Tree Preservation Plan, including an inventory of existing trees, shall be completed and used to save as many trees as possible prior to Final SP submittal. ~~The tree inventory shall include tree size, species, and tree health. Final SP plans shall comply with the TDU requirement set forth by the Metro Nashville tree ordinance. The developer shall perform compensatory tree planting of trees of a minimum of four (4) caliper inches at a quantity equal to 1.00 times the cumulative caliper inches of trees removed from the site during the clearing and grubbing phase of construction. Additional trees provided pursuant to this compensatory planting requirement shall be bonded for a period of two (2) years, subject to the subsequent inspection of the Urban Forester of the Metropolitan Government. In the event that the Urban Forester determines that: (a) the site does not provide for adequate required yard space to accommodate the total number of required trees; or (b) the unique soil types, topography, and/or unusual nature of the site would not assure growth of such trees, the developer may contribute to the tree bank an amount of money equal to the costs of providing the required density, according to a schedule to be promulgated by the Urban Forester, consistent with the requirements of section 17.40.480 of the Metropolitan Code of Laws. The developer is to shall engage with a certified arborist to evaluate tree health prior to Final SP Submittal. A field-located tree survey to shall be provided within proximity of proposed disturbance on healthy trees of 24" DBH twenty-four (24) caliper inches or greater. The developer and/or landscape architect to shall coordinate specimen trees to be maintained with the Urban Forester. Healthy perimeter trees within twenty feet (20') of the property line to shall remain where there are no~~

roadway/utility conflicts. ~~Metro~~ The Urban Forester shall review and approve all tree removals where roadway/utility conflicts exists. Grading within existing tree driplines shall receive root pruning by a certified arborist before grading occurs. The developer shall adhere to the tree protection requirements of section 17.24.110 of the Metropolitan Code of Laws, including fencing of the tree protection zone, subject to temporary exemptions authorized by the Urban Forester. The Urban Forester ~~to~~ shall inspect tree protection fencing installation prior to grading. The Metro Urban Forester to shall approve any tree removal on site based upon a Certified Arborist Evaluation, Requirements set forth by each Metro Department, and the Proposed Plan.

6. All construction traffic ingress/egress shall be ~~required via~~ restricted to only Glendale Lane. Any deviations of the construction traffic from Glendale shall be approved in advance by Metro Public Works. A construction traffic plan shall be submitted with Final SP construction plans identifying construction sequencing & phasing to meet this requirement.

7. 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.

8. The private lots shall not encroach on the stream buffer as shown on the preliminary site plan regardless of whether or not the conveyance is determined to be a stream. No lots shall encroach within thirty feet (30') from top of the bank.

II. By amending Section 7 by deleting it in its entirety and substituting therefore the following:

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 ~~RS10~~ RS20 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

INTRODUCED BY:

Russ Pulley
Member of Council