Metropolitan Council

PROPOSED SUBSTITUTE ORDINANCES, AMENDMENTS TO RESOLUTIONS, LATE-FILED ORDINANCES, AND AMENDMENTS TO ORDINANCES TO BE FILED WITH THE METRO CLERK

FOR THE COUNCIL MEETING OF TUESDAY, MAY 7, 2019
SUBSTITUTE ORDINANCE NO. BL2019-1570

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 R8 to RS7.5 zoning for various properties located along Old Hickory Boulevard, from 6th Street to Butlers Lane (40.14 35.89 acres), all of which is described herein (Proposal No. 2019Z-057PR-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 R8 to RS7.5 zoning for various properties located along Old Hickory Boulevard, from 6th Street to Butlers Lane (40.14 35.89 acres), being various Property Parcel Nos. as designated on various Maps 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 Maps 064, 075 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

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

INTRODUCED BY:

______________________________
Councilmember Larry Hagar
A request to rezone from R8 to RS7.5 zoning for various properties located along Old Hickory Boulevard, from 6th Street to Butlers Lane (35.89 acres), requested by Councilmember Larry Hagar, applicant; various owners.
<table>
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<tr>
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<th>Prop City</th>
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003
SUBSTITUTE ORDINANCE NO. BL2019-1572

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by amending a Planned Unit Development on properties located at 301 S Perimeter Park Drive and 347 Luna Drive, approximately 380 feet north of Johnakin Drive (4.78 acres), zoned CS and R10, to add parcel 007, all of which is described herein (Proposal No. 8-68P-001).

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

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By amending a Planned Unit Development on properties located at 301 S Perimeter Park Drive and 347 Luna Drive, approximately 380 feet north of Johnakin Drive (4.78 acres), zoned CS and R10, to add parcel 007, being Property Parcel No. 226 as designated on Map 134-00 and Property Parcel No. 007 as designated on Map 134-14 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, 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 134 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 following conditions shall be completed, bonded or satisfied as specifically required:

1. The requirements for parking established in Section 17.20.030 of the Metro Zoning Ordinance shall be met for all uses with the Final PUD.
2. Comply with all conditions of Public Works.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. 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.
5. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.

Section 3 4. Be it further enacted that, prior to any additional development applications for this property, and prior to or with final PUD plan application, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan.
Section 4.5. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

____________________________________
Councilmember Tanaka Vercher
A request to amend a Planned Unit Development on properties located at 301 S Perimeter Park Drive and 347 Luna Drive, approximately 380 feet north of Johnakin Drive (4.78 acres), zoned CS and R10, to add parcel 007, requested by Civil Site Design Group, applicant; 3LS Properties, Inc, owner.
Purpose Note:
The purpose of this plan is to revise the current Planned Unit Development (P.U.D.) to include Parcel 13414000700, ±0.91 acres to allow for an expansion to the existing parking lot.

DEVELOPMENT SUMMARY
Council District Number: 28
Council Member Name: Tanaka Vercher
Owner of Record: Bill Tillery
Owner Address: 301 S. Perimeter Park Drive, Suite 200
Nashville, TN 37211
PUD Name: South Perimeter Park Drive
Case Number: 8-68P-001
Designer: Civil Site Design Group, PLLC
Address: 2305 Kline Avenue, Suite 300
Nashville, TN 37211
Phone: (615) 248-9999
Contact: Joe Haddix, P.E.
E-mail: joeh@civil-site.com

OWNER/DEVELOPER
3LS PROPERTIES, LLC
301 S. PERIMETER PARK DRIVE STE. 200
NASHVILLE, TN 37211
PHONE NUMBER: (615) 248-9999
CONTACT: BILL TILLERY
E-MAIL: btillery@3LS.com

ENGINEER
CIVIL SITE DESIGN GROUP, P.L.L.C.
2305 KLINE AVENUE, STE. 300
NASHVILLE, TN 37211
PHONE NUMBER: (615) 248-9999
CONTACT: JOE HADDIX, P.E.
E-MAIL: joeh@civil-site.com

FOR PLANNING COMMISSION CONSIDERATION - NOT FOR CONSTRUCTION
Purpose and Intent:

1. The required fire flow shall be determined by the Metro/Nashville fire marshal's office prior to the issuance of a building permit.
2. All dumpsters, if utilized for this development, shall be located within designated site plan space.
3. Building setbacks shall be per Metro Zoning Code.
4. The final site plan/building permit site plan shall depict the required public landscaping and the location of all rock outcroppings, streams, springs and critical lots.
5. Any excavation, fill or disturbance of the existing ground must be done in accordance with Metro Public Works Department design criteria.
6. The property is currently occupied with 1 single family home.
7. All surface parking areas must meet the "parking area screening and landscaping" requirements specified in the Metro Zoning Code.
8. According to FEMA's current flood maps, as well as Metro's GIS information, there is no 100-year floodplain within the PUD Amendment Area.
9. The required fire flow shall be determined by the Metro/Nashville fire marshal's office prior to the issuance of a building permit.
10. There are no existing easements within the PUD Amendment Area.
11. The required fire flow shall be determined by the Metro/Nashville fire marshal's office prior to the issuance of a building permit.
12. All dumpsters, if utilized for this development, shall be located within designated site plan space.
13. Building setbacks shall be per Metro Zoning Code.
14. The final site plan/building permit site plan shall depict the required public landscaping and the location of all rock outcroppings, streams, springs and critical lots.
15. Any excavation, fill or disturbance of the existing ground must be done in accordance with Metro Public Works Department design criteria.
16. The property is currently occupied with 1 single family home.
17. All surface parking areas must meet the "parking area screening and landscaping" requirements specified in the Metro Zoning Code.
18. According to FEMA's current flood maps, as well as Metro's GIS information, there is no 100-year floodplain within the PUD Amendment Area.
19. The required fire flow shall be determined by the Metro/Nashville fire marshal's office prior to the issuance of a building permit.
20. There are no existing easements within the PUD Amendment Area.
21. The required fire flow shall be determined by the Metro/Nashville fire marshal's office prior to the issuance of a building permit.
22. All dumpsters, if utilized for this development, shall be located within designated site plan space.
23. Building setbacks shall be per Metro Zoning Code.
24. The final site plan/building permit site plan shall depict the required public landscaping and the location of all rock outcroppings, streams, springs and critical lots.
25. Any excavation, fill or disturbance of the existing ground must be done in accordance with Metro Public Works Department design criteria.
26. The property is currently occupied with 1 single family home.
27. All surface parking areas must meet the "parking area screening and landscaping" requirements specified in the Metro Zoning Code.
28. According to FEMA's current flood maps, as well as Metro's GIS information, there is no 100-year floodplain within the PUD Amendment Area.
29. The required fire flow shall be determined by the Metro/Nashville fire marshal's office prior to the issuance of a building permit.
30. There are no existing easements within the PUD Amendment Area.
1. TREE SIZES SHOWN ARE REQUIRED MINIMUMS.

DECIDUOUS SHRUBS

TAX DEN 4 TAXUS X MEDIA `DENSIFORMIS` / DENSE YEW 3 GAL 18" H 48" o.c.

ACE GLO 9 ACER RUBRUM `OCTOBER GLORY` TM / OCTOBER GLORY MAPLE B & B 2" CAL 10" - 12" H

EXISTING TREE TO REMAIN (TYP).

LANDSCAPE REQUIREMENTS

PARKING AREA SCREENING - REQUIRED
1 tree / 25 LF of parking = 5 trees required, 5 provided

PARKING AREA SCREENING PER SECTION 17.24.150
1 tree / 25 LF of parking = 5 trees required (PROPOSED)

LANDSCAPE BUFFER (MINIMUM 50% EVERGREEN)

1 canopy tree (100% evergreen)
1 understory tree (100% evergreen)
1 shrub (100% evergreen)
19. All plant material which dies, turns brown, or defoliates (prior to total acceptance of the work) shall be promptly removed from the site and replaced with material of the same species quantity and size and have the Landscape Architect or Owner's Representative approve all staking prior to installation.

18. The Contractor shall stake or mark all plant material locations prior to installation. The Contractor shall provide smooth, neatly trenched (3 inch deep) bed edges.

17. The Contractor shall completely guarantee all work for a period of one year beginning at the date of acceptance of the work by the Owner.

16. All shrub and ground cover beds not in parking lot islands or median strips are to be excavated to a depth of 12 inches below the finished grade.

15. Trees of the same species shall have the following characteristics: matched branching height, caliper, growth and development of the plant material to be installed and Contractor shall take responsibility for performance / maintenance bond for landscaping. Deviation from the approved landscape plan shall not be made without first consulting Civil-Site Design Group and then obtaining approval from either the Contractor's responsibility for care.

14. The quantities indicated on the material schedule are provided for the benefit of the Contractor, but prior to installation the Contractor shall verify that the prepared soil base is ready to receive work. The topsoil shall be thoroughly mixed by hand or rotary tiller.

13. All on-site utility providers shall be contacted to locate all above ground structures. Once located, these utility structures shall be screened from the public R.O.W. on three sides.

12. Contractor shall submit sod certification for grass species and location of sod source. Contractor shall submit 12" x 12" samples of jute mesh for review to Landscape Architect or Owner's Representative prior to construction.

11. Contractor shall be responsible for maintaining (mowing, trimming, watering) the sod until the completion for failure to report such condition, or for errors on the part of the Contractor at the time of acceptance of the work by the Owner.

10. After sod and soil have dried, roll sodded areas to ensure a good bond between soil and sod. Roller breakdown.

9. Contractor shall provide smooth, neatly trenched (3 inch deep) bed edges.

8. Contractor shall submit sod certification for grass species and location of sod source. Contractor shall submit 12" x 12" samples of jute mesh for review to Landscape Architect or Owner's Representative prior to construction.

7. Immediately following seeding and compacting, apply straw mulch at the rate of one and one half bale per five hundred square feet. Straw shall be oats or wheat straw, free from weeds, grubs, insects and other pests and applied at a rate recommended by the manufacturer. Apply after smooth raking of topsoil and no more than one week after seeding. Mulch shall be thoroughly mixed with 50% peat by volume, 5-10-5 commercial fertilizer at the rate of 5 pounds per cubic yard shall be added. Both fertilizer and peat shall be thoroughly mixed by hand or rotary tiller.

6. Contractor shall verify that the prepared soil base is ready to receive work. The topsoil shall be thoroughly mixed by hand or rotary tiller.

5. Trees installed in the City of Nashville's R.O.W. must be inspected by the UED and Landscape Architect for a pre-installation inspection in order to verify all plant material meets specifications. Trees shall be inspected and certified by a licensed arborist approved by the City of Nashville, UED, and Project Engineer.

4. Trees shall be planted into the native soil and shall be staked or supported. All tree staking shall be a minimum of 3 feet above the finished grade. Trees shall be staked with the use of a 3/8" CCMO brand stake, a #6 wire with a minimum of 6 feet of wire, and 2 CCMO brand ground anchors, each depth of 18" below grade and each anchored with 700 pounds of weight each. The Contractor shall submit a quantity of tree staking to the UED and Landscape Architect for review at no expense to the Owner.

3. Soil used in backfilling ericaceous plants shall be topsoil mixed with 50% peat by volume, 5-10-5 commercial fertilizer at the rate of 5 pounds per cubic yard shall be added. Both fertilizer and peat shall be thoroughly mixed by hand or rotary tiller. Very acid or sour soil (soil having a pH less than 6) shall be mixed with sufficient lime at no expense to the Owner.
AMENDMENT NO. ______

TO

ORDINANCE NO. BL2019-1575

Mr. President –

I move to amend Ordinance No. BL2019-1575 as follows:

I. By amending Section 3 by deleting it in its entirety and substituting therefore the following:

   Section 3. Be it further enacted, that the uses of this SP shall be limited to a maximum of 300 multi-family residential units and all uses permitted by the MUG-A zoning district with the exception that Short Term Rental Property – Not Owner Occupied, Short Term Rental Property – Owner Occupied, Automobile Convenience, Automobile Parking, Automobile Service, and Car Wash uses shall be prohibited.

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

   4. This property shall not be eligible for short-term rental property (STRP) permits under Chapter 17.16 of the Metropolitan Code of Laws. Short Term Rental Property (STRP) – Owner Occupied and Short Term Rental Property (STRP) – Non-Owner Occupied uses shall be prohibited.

   5. Auto-oriented uses permitted by the MUG-A zoning district, including Automobile Convenience, Automobile Parking, Automobile Service, and Car Wash, shall be prohibited.

INTRODUCED BY:

____________________________
Colby Sledge
Member of Council
Mr. President –

I move to amend Ordinance No. BL2019-1578 as follows:

I. By amending Section 3 by deleting the marked through text and substituting there for the underlined text in the following:

Section 3. Be it further enacted, that the uses of this SP shall be limited to a maximum 300 multi-family residential units and 25,000 square feet of non-residential uses, including existing non-residential square footage. All non-residential uses as specified on the plan are limited to the designated commercial zones. Owner and not-owner occupied short term rental properties shall not be permitted. Short Term Rental Property (STRP) – Owner Occupied and Short Term Rental Property (STRP) – Non-Owner Occupied uses shall not be permitted. Auto-oriented uses, including Automobile Convenience, Automobile Parking, Automobile Repair, Automobile Sales – New, Automobile Sales – Used, Automobile Service, Car Wash, Vehicular Rental/Leasing, Vehicular Sales and Service – Limited, and Wrecker Service, shall not be permitted.

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

11. This property shall not be eligible for short-term rental property (STRP) permits under Chapter 17.16 of the Metropolitan Code of Laws. Short Term Rental Property (STRP) – Owner Occupied and Short Term Rental Property (STRP) – Non-Owner Occupied uses shall be prohibited. The District Regulations, Permitted Uses section shall be modified to remove Owner Occupied and Non-Owner Occupied Short Term Rental Property (STRP) uses.


INTRODUCED BY:

Colby Sledge
Member of Council
SUBSTITUTE ORDINANCE NO. BL2019-1588

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 OR20 and RS7.5 to SP zoning for properties located at 1609 and 1613 Hampton Street, 2414 and 2416 Brick Church Pike, and Hampton Street (unnumbered), approximately 240 feet north of Avondale Circle (1.16 acres), to permit 37 multi-family residential units, all of which is described herein (Proposal No. 2019SP-011-001).

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 OR20 and RS7.5 to SP zoning for properties located at 1609 and 1613 Hampton Street, 2414 and 2416 Brick Church Pike, and Hampton Street (unnumbered), approximately 240 feet north of Avondale Circle (1.16 acres), to permit 37 multi-family residential units, being Property Parcel Nos. 079, 080, 081, 082, 083, 084, 085 as designated on Map 071-02 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 071 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to a maximum of 37 multi-family residential uses.

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

1. Height for the units along Hampton Street is limited to a maximum of 3 stories in 35 feet, to the highest point of the roof.
2. Elevations for all facades fronting a public street are required with the submittal of the final site plan.
3. 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.
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 requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Section 45. 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 5. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Section 6. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM40-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

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

INTRODUCED BY:

____________________________________
Councilmember DeCosta Hastings
A request to rezone from OR20 and RS7.5 to SP zoning for properties located at 1609 and 1613 Hampton Street, 2414 and 2416 Brick Church Pike, and Hampton Street (unnumbered), approximately 240 feet north of Avondale Circle (1.16 acres), to permit 37 multi-family residential units, requested by Dale and Associates, applicant; Darmesh Patel and Sunita Patel, owners.
SUBSTITUTE ORDINANCE NO. BL2019-1590

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 RS7.5 and CL to SP zoning for properties located at 1241 North Avondale Circle and 2422 Brick Church Pike, approximately 370 feet west of Hampton Street (2.9 acres), to permit 25 multi-family residential units, all of which is described herein (Proposal No. 2019SP-013-001).

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 North Avondale Circle and 2422 Brick Church Pike, approximately 370 feet west of Hampton Street (2.9 acres), to permit 25 multi-family residential units, being Property Parcel Nos. 006, 013 as designated on Map 071-02 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 071 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to Maximum 25 multi-family residential units

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

1. The maximum height is three stories in 35 feet measured to the rooftop.
2. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
3. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Section 4 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 5 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 6. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

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

INTRODUCED BY:

____________________________________
Councilmember DeCosta Hastings
A request to rezone from RS7.5 and CL to SP zoning for properties located at 1241 North Avondale Circle and 2422 Brick Church Pike, approximately 370 feet west of Hampton Street (2.9 acres), to permit 25 multi-family residential units, requested by Dale and Associates, applicant; Darmesh Patel and Sunita Patel and Brick Church Realty, LLC, owners.
AMENDMENT NO. __1__
TO
RESOLUTION NO. RS2019-1720

Mr. President –

I move to amend Resolution No. RS2019-1720 as follows:

I. By adding the following proposed additional amendment to the Charter of the Metropolitan Government of Nashville and Davidson County, following “Amendment No. A”:

AMENDMENT NO. __

I. Section 15.03 of Article 15 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended by deleting subsection G and substituting the following as subsection G:

“G. In such a special election to fill a vacancy for the unexpired term of the office of vice mayor or district council member, the winner shall be determined using ranked choice voting as described in section 15.11 hereof. In the event that this method becomes repugnant to state law as determined by an appropriate regulatory agency or court of competent jurisdiction, a runoff election shall be held in the manner prescribed in Part F of this section. In the event that the aforementioned invalidation of ranked choice voting occurs after a general election in which no candidate received a majority, only the first place rankings of each ballot shall be counted, and the top two vote-getters in the general election shall be considered the participants in a runoff election, if required.”

II. Article 15 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended by adding the following new section 15.11:

Section 15.11 – Ranked Choice Voting

"Ranked choice voting" means the method of casting and tabulating votes in which voters rank candidates in order of preference, tabulation proceeds in sequential rounds in which last-place candidates are defeated, and the candidate with the most votes in the final round is elected. For offices elected by ranked choice voting, the ballot must be simple and easy to understand and allow a voter to rank candidates for an office in order of preference. A voter may include no more than one (1) write-in candidate among that voter’s ranked choices for each office.

A. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

1. "Batch elimination" means the simultaneous defeat of multiple candidates for whom it is mathematically impossible to be elected.
2. "Continuing ballot" means a ballot that is not an exhausted ballot.
3. "Continuing candidate" means a candidate who has not been defeated.
4. "Exhausted ballot" means a ballot that does not rank any continuing candidate, contains an overvote at the highest continuing ranking or contains two (2) or more sequential skipped rankings before its highest continuing ranking.
5. "Highest continuing ranking" means the highest ranking on a voter's ballot for a continuing candidate.

6. "Last-place candidate" means the candidate with the fewest votes in a round of the ranked choice voting tabulation.

7. "Mathematically impossible to be elected," with respect to a candidate, means either:
   i. The candidate cannot be elected because the candidate's vote total in a round of the ranked choice voting tabulation plus all votes that could possibly be transferred to the candidate in future rounds from candidates with fewer votes or an equal number of votes would not be enough to surpass the candidate with the next-higher vote total in the round; or
   ii. The candidate has a lower vote total than a candidate described in subparagraph (i) above.

8. "Overvote" means a circumstance in which a voter has ranked more than one candidate at the same ranking.

9. "Ranking" means the number assigned on a ballot by a voter to a candidate to express the voter's preference for that candidate. Ranking number one is the highest ranking, ranking number two is the next-highest ranking and so on.

10. "Round" means an instance of the sequence of voting tabulation steps established in subsection B.

11. "Skipped ranking" means a circumstance in which a voter has left a ranking blank and ranks a candidate at a subsequent ranking.

B. Procedures. Except as provided in subsections C and D, the following procedures are used to determine the winner in an election for an office elected by ranked choice voting. Tabulation must proceed in rounds. In each round, the number of votes for each continuing candidate must be counted. Each continuing ballot counts as one vote for its highest-ranked continuing candidate for that round. Exhausted ballots are not counted for any continuing candidate. The round then ends with one of the following two (2) potential outcomes.

1. If there are two (2) or fewer continuing candidates, the candidate with the most votes is declared the winner of the election.

2. If there are more than two (2) continuing candidates, the last-place candidate is defeated and a new round begins.

C. Ties. A tie under this section between candidates for the most votes in the final round or a tie between last-place candidates in any round must be decided by tallying and comparing the number of first place rankings, and the candidate with the most first place rankings prevails. If the number of first place rankings is the same for both candidates, then second place rankings would be tallied and compared, and continuing down the rankings until a difference is established. If no difference is established, the Metropolitan Council will break the tie. The result of the tie resolution must be recorded and reused in the event of a recount. Election officials may resolve prospective ties between candidates before the election.

D. Modification of ranked choice voting ballot and tabulation. Modification of a ranked choice voting ballot and tabulation is permitted in accordance with the following.

1. The number of allowable rankings may be limited to no fewer than six (6) unless there are five (5) or fewer candidates on the ballot, in which case the number shall be limited to the number of candidates on the ballot plus one (1).

2. Two (2) or more candidates may be defeated simultaneously by batch elimination in any round of tabulation.
FOR THE BALLOT

Amendment No. ___

Under this amendment, prevailing candidates for mayor, vice mayor, district councilmember, and
councilmember-at-large would still require a majority of the vote. However, for special elections for vice
mayor and district councilmember only, in those instances where no candidate receives a majority of the
vote, this amendment would offer an alternative to holding a separate runoff election. Voters would instead
vote only one time, doing so by ranking candidates in order of preference. A candidate receiving a majority
of votes for that office would win the election. Otherwise, an “instant runoff” would occur by eliminating
the last place candidate. Each ballot listing the eliminated candidate as a first choice would then be counted
for the ballot’s second choice candidate.

INTRODUCED BY:

________________________
Dave Rosenberg
Member of Council
AMENDMENT NO. __2__

TO

RESOLUTION NO. RS2019-1720

Mr. President –

I move to amend Resolution No. RS2019-1720 as follows:

I. By adding the following proposed additional amendment to the Charter of the Metropolitan Government of Nashville and Davidson County, following "Amendment No. A":

AMENDMENT NO. __

Section 6.04 of Article 6 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended by deleting it in its entirety and substituting the following in lieu thereof:

Sec. 6.04. - Review and revision of operating budget by mayor; submission to council; budget as public record; distribution of copies.

The mayor shall review the operating budget submitted to him or her by the director of finance, and may make any revisions in such budget as he or she may deem necessary or desirable, before it is submitted to the council for consideration.

Not later than May 1st, the mayor shall submit to the metropolitan council the operating budget as approved by him or her in the form and with the contents specified in section 6.03 hereof, together with a message explaining such budget, describing its important features, and outlining the proposed financial policies of the metropolitan government for the ensuing fiscal year and setting forth the reasons for any significant changes in policy or budgetary allocations. The mayor shall further provide the following:

A. performance and efficiency measurements, as determined by the director of finance, for departments, boards, commissions and other agencies for which appropriations are made by the metropolitan government. The director of finance shall have discretion to omit those departments, boards, commissions and other agencies whose functions, duties and/or responsibilities are not conducive to quantifiable performance and efficiency measurements;

B. the total principal amount of debt of the metropolitan government then outstanding, excluding those items set forth in subsection (E) herein;

C. a comparison of such total principal amount of debt to the total principal amount of debt outstanding as of the same date of the previous calendar year (expressed in both dollar and percentage terms);

D. a calculation of debt per capita, based on such total principal amount of debt and the population of the metropolitan government, as most recently published; and

E. a summary of the total amount of authorized but unissued general obligation bonds for which short term debt has been issued in the form of commercial paper, bond anticipation
notes, or capital outlay notes; and a summary of all debt authorized pursuant to an initial
general obligation bond resolution for which no short term debt has been issued.

F. As used herein, the term "debt" shall include only (i) general obligation indebtedness
and (ii) indebtedness which does not constitute general obligation indebtedness but which
is payable from and/or secured by a pledge or other commitment of all or any portion of
the metropolitan government's general fund; in either case, whether such indebtedness is
in the form of bonds, notes, commercial paper, or other instrument.

The mayor shall promptly cause copies of the budget and the budget message to be prepared for
distribution to interested persons, and a summary of the budget shall be published in each of the daily
newspapers in the area of the metropolitan government. The operating budget, as well as the capital
improvements budget hereinafter provided for, the budget message, and all supporting schedules shall
be public records in the office of the metropolitan clerk and shall be open to public inspection.

FOR THE BALLOT

Amendment No. ___

This amendment would require that, in conjunction with submission of the annual operating budget, the
mayor must also submit performance and efficiency measurements for departments, boards, commissions
and agencies that receive appropriations from the metropolitan government. The director of finance would
have discretion to determine appropriate measurements and to omit departments, boards, commissions
and agencies whose functions are not conducive to quantifiable measurements.

This amendment would further require that the mayor submit the total principal amount of debt of the
metropolitan government then outstanding; a comparison of that amount to the previous calendar year's
amount; a calculation of debt per capita; a summary of the total amount of authorized but unissued general
obligation bonds; and a summary of all authorized debt for which short term debt has and has not yet been
issued.

INTRODUCED BY:

John Cooper
Member of Council
Mr. President –

I move to amend Resolution No. RS2019-1720 as follows:

I. By adding the following proposed additional amendment to the Charter of the Metropolitan Government of Nashville and Davidson County, following "Amendment No. A":

AMENDMENT NO. __

I. Section 11.502 of Article 11, Chapter 5 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be deleted in its entirety and replaced as follows:

Sec. 11.502. - Number, qualifications, appointment, terms of office and vacancies of members.

The commission shall consist of ten (10) members. The mayor shall serve as a member of the commission by virtue of his or her public office and one (1) member of the metropolitan county council shall be selected by that body from its membership to serve as a member of the commission for a term of two (2) years. The member of the council selected to serve as a member of this commission shall be the chairman of the council committee on planning, provided such a committee is established. Eight (8) members shall be appointed by the mayor and shall be confirmed by a majority vote of the whole membership of the council.

The eight (8) members appointed by the mayor shall serve a term of four (4) years, respectively, or until a successor is duly appointed and qualified; except, of the members first appointed, two (2) shall serve for a term of one (1) year, two (2) for a term of two (2) years, two (2) for a term of three (3) years, and two (2) for a term of four (4) years.

Any vacancy occurring during the unexpired term of any member shall be filled in the manner prescribed herein for the original selection of the members of this commission.

Beginning January 1, 2021, of the eight members appointed by the mayor, at least three shall be residents of the area located outside of the urban services district (USD) boundaries as such boundaries existed on April 1, 1963, when the metropolitan charter became effective. The department of planning shall provide the mayor, the metropolitan council, and the metropolitan clerk with a map designating the USD boundaries as such existed on April 1, 1963.

The mayor shall appoint members of the planning commission consistent with the preceding paragraph as determined by the expiration of their terms of office.
Beginning January 1, 2021, this amendment would require at least three of the eight appointed members of the planning commission to be residents of the area outside of the urban services district boundaries as such boundaries existed when the Metropolitan Charter became effective.

INTRODUCED BY:

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Member of Council
Mr. President –

I move to amend Resolution No. RS2019-1720 as follows:

I. By adding the following proposed additional amendment to the Charter of the Metropolitan Government of Nashville and Davidson County, following “Amendment No. A”:

AMENDMENT NO. __

I. Section 9.02 of Article 9, Chapter 7 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended by deleting in its entirety the second-from-last paragraph thereof (beginning, “In the event a vacancy...”) and substituting in lieu thereof the following:

In the event a vacancy should occur for any reason other than the expiration of the term of a board member, the vacancy shall be filled by the metropolitan council in accordance with the provisions of Tennessee Code Annotated, section 49-2-201(a)(1). Persons eligible for appointment shall reside within the school district in which the vacancy occurs to and shall serve until the next county-wide general election, at which time a person shall be elected for the remainder of the unexpired term.

FOR THE BALLOT

Amendment No. ___

The Metropolitan Charter currently provides that a vacancy upon the metropolitan board of education is to be filled by the remaining members of the board. However, such vacancies are filled by the local legislative body pursuant to state law. This amendment would revise the Charter to render it consistent with state law.

INTRODUCED BY:

__________________________

Member of Council
ORDINANCE NO. ________________

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from IWD to MUG zoning for properties located at Cumberland Bend (unnumbered), approximately 175 feet southeast of Cumberland Bend (3.28 acres), all of which is described herein (Proposal No. 2019Z-029PR-001).

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

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from IWD to MUG zoning for properties located at Cumberland Bend (unnumbered), approximately 175 feet southeast of Cumberland Bend (3.28 acres), being Property Parcel Nos. 007, 021 as designated on Map 071-13 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 071 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

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

INTRODUCED BY:

____________________________________
Councilmember DeCosta Hastings
2019Z-029PR-001
Map 071-13, Parcel(s) 007, 021
Subarea 08, North Nashville
District 02 (Hastings)
Application fee paid by: The Giddings Group, LLC

A request to rezone from IWD to MUG zoning for properties located at Cumberland Bend (unnumbered), approximately 175 feet southeast of Cumberland Bend (3.28 acres), requested by The Giddings Group, applicant; SEV MetroCenter IV, LLC., owner.
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 R8 to SP zoning on properties located at 2127 Buena Vista Pike and Goodrich Avenue (unnumbered), at the terminus of Alpine Avenue and Goodrich Avenue (1.96 acres), to permit 27 multi-family residential units, all of which is described herein (Proposal No. 2019SP-014-001).

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 R8 to SP zoning on properties located at 2127 Buena Vista Pike and Goodrich Avenue (unnumbered), at the terminus of Alpine Avenue and Goodrich Avenue (1.96 acres), to permit 27 multi-family residential units, being Property Parcel Nos. 116, 117 as designated on Map 070-09 and Property Parcel Nos. 012 as designated on Map 070-13 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 070 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 27 multi-family residential units Fallback zoning- RM20-A

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

1. Sidewalks with a minimum width of 5 feet and a planting strip with a minimum width of 4 feet shall be installed along site frontage along Goodrich Avenue.
2. 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.
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.

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

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

Section 7. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM20-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

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

INTRODUCED BY:

_______________________
Councilmember DeCosta Hastings
A request to rezone from R8 to SP zoning on properties located at 2127 Buena Vista Pike and Goodrich Avenue (unnumbered), at the terminus of Alpine Avenue and Goodrich Avenue (1.96 acres), to permit 27 multi-family residential units, requested by Gresham Smith, applicant; Pate Holdings, LLC, owner.
11. Porches shall provide a minimum of six feet of depth.

Along public streets and open raised/ lowered foundations at strategic locations. Screening is required when raised foundations exceed 16 feet. Screening shall be measured from the finished grade at the setback to the finished floor elevation of the second floor, or to a height of sixteen feet, whichever is greater.

6. Refuse collection, recycling, and mechanical equipment shall be fully screened from public view by the combination of fences, walls, decorative windows, clerestory windows, egress windows, storefront windows, curtain walls and other special conditions.

5. Existing utilities (water, sewer, and natural gas) are available at the R.O.W. Capacity of utilities for residential. Concrete encasements will be required for NES under ground electrical.

4. The maximum slope of any roof form should be no greater than a 12:12 pitch; flat and sloped roof forms are permitted. Sloped roof forms will be measured from the uppermost ridge to the lowermost eave. The building contractor shall ensure that the slope is not less than 3.25% and not greater than 6%.

3. The developer's final construction drawings shall comply with the design regulations and departmental regulations and fees will not be imposed at that time. If construction has not begun within this period, a renewal of the availability statement will be required.

2. Minor modifications to the preliminary SP plan may be approved by the planning commission or its executive director. Additional SP plans and/or conceptual plans will be submitted to the planning commission or its executive director for review and approval.

1. Any development standards, regulations and requirements not specifically shown on the SP plan are subject to the approval of the planning commission or its executive director. Modifications shall not be permitted, except through an ordinance approved by the metro council.

1. The requirements of the metropolitan fire marshal's office for emergency vehicle access must be provided for the public row. Concrete encasements will be required for NES under ground electrical.

4. The maximum slope of any roof form should be no greater than a 12:12 pitch; flat and sloped roof forms are permitted. Sloped roof forms will be measured from the uppermost ridge to the lowermost eave. The building contractor shall ensure that the slope is not less than 3.25% and not greater than 6%.

3. The developer's final construction drawings shall comply with the design regulations and departmental regulations and fees will not be imposed at that time. If construction has not begun within this period, a renewal of the availability statement will be required.

2. Minor modifications to the preliminary SP plan may be approved by the planning commission or its executive director. Additional SP plans and/or conceptual plans will be submitted to the planning commission or its executive director for review and approval.

1. Any development standards, regulations and requirements not specifically shown on the SP plan are subject to the approval of the planning commission or its executive director. Modifications shall not be permitted, except through an ordinance approved by the metro council.

1. Any development standards, regulations and requirements not specifically shown on the SP plan are subject to the approval of the planning commission or its executive director. Modifications shall not be permitted, except through an ordinance approved by the metro council.
Goodrich Avenue Townhomes

GRADING & UTILITY PLAN

C300

43742.00

2/19/2019

GreshamSmith.com

Goodrich Avenue

PLAN

This Line Is 3 Inches When Printed Full Size
AMENDMENT NO. _____

TO

SUBSTITUTE ORDINANCE NO. BL2019-1518

Mr. President –

I move to amend Substitute Ordinance No. BL2019-1518 as follows:

I. By amending Section 5 by deleting it in its entirety and substituting therefore the following:

Section 5. That Section 6.81.100 of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing it with the following language:

“6.81.100 Vehicle Requirements and Damages

Vehicles being used by operators to assist in the operation of a vehicle immobilization service must display on each side, in plain view, the name of the vehicle immobilization service, and the telephone number of the vehicle immobilization service. If the vehicle immobilization service relies upon a third party, such as a call center or local vendor, to answer telephone calls, the telephone numbers of all such third parties must also be displayed. The lettering shall be in a contrasting color to the color of the vehicle, or if a vehicle magnet is used, the lettering shall be in a contrasting color to the color of the magnet. The lettering shall be at least 1.5 inches in height.

A vehicle immobilization service must maintain a 24-hour a day, 365 days per year phone number that is staffed by a live operator to communicate immediately with a driver of a vehicle that has been immobilized by the vehicle immobilization service.

In the event that the application of a vehicle immobilization device damages a vehicle, then the vehicle immobilization service or operator must pay the cost of repairs for that damage.

It shall be unlawful for either a vehicle immobilization service or an operator to immobilize vehicles at any off-street parking facility, vacant lot, or other private property without having a valid written contract specifically for such services entered into with the private property owner, lawful lessee, managing agent or other person in control of the property.”

II. By amending Section 9 by deleting it in its entirety and substituting therefore the following:

Section 9. That Section 6.81.170 of the Metropolitan Code of Laws shall be amended by deleting section E and replacing it with the following language:

“To fail to respond and arrive to a booted vehicle to remove the boot within the lesser of one hour of being contacted by the owner or operator or within 10 minutes of the estimated time required for arrival as posted on the permanently affixed sign; or to fail to remove the boot within 15 minutes after full boot removal payment has been received.

III. By amending Section 11 by deleting it in its entirety and substituting therefore the following:
Section 11. That Section 6.81.180(a) of the Metropolitan Code of Laws shall be amended by deleting it in its entirety and replacing it with the following language:

“No boot shall be placed on a vehicle parked on private property unless a permanently affixed sign measuring not less than twenty-four inches in height and eighteen inches in width is placed at the property’s intended ingress/egress. All signage must be inspected by the TLC staff within seven days of installation and must bear a decal affixed by TLC staff to indicate compliance after inspection is complete. The TLC Director may, if necessary, require additional signage for notification.

Such signs shall include the following information in red lettering on a white background:

- Parking Policy Strictly Enforced
- Violators will be Booted or Towed at Owner’s Expense
- $75.00 Maximum Booting fee
- [Name and 24-hour phone number of booting and/or towing company, including all call centers, local vendors, and other third parties relied upon by the company to answer telephone calls]
- The estimated period of time within which the booting and/or towing company will arrive to a booted vehicle after contact by the vehicle owner or operator.

INTRODUCED BY:

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Erica Gilmore
Member of Council, At-Large
Mr. President –

I hereby move to amend Ordinance No. BL2019-1543 as follows:

I. By amending Section 1 by deleting proposed Section 11.12.090, Subsection B, in its entirety and substituting in lieu thereof the following:

B. It shall be unlawful for any person to engage in an act of panhandling when either the panhandler or the person being solicited is located in, on, or at any of the following locations:

1. Any bus stop;
2. Any sidewalk cafe;
3. Any area within twenty-five feet (in any direction) of an automatic teller machine (ATM) or entrance to a bank;
4. Any daycare or community education facility, as defined by Section 17.04.060 of the Metropolitan Code;
5. Within ten feet of a point of entry to or exit from any building open to the public, including commercial establishments;
6. Within the DTC and CF districts on (i) Second Avenue North between Broadway and Church Street, (ii) Commerce Street between Second Avenue North and Third Avenue North, or (iii) Symphony Place between Third Avenue South and Fourth Avenue South, or (iv) the John Seigenthaler Pedestrian Street Bridge, or (v) Broadway between 1st Avenue and 6th Avenue.

INTRODUCED BY:

Freddie O’Connell
Member of Council
Mr. President –

I hereby move to amend Ordinance No. BL2019-1543 as follows:

1. By amending Section 1 by deleting proposed Section 11.12.090, Subsection B, in its entirety and substituting in lieu thereof the following:

   B. It shall be unlawful for any person to engage in an act of panhandling when either the panhandler or the person being solicited is located in, on, or at any of the following locations:

   1. Any bus stop;
   2. Any sidewalk cafe;
   3. Any area within twenty-five feet (in any direction) of an automatic teller machine (ATM) or entrance to a bank;
   4. Any daycare or community education facility, as defined by Section 17.04.060 of the Metropolitan Code;
   5. Within ten feet of a point of entry to or exit from any building open to the public, including commercial establishments;
   6. Within the DTC and CF districts on (i) Second Avenue North between Broadway and Church Street, (ii) Commerce Street between Second Avenue North and Third Avenue North, or (iii) Symphony Place between Third Avenue South and Fourth Avenue South;
   7. Any motor vehicle in operation on a public street or roadway within the jurisdiction of the Metropolitan Government of Nashville and Davidson County.

INTRODUCED BY:

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Steve Glover
Member of Council
Mr. President:

I hereby move to amend Ordinance No. BL2019-1598 as follows:

I. By amending Section 1 by deleting proposed Section 2.32.065, Subsection A, its entirety and substituting in lieu therefore the following:

   A. Within 180 days after the enacted date of this section, the metropolitan department of general services shall establish a fleet electrification program ("program") that shall require that all motor vehicles owned by the metropolitan government be zero-emission vehicles by the year 2045. 2050.

II. By amending Section 1 by deleting proposed Section 2.32.065, Subsection C, in its entirety and substituting in lieu thereof the following:

   C. The Department of General Services shall have the authority to adopt additional rules and regulations consistent with this section. The Department of General Services shall further issue a report to the Metropolitan Council at least annually regarding the emission status of the vehicles in the metropolitan government fleet. This report shall be made available on the Metropolitan Government's website and the Metro Open Data Portal.

INTRODUCED BY:

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Freddie O'Connell
Member of Council
Mr. President –

I hereby move to amend Ordinance No. BL2019-1599 as follows:

I. By amending Section 1 by deleting proposed Section 2.32.070 in its entirety and substituting in lieu thereof the following:

2.32.070 – Green Building Standards

By January 1, 2020, the Department of General Services shall develop a strategic energy management plan for reducing energy and water use across metro-owned buildings. This strategic plan shall include elements for complying with the Equal Business Opportunity Program, found in Chapter 4.46 of the Metropolitan Code of Laws, to the fullest extent possible. The plan shall include timelines and cost estimates for implementing:

1. An energy retrofit program across at least 9% of metro government-owned buildings by square footage between 2021 and 2024, prioritizing buildings that have core systems and equipment nearing the end of their useful lives, with a goal of achieving at least 20% reductions in average energy and greenhouse gas emissions, as measured in BTUs; and

2. A net-zero energy LEEDTM Zero retrofit program across at least 12.5% of metro government-owned buildings between 2026 and 2032.

II. By amending Section 2 by deleting proposed Section 16.60.050 in its entirety and substituting in lieu thereof the following:

16.60.050 - Policy and goals.

1. It is the policy of the metropolitan government to finance, plan, design, construct, manage, maintain, and decommission its facilities and buildings to be sustainable. This chapter shall apply to new construction and additions, for which the planning and construction commences on or after January 1, 2020. For new construction, this chapter shall apply to projects which exceed five thousand gross square feet of occupied space or for which the total project cost exceeds two million dollars. For additions to existing buildings or facilities, this chapter shall only apply to projects that add five thousand or more gross square feet of occupied space, LEEDTM certification requirements shall only apply to the scope of the addition itself.

2. The LEEDTM rating system and reference guide, as enacted and established as of the effective date of this ordinance, shall be used as a guide for design and a measuring tool to determine what constitutes sustainable building by national standards.

3. Project teams are required to pursue LEEDTM certification through the U.S. Green Building Council and develop a strategy to achieve LEEDTM Platinum Silver level rating of the most applicable LEEDTM rating system for buildings within the General Services...
District (GSD) and LEEDTM Gold level rating of the most applicable LEEDTM rating system for buildings within the Urban Services District (USD).

III. By amending Section 3 by deleting it in its entirety and substituting in lieu thereof the following:

Section 3. That Sections 16.60.060 and 16.60.070 of the Metropolitan Code of Laws is amended by deleting the phrase “LEEDTM Silver” with “LEEDTM Platinum Silver or Gold” wherever it appears.

IV. By amending Section 4 by deleting proposed Section 16.60.100, Subsection 1, in its entirety and substituting in lieu thereof the following:

1. The metropolitan government sustainable development design guidelines of achieving LEEDTM Platinum–Gold status for buildings within the USD shall not apply to current metropolitan government facilities that have been approved as part of the fiscal year 2019-2020 capital spending plan for planning, land acquisition and/or construction. However, these projects shall still implement metropolitan government sustainable development design guidelines and strategies to the maximum extent possible and practicable. Design guidelines of achieving LEEDTM Silver status shall continue to apply to metropolitan government facilities.

INTRODUCED BY:

Freddie O’Connell
Member of Council
Mr. President –

I hereby move to amend Ordinance No. BL2019-1600 as follows:

I. By amending Section 1 by amending proposed Section 2.32.080, Subsection B, by adding the phrase “not less than” after the phrase “tier one renewable resources,” wherever it appears.

II. By amending Section 1 by amending proposed Section 2.32.080 by deleting Subsection C in its entirety and substituting in lieu thereof the following:

   C. If local capacity is available, metro should attempt to increase their share of ownership in community-based solar energy programs within Davidson County. The Metropolitan Government should further attempt to engage in available initiatives offered by NES to increase renewable energy sources above the target standards listed in subsection A when available.

III. By amending Section 1 by amending proposed Section 2.32.080 by adding a new Subsection D as follows:

   D. The Metropolitan Government may use renewable energy certificates (“RECs”) or other types of credits in order to meet the percentage required under the standards outlined in subsection B.

IV. By amending Section 1 by amending proposed Section 2.32.080 by adding a new Subsection E as follows:

   E. The Department of General Services shall further issue a report to the Metropolitan Council at least annually regarding the renewable energy portfolio standards of the Metropolitan Government of Nashville and Davidson County. This report shall include the percentage of renewable energy usage by category and the RECs or credits, if any, in use. This report shall be made available on the Metropolitan Government’s website and the Metro Open Data Portal.

INTRODUCED BY:

Freddie O’Connell
Member of Council
MR. PRESIDENT –

I move to amend Ordinance No. BL2019-1601 as follows:

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

Section 1. That Section 4.12.230 of the Metropolitan Code of Laws is hereby amended by adding new subsections D and E to read as follows the following new provisions as subsections A and B thereto, and renumbering the existing subsections as necessary:

D. A. The metropolitan government shall not enter into or extend a contract for government relations or lobbying services with any individual or any entity that is also party to a contract that provides advice, counsel, or government relations or lobbying services in support of any measure that has the effect or goal of diverting public funds away from the metropolitan Nashville public school system.

E. B. All contracts entered into or extended by the metropolitan government for government relations or lobbying services shall include a clause that terminates the contract immediately within ninety (90) days or less should the contracted party enter into a contract to provide advice, counsel, government relations, or lobbying services in support of any measure that has the effect or goal of diverting public funds away from the metropolitan Nashville public school system.

INTRODUCED BY:

Dave Rosenberg
Member of Council
AMENDMENT NO. _____

TO

ORDINANCE NO. BL2019-1602

Mr. President –

I move to amend Ordinance No. BL2019-1602 as follows:

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

5.04.110 - Debt report to the metropolitan council.

A. Not later than May 1 of each year, the director of finance shall submit a report to the metropolitan council providing a summary of the metropolitan government's outstanding debt. As used in this section, the term "debt" shall refer to obligations due under bond obligations and any other debt instruments, including without limitation promissory notes or commercial paper due within one year of issuance.

B. Such report shall be presented to the metropolitan council in conjunction with the presentation of the mayor's proposed operating budget, and shall, at a minimum, include the following information:

1. The total amount of outstanding general obligation and revenue bonds compared to the amount outstanding on June 30 of the previous year.
2. The total amount of outstanding debt excluding revenue bonds of the metropolitan government, stated cumulatively as a total dollar amount and per capita, and the annual percentage increase or decrease of the total debt excluding revenue bonds from the prior fiscal year.
3. The amount of contingent liability of the general fund (including all sources of revenue like such as sales taxes, property taxes and non-tax revenue) that arises from a pledge of any source(s) of revenue contributing to the general fund.
4. The anticipated debt service requirements for the next fiscal year.
5. The estimated percentage of the operating budget required to meet debt service obligations in the next fiscal year.
6. A summary of all outstanding bonds, including identification of the bonds as taxable or tax-exempt, the date of maturity, interest rate, projects funded with the bond proceeds, the amount of principal and interest to be paid on each bond in the upcoming next fiscal year, and the bond ratings on outstanding debt from the applicable bond rating agencies.
7. A summary of any debt due under debt instruments other than bond obligations for the previous twelve month period, including the date of each debt instrument, the interest rate, and the maturity date, the principal balance, and the amount of interest owed.
8. The gross and present value savings for any debt refunded since July 1 of the current fiscal year.
9. A summary of the total amount of capital spending that has been approved since 2009 by the metropolitan council in any prior capital spending plan, but for which bonds have not yet been issued.

Section 2. That this Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.
Mr. President –

I hereby move to amend Substitute Ordinance No. BL2019-1526 as follows:

I. By amending Section 2 by deleting propose Section 6.80.452 in its entirety and substituting in lieu thereof the following:

6.80.452 – Towing of unauthorized vehicles

1. A licensee may tow an unauthorized vehicle from private property only upon the approval of the owner of the private property or the agent or lessee of the owner.

2. If a licensee tows an authorized vehicle in violation of this section, the licensee shall provide a full refund to the vehicle owner or operator for any towing fee paid, plus a fifty dollars fine to be paid to the Metropolitan Government. Whether a violation of this section has occurred shall be determined by the MTLC.

INTRODUCED BY:

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Kathleen Murphy
Member of Council