



Metropolitan Council

**PROPOSED SECOND SUBSTITUTE
ORDINANCE, SUBSTITUTE
ORDINANCES, AMENDMENTS TO
ORDINANCES AND RESOLUTIONS,
LATE-FILED RESOLUTION, AND
LATE-FILED ORDINANCE TO BE
FILED WITH THE METRO CLERK
FOR THE COUNCIL MEETING OF
THURSDAY, MARCH 5, 2020**

SECOND SUBSTITUTE ORDINANCE NO. BL2019-48

An ordinance amending Section 17.16.250 of Title 17 of the Metropolitan Code of Laws relative to home occupation. (Proposal No. 2019Z-020TX-001)

WHEREAS, current regulations prohibit even one client from visiting a home-based business; and

WHEREAS, these regulations create a hardship on residents seeking additional income to survive in a city with a skyrocketing cost of living; and

WHEREAS, these regulations create a significant barrier for children seeking tutoring services, music lessons, and other enrichment; and

WHEREAS, 5.7% of Nashville workers aged 16 and older work from home; and

WHEREAS, permitting limited home-based business activity will protect the residential character of neighborhoods while allowing more Nashvillians to earn supplemental income to remain in their homes.

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

Section 1. That Subsection D of Section 17.16.250 of the Metropolitan Code of Laws is hereby amended by deleting it in its entirety and substituting in lieu thereof the following:

D. Home Occupation. A home occupation shall be considered an accessory use to a residence subject to the following:

1. Location
 - a. A home occupation must be conducted entirely within the dwelling unit or accessory building.
 - b. The home occupation shall not occupy more than twenty percent of the total floor area of the principal structure ~~and in no event more than one thousand~~ to a maximum of 500 square feet of floor area plus the area of any legally permitted accessory buildings.
2. Employees and Vehicles
 - a. No more than one part-time or full-time employee not living within the dwelling may work at the home occupation location.
 - b. Parking a commercial vehicle on the premises or on a street adjacent to residentially zoned property is prohibited. Vehicles associated with the home occupation shall be limited to one passenger vehicle such as a motorcycle, automobile, pick-up truck, sport utility vehicle, van or similar, with a maximum axle load capacity of one and one-half tons.
 - c. No truck deliveries or pick-ups, except by public or private parcel services, and permitted.
3. Customer Visits
 - a. Customer visits must occur by scheduled appointment and only between the hours of 8 a.m. and 7 p.m., Monday through Saturday.
 - b. Customer visits shall be limited to no more than three visits per hour and a maximum of six total visits per day.
 - c. The permit holder shall maintain and make available to the Codes Department a log or register of appointments for each calendar year.
4. Outward Appearance
 - a. Signs, as defined in Section 17.32.030.B, exterior or interior displays of goods visible from the outside, or any exhibit that would indicate the dwelling unit or accessory building is being used for any purpose other than a residence are prohibited.
 - b. The residential character of the lot and dwelling must be maintained. A home occupation that requires a structural alteration of the dwelling to comply with a nonresidential

construction code is prohibited. This prohibition does not apply to modifications to comply with accessibility requirements.

- c. A home occupation may not produce noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, glare, humidity, fumes, electrical interference, waste run-off, or other objectionable effects outside the dwelling unit or garage.

5. Activities

- a. The storage of materials or goods shall be permitted in connection with a home occupation provided such storage complies with the following standards.
 - i. All materials or goods shall be stored completely within the space designated for home occupation activities.
 - ii. Only those materials or goods that are utilized or produced in connection with the home occupation may be stored within the dwelling unit or accessory building.
 - iii. All materials or goods shall be stored completely within the dwelling unit or accessory building.
 - iv. All flammable or combustible compounds, products or materials shall be maintained and utilized in compliance with Fire Code NFPA-30.
- b. The following are ~~prohibited~~ permitted as home occupations:
 - ~~i. adult entertainment businesses;~~
 - ~~ii. after hours establishments;~~
 - ~~iii. any business primarily engaged in retail sales;~~
 - ~~iv. any use listed as an industrial use, medical use, transportation use, utility use, or waste management use in the zoning district land use table in Section 17.08.030;~~
 - ~~v. automobile repair services;~~
 - ~~vi. automobile service;~~
 - ~~vii. bars or night clubs;~~
 - ~~viii. bed and breakfast inns;~~
 - ~~ix. funeral homes;~~
 - ~~x. hotels;~~
 - ~~xi. major appliance repair;~~
 - ~~xii. restaurants;~~
 - ~~xiii. sex clubs; and~~
 - ~~xiv. short term rental properties:~~
 - i. Personal instruction;
 - ii. General office;
 - iii. Personal care services;
 - iv. Multimedia production; and
 - v. Artisan manufacturing.

1. Permit Requirements

- a. Home occupations that meet both of the following conditions are not required to acquire a permit for activity under this section:
 - i. The home occupation does not serve customers on the property; and
 - ii. The home occupation does not employ anyone who does not live within the dwelling.
- b. Prior to issuance of a permit, the applicant shall provide the Codes Department with a statement that the applicant has confirmed that operating the proposed home occupation would not violate any home owners association agreement or bylaws, condominium agreement, covenants, codes and restrictions, lease or any other agreement governing and limiting the use of the property proposed for the home occupation. If the applicant is not the property owner, the applicant shall also certify that the property owner is aware of the application and does not object to pursuit of the home occupation permit.
- c. In single-family and two-family zoning districts, no more than one home occupation permit may be issued per lot.

2. Transferability and Enforcement

- a. Permit Transferability. A permit issued for activities under this section shall not be transferred or assigned to another person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to commence or carry on the business. Upon termination of the occupant's residency, the home occupation permit shall become null and void.
- b. Revocation of Permit. Upon the filing of three or more verified complaints within a calendar year regarding a permit issued for activities under this section, the Zoning Administrator, or his or her designee, shall notify the permit holder in writing of such complaints and the Zoning Administrator, or his or her designee, will determine whether such complaints are valid. If it is determined that violations have occurred, the Zoning Administrator may revoke a permit as provided in Section 17.40.590. The permit holder may appeal the Zoning Administrator's decision to the Board of Zoning Appeals for a public hearing as provided in this Title.

Section 2. This Ordinance shall take effect from and after its final passage, and such change shall be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Dave Rosenberg

Zach Young

Colby Sledge
Members of Council

SUBSTITUTE ORDINANCE NO. BL2019-78

An Ordinance to amend Section 17.16.070 of the Metropolitan Code to impose a minimum distance requirement for new Short Term Rental Properties – Not Owner-Occupied from churches, schools, daycares, and parks (Proposal No. 2020Z-001TX-001).

WHEREAS NashvilleNext supports creating and preserving walkable places for Nashville residents, with a special emphasis on making Nashville’s neighborhoods safe, accessible, and welcoming for families so that they provide opportunities for play, learning, and social engagement that help children and youth thrive; and

WHEREAS, Section 7.08.090 of the Metropolitan Code prohibits the issuance of a retail beer permit for any establishment located within 100 feet of a church, school, daycare, or park unless the Council approves a waiver from the minimum distance requirements upon the adoption of a resolution with 21 affirmative votes after holding a public hearing; and

WHEREAS, the purpose of the distance requirements in Section 7.08.090 is to address the negative secondary effect associated with the sale and consumption of beer near churches, schools, daycares, and parks; and

WHEREAS, the Metropolitan Council has heard concerns from the public on numerous occasions (See the January 3, 2017 public hearing regarding Ordinance No. BL2016-492, and the May 2, 2017 public hearing regarding Ordinance No. BL2017-608), about the negative secondary effects associated with the operation of non-owner-occupied short term rental properties in Nashville and Davidson County, including public intoxication, lewdness, and excessive noise; and

WHEREAS, it is in the best interest of the residents of Metropolitan Nashville and Davidson County that a minimum distance requirement be imposed for new non-owner-occupied short term rental properties.

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

Section 1. That Section 17.16.070 of the Metropolitan Code, the Zoning Ordinance for the Metropolitan Government of Nashville and Davidson County, is hereby amended by adding the following provisions as subsection U.1.d:

“d. Minimum distance requirements

- i. No new STRP permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. Distances shall be measured in a straight line from the closest point of the ~~applicant's dwelling unit parcel line of the property~~ for which a STRP is sought to the closest point of the ~~building of the religious institution; from the closest point of the applicant's unit to the closest boundary of a park; from the closest point of the applicant's unit to the closest point of the building of a school or licensed day care center, or to the closest boundary of the playground of the school or day care center, whichever is closest to the applicant's unit parcel line of the property on which the religious institution, school or its playground, park, or licensed daycare center or its playground is located.~~
- ii. Notwithstanding subsection U.1.d.i of this section, a STRP permit applicant may be exempt from the minimum distance requirements set forth herein upon the adoption of a resolution, after a public hearing, by the metropolitan council receiving 21 affirmative votes approving the exemption of the STRP unit from said minimum distance requirements. The department of codes administration shall notify the councilmember for the district in which the applicant unit is located

in writing within five business days from the date the application is filed requesting the waiver of distance requirements. The public hearing required by this subsection shall be conducted by the council at a regular meeting of the council. Public notification of the hearing shall be conducted pursuant to the public notification requirements for amendments to the official zoning map in accordance with Article XV of Chapter 17.40 of the metropolitan code, provided that notice by mail shall be sent to all property owners within 600 feet of the unit seeking the exemption from the minimum distance requirements not later than 14 days prior to the scheduled public hearing on the resolution. Further, a public notice sign meeting the general requirements of Section 17.40.730 of the metropolitan code shall be posted on the property of the applicant seeking the exemption from the minimum distance requirements at least 14 days prior to the scheduled public hearing. The costs for the public notification requirements shall be paid by the applicant. The applicant shall coordinate the scheduling of the public hearing with the metropolitan clerk's office prior to the filing of the resolution for purposes of including the date and time of the public hearing in the public notice to be mailed."

Section 2. This Ordinance shall take effect from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Colby Sledge
Member of Council

SUBSTITUTE ORDINANCE NO. BL2019-79

An Ordinance to amend Section 17.16.250 of the Metropolitan Code regarding advertisement and occupancy of a Short Term Rental Property – Owner-Occupied (Proposal No. 2020Z-002TX-001).

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

Section 1. That Section 17.16.250 of the Metropolitan Code, the Zoning Ordinance for the Metropolitan Government of Nashville and Davidson County, is hereby amended by adding the following provision at the end of subsection E.1.b:

"Further, other than for a legally permitted detached accessory dwelling unit; for a legally permitted accessory apartment; or for a two-family residential unit under common ownership with a two-family unit on the same lot permitted in accordance with subsection E.1.f of this section, advertisements for an owner-occupied STRP shall not advertise availability of entire/whole home ~~all of the bedrooms within the unit~~ for STRP use."

~~Section 2. That Section 17.16.250 of the Metropolitan Code, the Zoning Ordinance for the Metropolitan Government of Nashville and Davidson County, is hereby amended by adding the following provision at the end of subsection E.1.d:~~

~~"Further, the owner shall reside onsite at all times the property is being used as an STRP. The owner shall not be permitted to be temporarily absent from the dwelling unit for longer than 15 consecutive hours within any 24 hour period while the property is being used as an owner-occupied STRP."~~

Section 3~~2~~. This Ordinance shall take effect from and 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:

Freddie O'Connell
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2020-151

Mr. President:

I hereby move to amend Ordinance No. BL2020-151 as follows:

1. By adding the following language to Section 3, proposed Section 17.36.590.C:

C. Size. the combined gross floor area of all accessory structures on a lot shall be no more than 30% of the total gross floor area of the principal structure. ~~or 1,200 square feet, whichever is less.~~

2. By deleting Section 8 in its entirety and substituting the following:

Section 8. This Ordinance shall take effect ~~five (5) days~~ from and after its ~~passage~~ enactment 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:

Larry Hagar
Member of Council

AMENDMENT NO. _____

TO

RESOLUTION NO. RS2020-213

Mr. President:

I move to amend Resolution No. RS2020-213 by amending the project list attached to the Resolution as Exhibit A as follows:

1. By reducing the allocation for CIB Project ID #06PW0011, Paving Program, in the amount of \$1,015,000, for a new project allocation of \$4,985,000.
2. By adding CIB Project ID # 19DS0013, Intersection Improvement at Edmonson Pike, Mt. Pisgah Rd., and Banbury Station, in the amount of \$1,015,000. As identified in the 2019-2020 through 2024-2025 Capital Improvements Budget for The Metropolitan Government of Nashville and Davidson County adopted pursuant to Ordinance No. BL2019-1654, this will provide \$25,000 in funding for Fiscal Year 2020 and \$990,000 for Fiscal Year 2021 for this intersection project for which the necessary property interests and rights-of-way have already been dedicated to the Metropolitan Government.

INTRODUCED BY:

Robert Swope
Member of Council

RESOLUTION NO. _____

A resolution amending BL2018-1267 to remove Section 4, which conditioned the abandonment of the right-of-way on the construction, dedication and acceptance of the new Hammerhead Turnaround.

WHEREAS, BL2018-1267 as approved amended the Geographic Information Systems (GIS) Street and Alley Centerline Layer for The Metropolitan Government of Nashville and Davidson County by abandoning Blue Hills Drive from the north property line of 200 Blue Hills Drive and 2300 Sweetwood Road northward to its terminus at the cul-de-sac; and,

WHEREAS, as written, Section 4 of the ordinance would not take effect until the developer constructed and dedicated the new Hammerhead Turnaround, and Metro accepted the infrastructure; and,

WHEREAS, the language in Section 4 is causing the developer to have difficulty obtaining necessary financing; and,

WHEREAS, Public Works has alternative means of securing paying for the infrastructure.

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

Section 1. That BL2018-1267 is hereby amended by removing Section 4, conditioning the abandonment of the right-of-way on the construction, dedication and acceptance of the new Hammerhead Turnaround.

Section 2. 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:

Mark Sturtevant, Director
Department of Public Works

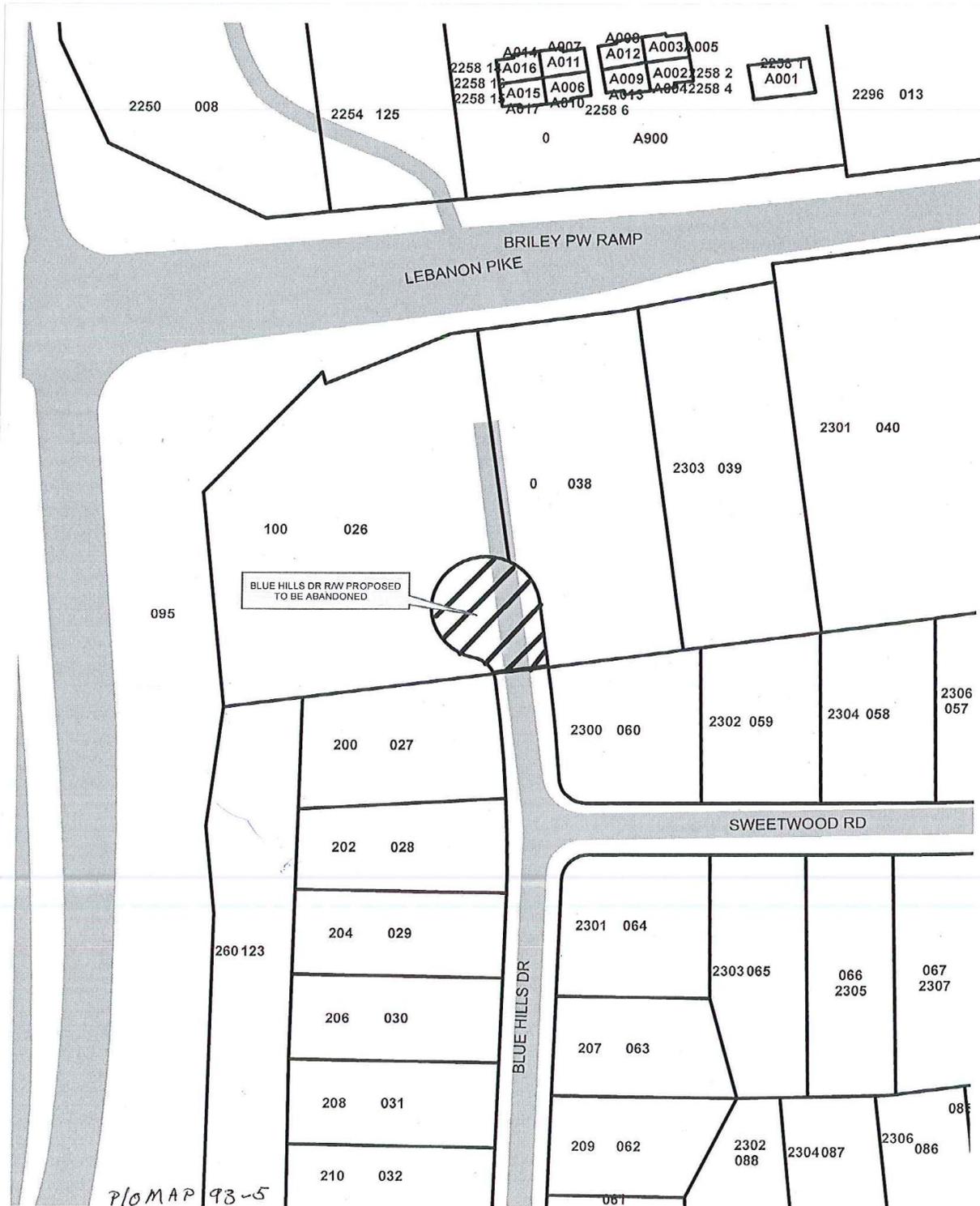
Jeff Syracuse

APPROVED AS TO FORM AND LEGALITY:

Members of Council

Assistant Metropolitan Attorney

Proposal Number 2018M-015AB-001
Map: 95-3
Council District #15



Metropolitan Government Department of Public Works

750 South 5th Street ♦ Nashville, TN 37206 ♦ (615) 862-8750 ♦ www.nashville.gov/pw

Mandatory Referral Application: *Street / Alley Closure*

*** Before filing this application, please review checklist on the back of this application. ***

Mandatory Referral Project No. _____
(MPW staff assigns project #)

Date Submitted: 4/25/18

Closure Type:

- Street
 Alley

Easements:

- Retain utilities
 Abandon utilities & relocate at applicant's expense

Street/Alley Location:

Street Name(s) / Alley Number(s) BLUE HILLS DRIVE
Street / Alley Located Between? FROM 200 BLUE HILLS TO TERMINUS CUL DE SAC

Reason for Closure:

FUTURE DEVELOPMENT w/ NO CONNECTIVITY NECESSARY

Applicant: All correspondence will be mailed to the applicant.

Architect Engineer Property Owner Other: _____

Name: MICHAEL GARRIGAN

Business: DALE & ASSOCIATES

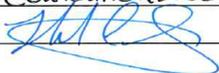
Address: 516 HEATHER PL

City: NASHVILLE State: TN Zip: 37204

Phone: 297-5166 293-5596

Fax: 297-7905
business home business mobile

E-mail: michael@daleandassociates.net

Applicant's Signature: 

Filing Fee (All application fees are non-refundable)

Street / Alley Closure \$300.00

Amount paid: \$ 300.00

Accepted by: BC

Date: 5-7-18

BNA INVESTMENTS, LLC
45 ANNANDALE
NASHVILLE, TN 37215
(615)423-3522

February 24, 2020

VIA EMAIL (tara.ladd@nashville.gov)

Ms. Tara Ladd
Metropolitan Department of Law
PO Box 196300
Nashville, TN 37219

Re: Resolution regarding Council Bill BL2018-1267

Dear Ms. Ladd,

As discussed, I am part of the ownership group for the properties located at 2303 Lebanon Pike, 0 Lebanon Pike and 100 Blue Hills Drive. These properties have all been rezoned by the Specific Plan discussed in Council Bill BL2018-1350. As you are aware, there is an old right of way that has been approved to be abandoned by Metro per Council Bill BL2018-1267. However, due to the language of that Bill which makes the abandonment contingent upon construction of the new hammerhead turnaround, our construction lender is unable to close our construction loan while Metro still retains rights to this old right of way. In short, we cannot get the loan to build the hammerhead until the right of way is abandoned.

In order to prevent expiration of our construction loan commitment, we urgently need the resolution fully abandoning the right of way to be heard at the first March Council meeting. If our loan commitment expires, the viability of the entire project will be in jeopardy as we will have to restart the approval process and potentially lose some or all of our equity investor commitments. This project is of great importance to the community – we have agreed to construct a much-needed new traffic signal on Lebanon Pike as well as provide certain site improvements for our neighbor, the Donelson Presbyterian Church. Additionally, this project will help our city's underserved workforce housing needs.

Please let me know if there is any further information you need. Thank you so much for expediting this resolution so that we can begin our project.

Sincerely,



Nick Adler

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2020-210

Mr. President –

I hereby move to amend Ordinance No. BL2020-210 as follows:

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

9. The developer shall construct a public roadway with a ST-251 cross section, connecting the rear portion of the subject development and Ed Temple Blvd. This roadway shall be constructed to comply with the standards and specifications located within Metro Public Works' road design guide.

INTRODUCED BY:

Brandon Taylor
Member of Council

ORDINANCE NO. _____

An Ordinance authorizing CVA, Inc. to install, construct and maintain underground encroachments in the right-of-way located at 1100 Dr. Martin Luther King Blvd (Proposal No. 2020M-010EN-001).

WHEREAS, CVA, Inc. plans to install, construct and maintain underground encroachments, comprised of intersection paving, treewill barrier, benches, lighting, bike racks, trash bins, planter boxes, handrails, underground electrical and receptacles, landscape and irrigation and various types of paving, in the right-of-way of 1100 Dr Martin Luther King Blvd, under proposal No. 2020M-010EN-001; and,

WHEREAS, CVA, Inc. has agreed to indemnify and hold The Metropolitan Government of Nashville and Davidson County harmless of any and all claims for damages of every nature and kind resulting from or arising from the installation of said encroachments under proposal No. 2020M-010EN-001.

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

Section 1. That subject to the requirements, limitations and conditions contained herein and in the attached License Agreement, CVA, Inc. is hereby granted the privilege to construct and maintain said encroachments under proposal No. 2020M-010EN-001, in accordance with the plans which are on file in the office of the Director of Public Works, and which are more particularly described by lines, words and figures on the attached sketches which are attached to and made a part of this Ordinance.

Section 2. That the authority granted hereby for the construction, installation, operation and maintenance of said encroachments under proposal No. 2020M-010EN-001 shall not be construed as a surrender by the Metropolitan Government of its rights or power to pass resolutions or ordinances regulating the use of its streets, or the right of the Metropolitan Government through its legislative body, in the interest of public necessity and convenience to order the relocation of said facilities at the expense of CVA, Inc.

Section 3. That plans and specifications for said encroachments under proposal No. 2020M-010EN-001 shall be submitted to the Director of Public Works of The Metropolitan Government of Nashville and Davidson County for approval before any work is begun; and all work, material, and other details of said installation shall be approved by the Director of Public Works prior to its use by CVA, Inc.

SECTION 4. That construction and maintenance of said encroachments under proposal No. 2020M-010EN-001 shall be under the direction, supervision and control of the Director of Public Works, and their installation, when complete, must be approved by said Director.

Section 5. That this Ordinance confers upon CVA, Inc. a privilege and not a franchise, and the Mayor and the Metropolitan Council herein expressly reserve the right to repeal this ordinance, whenever, in their judgment, a repeal may be demanded by public welfare, and such repeal shall confer no liability on The Metropolitan Government of Nashville and Davidson County, its successors and assigns, by reason of said repeal. In the event of such repeal by Metropolitan Government, CVA, Inc., its successors and assigns, shall remove said encroachments at their own expense.

Section 6. That CVA, Inc., its successors and assigns, shall pay all cost incident to the construction, installation, operation and maintenance of encroachments under proposal No. 2020M-010EN-001 and shall save and hold The Metropolitan Government of Nashville and Davidson County harmless from all suits, costs, claims, damages or judgments in any way connected with the construction, installation, operation and maintenance of said encroachments and shall not claim, set up or plead, as a defense, in the event of joint liability, with or without suit, that it and the Metropolitan Government were joint wrongdoers. CVA,

Inc., its successors and assigns, shall be responsible for the expense, if any, of repairing and returning right-of-way to the condition, which it was in prior to the installation of, said encroachments, and for any street closure.

Section 7. That the authority granted to CVA, Inc., as herein described, shall not in any way interfere with the rights of the Metropolitan Government, its agents, servants, and/or contractors and utility companies, operating under franchise from the Metropolitan Government to enter, construct, operate, maintain, repair, rebuild, enlarge, and patrol its now existing or future utilities, including drainage facilities, together with their appurtenances, and to do any and all things necessary and incidental thereto.

Section 8. That CVA, Inc. shall and is hereby required to furnish The Metropolitan Government of Nashville and Davidson County, a certificate of public liability insurance, naming The Metropolitan Government as an insured party, of at least two million (\$2,000,000) dollars aggregate, for the payment of any judgment had on any claim, of whatever nature, made for actions or causes of action arising out of, or connected with, the construction or installation of said encroachments. Said certificate of insurance shall be filed with the Metropolitan Clerk and the Department of Public Works prior to the granting of a permit, and the insurance required herein shall not be canceled without the insurance company or companies first giving thirty (30) days written notice to The Metropolitan Government of Nashville and Davidson County.

Section 9. That said construction shall be carefully guarded and protected, and shall be completed promptly, so as to cause the least inconvenience to the public. The acceptance by CVA, Inc. of all provisions of this Ordinance shall be determined by the beginning of work.

Section 10. The authority granted pursuant to this Ordinance shall not become effective until the certificate of insurance, as required in Section 8, has been posted with the Department of Public Works.

Section 11. This Ordinance shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

Mark Sturtevant, Director
Department of Public Works

Freddie O'Connell

Members of Council

APPROVED AS TO FORM
AND LEGALITY:

Assistant Metropolitan Attorney

Proposal No. 2020M-010EN-001



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/28/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsements.

PRODUCER Boyle Insurance Agency, Inc. 5900 Poplar Ave. Memphis, TN 38119	CONTACT NAME Cindi Gresham	PHONE (901) 766-4288	FAX (901) 766-4210
	E-MAIL cindi@boyle.com	ADDRESS	
INSURED CVA, Inc. Charlotte & 11th St Franklin, TN 37064	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A:	Life Insurance Exchange	28271
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		

COVERAGES CERTIFICATE NUMBER REVISION NUMBER

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS. LTR.	TYPE OF INSURANCE	INSURANCE CLASSIFICATION	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMMADE <input checked="" type="checkbox"/> OCCUR	Y	Q41-1551890	05/15/2019	05/15/2020	EACH OCCURRENCE \$ 1,000,000 AGGREGATE TO REPORTED DAMAGES (All occurrences) \$ 1,000,000 MED EXP (Per one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> Hired AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	Y	Q41-1551890	05/26/2019	05/15/2020	COMBINED SINGLE LIMIT (All accidents) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB	<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIM-MADE	Q29-1570695	05/15/2019	05/15/2020	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY EMPLOYERS/EMPLOYEES/CONTRACTORS/INDEPENDENT CONTRACTORS? (Mandatory in TN) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A				PER STATUTE <input type="checkbox"/> OTHER <input type="checkbox"/> EL EACH ACCIDENT \$ EL DISEASE - EMPLOYEE \$ EL DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be checked if more space is required)

Thirty (30) Days written Notice of cancellation or material change in the policy shall be provided to the Certificate Holder.

CERTIFICATE HOLDER CANCELLATION

The Metropolitan Government of Nashville c/o Insurance and Safety Div. 222 Third Avenue, North, #501 Nashville, TN 37201	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Cynthia Gresham</i>
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92-4
(337)

LIFEWAY CHRISTIAN RESOURCES OF THE SOUTHERN BAPTIST CONVENTION
INST. NO. 20160514-0060242, R.O.D.C.

CLINTON STREET

92-4
(390)

LIFEWAY CHRISTIAN RESOURCES OF THE SOUTHERN BAPTIST CONVENTION
INST. NO. 20160514-0060242, R.O.D.C.

6

RESUBDIVISION OF LOT 6
CAPITOL VIEW
INST. NO. 20160812-0056192, R.O.D.C.

BLOCK C

ELEVENTH AVENUE NORTH

93-10
(89)

NORTH GULCH APARTMENTS, LLC
INST. NO. 20160513-0048009, R.O.D.C.

LIFEWAY PLAZA

93-10
(99)

8

93-10
(97)

4

CAPITOL VIEW JVC
INST. NO. 20170505-0044749, R.O.D.C.

RESUBDIVISION OF LOT 4
RESUBDIVISION AND SUBDIVISION
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20170816-0033896, R.O.D.C.

BLOCK E

DRAWING #3

93-5
(203)

7

INDUSTRIAL DEVELOPMENT BOARD OF NASHVILLE & DAVIDSON COUNTY
INST. NO. 20161226-0736974, R.O.D.C.

RESUBDIVISION OF THE CONSOLIDATION AND SUBDIVISION OF CAPITOL VIEW
INST. NO. 20150916-0033889, R.O.D.C.

DRAWING #4

DRAWING #2

93-5
(198)

1

INDUSTRIAL DEVELOPMENT BOARD OF NASHVILLE & DAVIDSON COUNTY
INST. NO. 20161226-0736974, R.O.D.C.

RESUBDIVISION OF THE CONSOLIDATION AND SUBDIVISION OF CAPITOL VIEW
INST. NO. 20150916-0033889, R.O.D.C.

DRAWING #4

93-5
(203)

7

93-5
(199)

2

CAPITOL VIEW JV-D
INST. NO. 20161208-0128964, R.O.D.C.

RESUBDIVISION OF LOTS 2, 4, & 5
RESUBDIVISION AND SUBDIVISION
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20170501-0042561, R.O.D.C.

BLOCK D

CHARLOTTE AVENUE

93-10
(98)

NORTH CHARLOTTE AVENUE
INST. NO. 20080118-0005919, R.O.D.C.

5

RESUBDIVISION OF LOTS 2, 4, & 5
RESUBDIVISION OF THE
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20170501-0042561, R.O.D.C.

93-5
(203)

CAPITOL VIEW JV-D
INST. NO. 20161208-0128964, R.O.D.C.

7

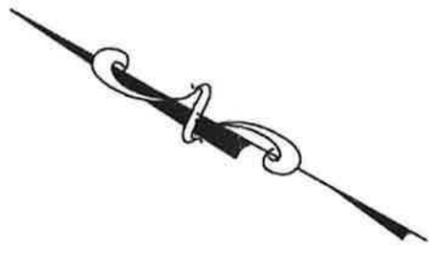
RESUBDIVISION OF LOTS 2, 4, & 5
RESUBDIVISION OF THE
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20150916-0033889, R.O.D.C.

93-10
(99)

CV HOTEL OWNER LLC
INST. NO. 2010523-0049468, R.O.D.C.

8

RESUBDIVISION OF LOT 4
RESUBDIVISION AND SUBDIVISION
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20170816-0083866, R.O.D.C.



SCALE: 1" = 200'

BARGE
DESIGN SOLUTIONS

615 Third Avenue South, Suite 700, Nashville, Tennessee 37210
PHONE (615)254-1500 FAX (615)255-6572

INDUSTRIAL DEVELOPMENT BOARD
OF NASHVILLE & DAVIDSON COUNTY

CAPITOL VIEW - BLOCK A
ENCROACHMENT EXHIBIT
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

DRAWN BY: MFS
CHECKED BY: JJC

DRAWING NO.: KEY MAP

PROJECT NO.: 3566706
DATE: 6/20/2019

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F:\3566706\Survey\ENCROACHMENT EXHIBITS\REVISED ENCROACHMENT EXHIBITS PER OWNERSHIP\DBND-C-BLK A EXH KEY MAP.dwg 6/24/2019

NELSON MERRY STREET
(60' PUBLIC RIGHT-OF-WAY)

4

4

4

4

4

GEORGE L. DAVIS BOULEVARD
(PUBLIC RIGHT-OF-WAY VARIES)

PUBLIC EASEMENT

BLOCK A

93-5
(198)

INDUSTRIAL DEVELOPMENT BOARD
OF NASHVILLE & DAVIDSON COUNTY
INST. NO. 20161228-0136574, R.O.D.C.

1

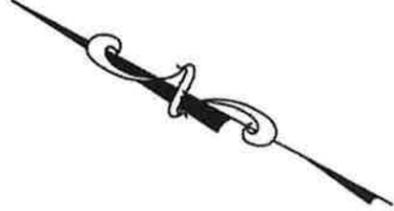
RESUBDIVISION OF THE
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW

INST. NO. 20150916 0093889, R.O.D.C.

CHARLOTTE AVENUE
(PUBLIC RIGHT-OF-WAY VARIES)



SCALE: 1" = 40'



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INDUSTRIAL DEVELOPMENT BOARD
OF NASHVILLE & DAVIDSON COUNTY

CAPITOL VIEW - BLOCK A
GEORGE L. DAVIS BOULEVARD
ENCROACHMENT EXHIBIT
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

DRAWN BY: MFS
CHECKED BY: MT

DRAWING NO.: 1 of 4

PROJECT NO.: 3566706
DATE: 9/23/2019

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F:\35\35667\3566706\Survey\ENCROACHMENT EXHIBIT\REVISED ENCROACHMENT EXHIBIT PER OWNERSHIP\A-1-BLOCK-A-GL-DAVIS-BLVD.dgn 9/24/2019

NELSON MERRY STREET
(60' PUBLIC RIGHT-OF-WAY)

93-5
(198)

INDUSTRIAL DEVELOPMENT BOARD
OF NASHVILLE & DAVIDSON COUNTY
INST. NO. 20161228-0136574, R.O.D.C.

1

RESUBDIVISION OF THE
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20150916 0093889, R.O.D.C.

PEDESTRIAN
EASEMENT

BLOCK A

93-5
(199)

CAPITOL VIEW JV-D
INST. NO. 20161208-0128954,
R.O.D.C.

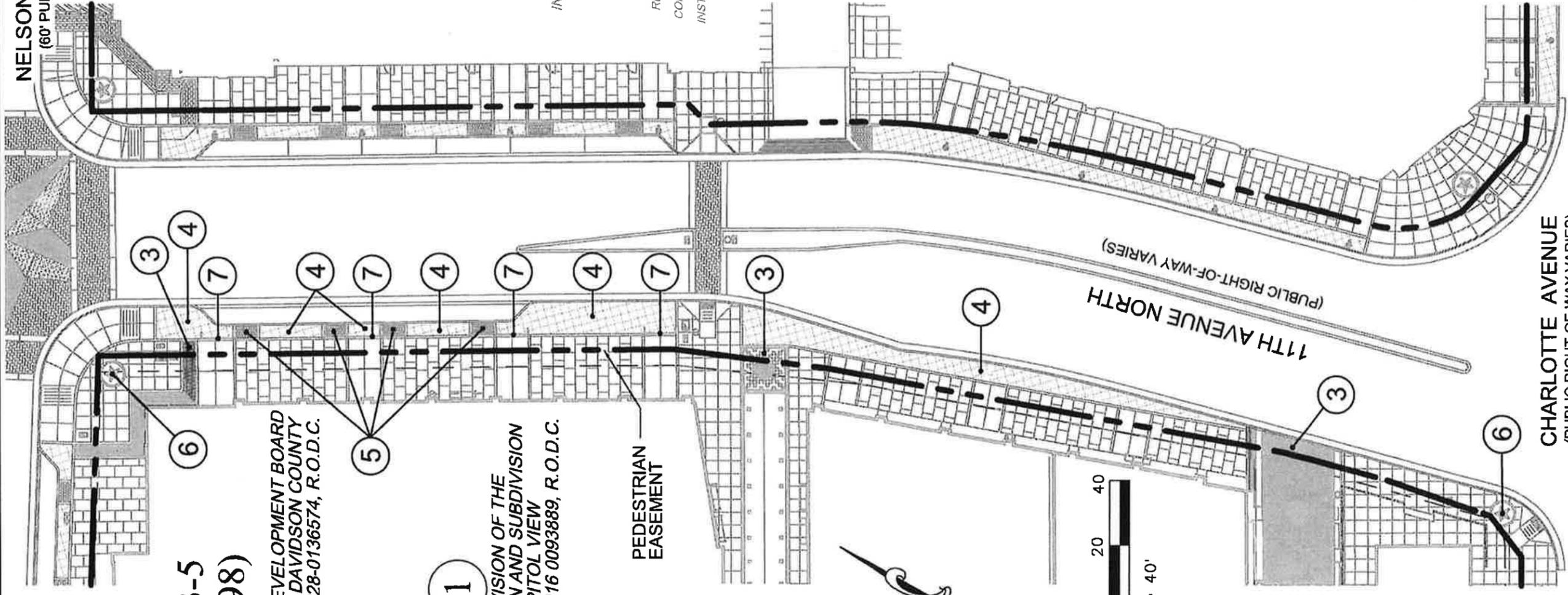
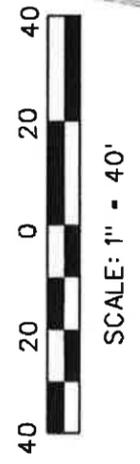
2

RESUBDIVISION OF LOTS 2, 4 & 5
RESUBDIVISION OF THE
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20170501-0042561, R.O.D.C.

BLOCK D

11TH AVENUE NORTH
(PUBLIC RIGHT-OF-WAY VARIES)

CHARLOTTE AVENUE
(PUBLIC RIGHT-OF-WAY VARIES)



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DESIGN SOLUTIONS

INDUSTRIAL DEVELOPMENT BOARD
OF NASHVILLE & DAVIDSON COUNTY

CAPITOL VIEW - BLOCK A
11TH AVENUE NORTH
ENCROACHMENT EXHIBIT
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

DRAWN BY:	MFS	CHECKED BY:	MT
DRAWING NO.:	3 OF 4		
PROJECT NO.:	3566706	DATE:	9/23/2019

GEORGE L. DAVIS BOULEVARD
(PUBLIC RIGHT-OF-WAY VARIES)

93-5
(198)

INDUSTRIAL DEVELOPMENT BOARD
OF NASHVILLE & DAVIDSON COUNTY
INST. NO. 20161228-0136574, R.O.D.C.

BLOCK A

1
RESUBDIVISION OF THE
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20150916 0093889, R.O.D.C.

PUBLIC
EASEMENT

6

4

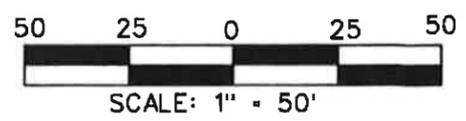
4

4

4

CHARLOTTE AVENUE
(PUBLIC RIGHT-OF-WAY VARIES)

11TH AVENUE NORTH
(PUBLIC RIGHT-OF-WAY VARIES)



 815 Third Avenue South, Suite 700, Nashville, Tennessee 37210 PHONE (615)254-1500 FAX (615) 255-6572	INDUSTRIAL DEVELOPMENT BOARD OF NASHVILLE & DAVIDSON COUNTY	DRAWN BY: MFS	CHECKED BY: JJC
	CAPITOL VIEW - BLOCK A CHARLOTTE AVENUE ENCROACHMENT EXHIBIT NASHVILLE, DAVIDSON COUNTY, TENNESSEE	DRAWING NO.: 4 OF 4	PROJECT NO.: 3566706

92-4
(337)

LIFEWAY CHRISTIAN RESOURCES OF THE SOUTHERN BAPTIST CONVENTION
INST. NO. 20160614-0660242, R.O.D.C.

CLINTON STREET

92-4
(390)

LIFEWAY CHRISTIAN RESOURCES OF THE SOUTHERN BAPTIST CONVENTION
INST. NO. 20162814-0658242, R.O.D.C.

(6)

RESUBDIVISION LOT 6
CAPITOL VIEW
INST. NO. 20160812-0084192, R.O.D.C.

BLOCK C

ELEVENTH AVENUE NORTH

LIFEWAY PLAZA

93-10
(99)

(8)

93-10
(97)

(4)

CAPITOL VIEW JV-E
INST. NO. 20170505-0044749, R.O.D.C.

(5)

RESUBDIVISION OF LOT 4
RESUBDIVISION OF THE CONSOLIDATION AND SUBDIVISION OF CAPITOL VIEW
INST. NO. 20170816-0083896, R.O.D.C.

BLOCK E

CSX TRANSPORTATION RAILROAD

NELSON MERRY STREET

DRAWING #2

BLOCK A

93-5
(198)

INDUSTRIAL DEVELOPMENT BOARD OF NASHVILLE & DAVIDSON COUNTY
INST. NO. 20161226-0136574, R.O.D.C.

(1)

RESUBDIVISION OF THE CONSOLIDATION AND SUBDIVISION OF CAPITOL VIEW
INST. NO. 20150816 0083869, R.O.D.C.

DRAWING #4

BLOCK B

GEORGE L. DAVIS BOULEVARD
INTERSTATE I-40

DRAWING #3

BLOCK D

93-5
(199)

CAPITOL VIEW JV-D
INST. NO. 20161208-0128954, R.O.D.C.

(2)

RESUBDIVISION OF LOTS 2, 4 & 5
RESUBDIVISION OF THE CONSOLIDATION AND SUBDIVISION OF CAPITOL VIEW
INST. NO. 20170501-0042561, R.O.D.C.

93-5
(203)

(7)

CHARLOTTE AVENUE

93-10
(98)

NORTH CHARLOTTE AVENUE HOLDINGS
INST. NO. 20080116-0005919, R.O.D.C.

(5)

RESUBDIVISION OF LOTS 2, 4 & 5
RESUBDIVISION OF THE CONSOLIDATION AND SUBDIVISION OF CAPITOL VIEW
INST. NO. 20170501-0042561, R.O.D.C.

93-5
(203)

CAPITOL VIEW JV-D
INST. NO. 20161208-0128954, R.O.D.C.

(7)

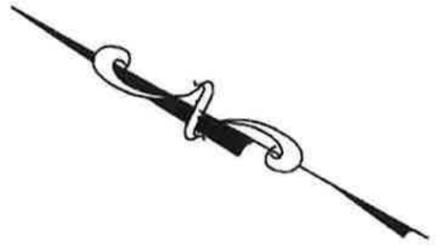
RESUBDIVISION OF LOTS 2, 4 & 5
RESUBDIVISION OF THE CONSOLIDATION AND SUBDIVISION OF CAPITOL VIEW
INST. NO. 20170501-0042561, R.O.D.C.

93-10
(99)

CV HOTEL OWNER LLC
INST. NO. 20160523-0049466, R.O.D.C.

(8)

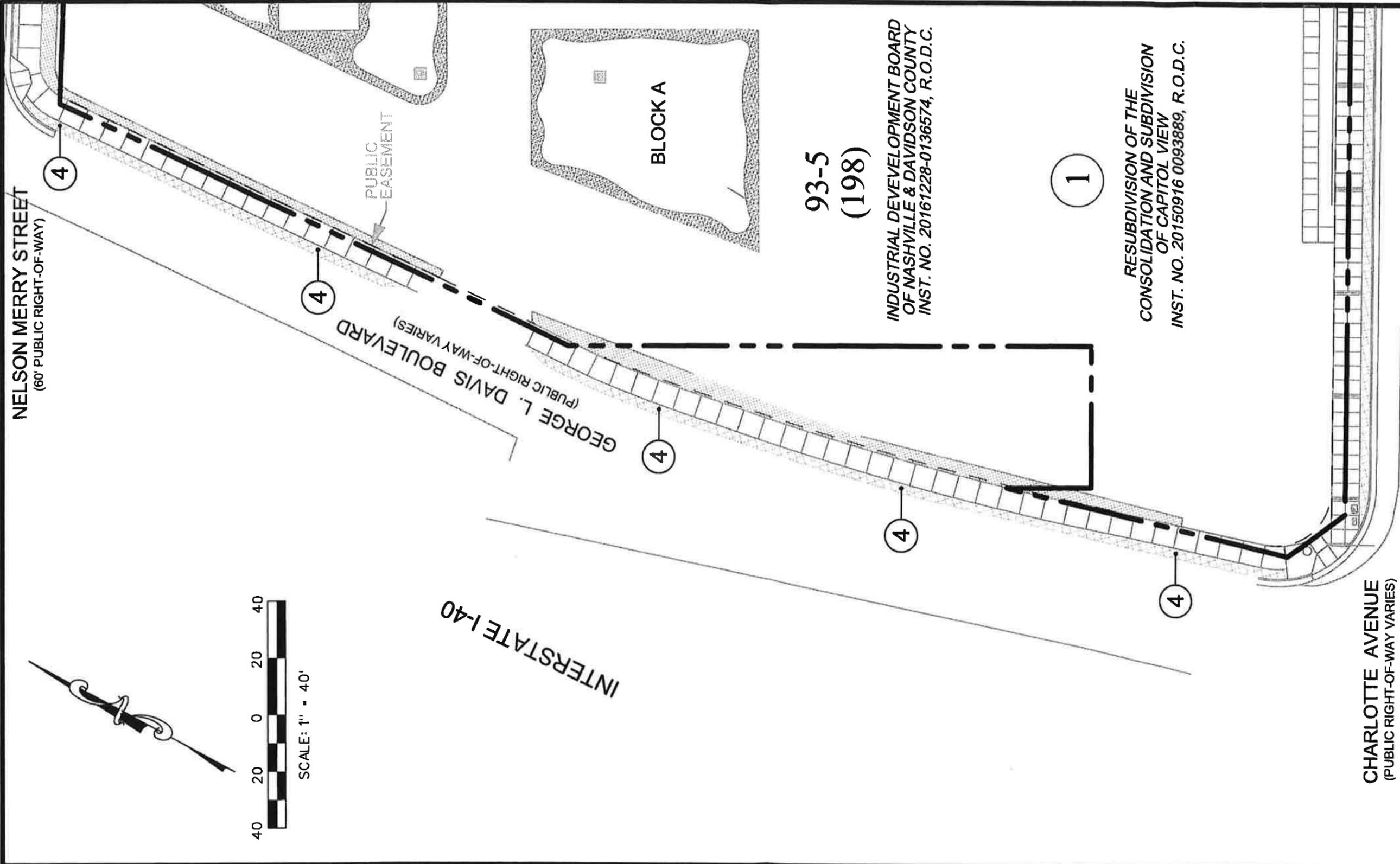
RESUBDIVISION OF LOT 4
RESUBDIVISION OF THE CONSOLIDATION AND SUBDIVISION OF CAPITOL VIEW
INST. NO. 20170816-0083896, R.O.D.C.



SCALE: 1" = 200'

BARGE DESIGN SOLUTIONS	INDUSTRIAL DEVELOPMENT BOARD OF NASHVILLE & DAVIDSON COUNTY		DRAWN BY: MFS	CHECKED BY: JJC
	CAPITOL VIEW - BLOCK A ENCROACHMENT EXHIBIT NASHVILLE, DAVIDSON COUNTY, TENNESSEE		DRAWING NO.: KEY MAP	PROJECT NO.: 3566706
615 Third Avenue South, Suite 700, Nashville, Tennessee 37210 PHONE: (615)254-1500 FAX: (615) 255-6572		DATE: 6/20/2019		

6/24/2019 1:35:35 PM 3566706:KEYMAP:ENCROACHMENT EXHIBIT:REVISED ENCROACHMENT EXHIBITS PER OWNERSHIP:DBN01C-BLK A EXH KEY MAP.dgn



INDUSTRIAL DEVELOPMENT BOARD
OF NASHVILLE & DAVIDSON COUNTY
INST. NO. 20161228-0136574, R.O.D.C.

RESUBDIVISION OF THE
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20150916 0093889, R.O.D.C.

BLOCK A

93-5
(198)

1

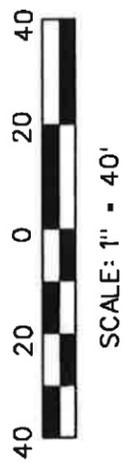
NELSON MERRY STREET
(60' PUBLIC RIGHT-OF-WAY)

GEORGE L. DAVIS BOULEVARD
(PUBLIC RIGHT-OF-WAY VARIES)

CHARLOTTE AVENUE
(PUBLIC RIGHT-OF-WAY VARIES)

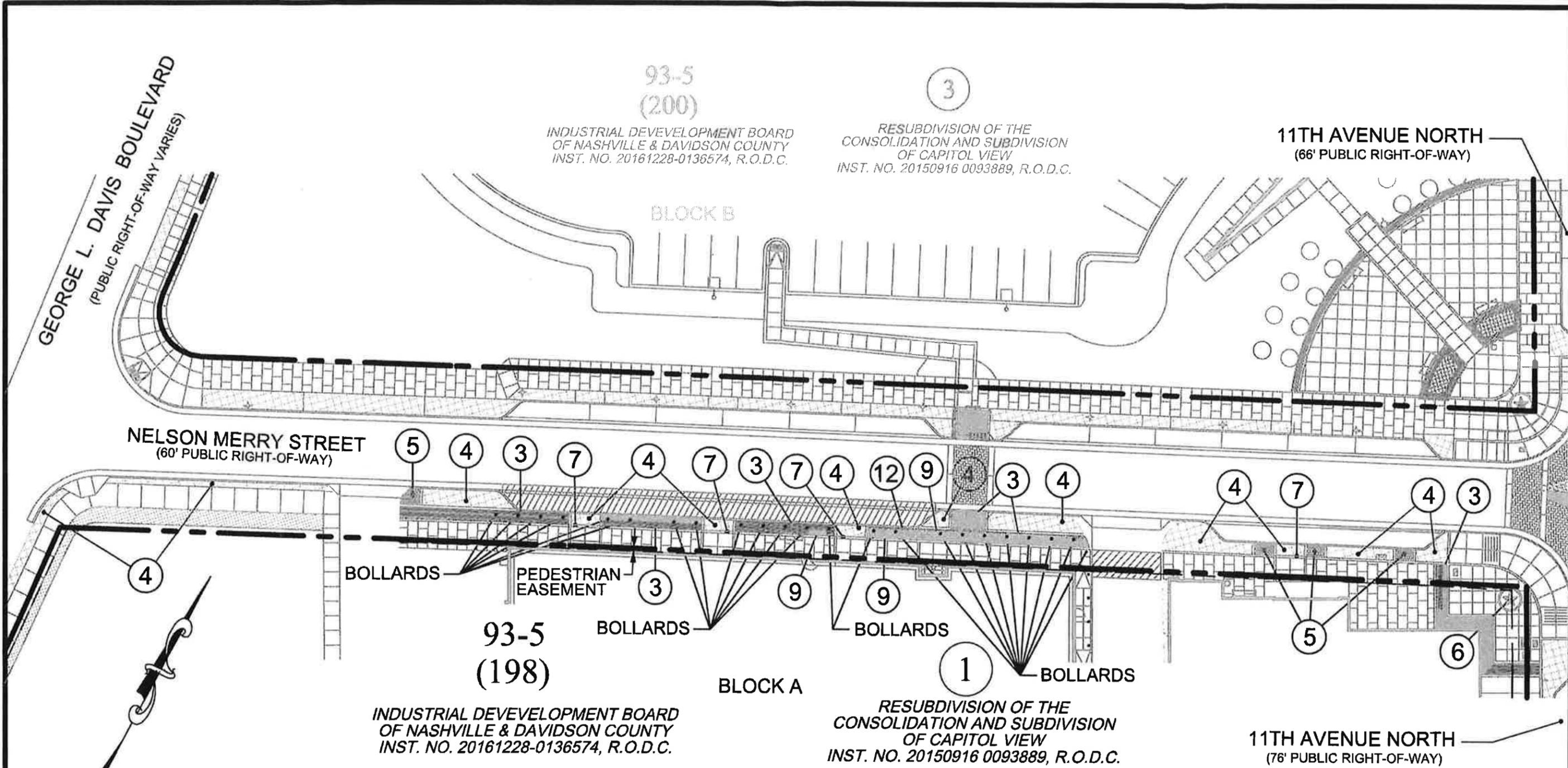
INTERSTATE I-40

PUBLIC
EASEMENT



BARGE DESIGN SOLUTIONS <small>615 Third Avenue South, Suite 700, Nashville, Tennessee 37210 PHONE (615)254-1500 FAX (615) 255-6572</small>	INDUSTRIAL DEVELOPMENT BOARD OF NASHVILLE & DAVIDSON COUNTY		DRAWN BY: MFS	CHECKED BY: MT
	CAPITOL VIEW - BLOCK A GEORGE L. DAVIS BOULEVARD ENCROACHMENT EXHIBIT NASHVILLE, DAVIDSON COUNTY, TENNESSEE		DRAWING NO.: 1 of 4	DATE: 9/23/2019
			PROJECT NO.: 3566706	

9/24/2019 F:\35\35667\3566706\Survey\ENCROACHMENT EXHIBIT\REVISED ENCROACHMENT EXHIBITS PER OWNERSHIP\A-1-BLOCK_A.GL.DAVIS.BLD.dgn



93-5
(200)

3

INDUSTRIAL DEVELOPEMENT BOARD
OF NASHVILLE & DAVIDSON COUNTY
INST. NO. 20161228-0136574, R.O.D.C.

RESUBDIVISION OF THE
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20150916 0093889, R.O.D.C.

11TH AVENUE NORTH
(66' PUBLIC RIGHT-OF-WAY)

BLOCK B

NELSON MERRY STREET
(60' PUBLIC RIGHT-OF-WAY)

5

4

3

7

4

7

3

7

4

12

9

4

3

4

4

7

4

3

BOLLARDS

PEDESTRIAN
EASEMENT

3

9

9

1

BOLLARDS

5

6

93-5
(198)

BLOCK A

RESUBDIVISION OF THE
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20150916 0093889, R.O.D.C.

11TH AVENUE NORTH
(76' PUBLIC RIGHT-OF-WAY)

40 20 0 20 40



SCALE: 1" = 40'

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INDUSTRIAL DEVELOPEMENT BOARD
OF NASHVILLE & DAVIDSON COUNTY

CAPITOL VIEW - BLOCK A
NELSON MERRY ST
ENCROACHMENT EXHIBIT
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

DRAWN BY: MFS	CHECKED BY: MT
DRAWING NO.: 2 OF 4	
PROJECT NO.: 3566706	DATE: 9/23/2019

NELSON MERRY STREET
(60' PUBLIC RIGHT-OF-WAY)

93-5
(198)

INDUSTRIAL DEVELOPMENT BOARD
OF NASHVILLE & DAVIDSON COUNTY
INST. NO. 20161228-0136574, R.O.D.C.

1

RESUBDIVISION OF THE
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20150916 0093889, R.O.D.C.

PEDESTRIAN
EASEMENT

BLOCK A

93-5
(199)

CAPITOL VIEW JV-D
INST. NO. 20161208-0128954,
R.O.D.C.

2

RESUBDIVISION OF LOTS 2, 4 & 5
RESUBDIVISION OF THE
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20170501-0042561, R.O.D.C.

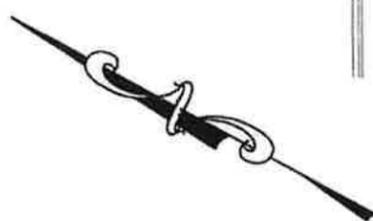
BLOCK D

11TH AVENUE NORTH
(PUBLIC RIGHT-OF-WAY VARIES)

CHARLOTTE AVENUE
(PUBLIC RIGHT-OF-WAY VARIES)



SCALE: 1" = 40'



BARGE
DESIGN SOLUTIONS

INDUSTRIAL DEVELOPMENT BOARD
OF NASHVILLE & DAVIDSON COUNTY

CAPITOL VIEW - BLOCK A
11TH AVENUE NORTH
ENCROACHMENT EXHIBIT
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

DRAWN BY: MFS

CHECKED BY: MT

DRAWING NO.: 3 OF 4

PROJECT NO.: 3566706
DATE: 9/23/2019

GEORGE L. DAVIS BOULEVARD
(PUBLIC RIGHT-OF-WAY VARIES)

93-5
(198)

INDUSTRIAL DEVELOPMENT BOARD
OF NASHVILLE & DAVIDSON COUNTY
INST. NO. 20161228-0136574, R.O.D.C.

BLOCK A

1
RESUBDIVISION OF THE
CONSOLIDATION AND SUBDIVISION
OF CAPITOL VIEW
INST. NO. 20150916 0093889, R.O.D.C.

PUBLIC
EASEMENT

6

4

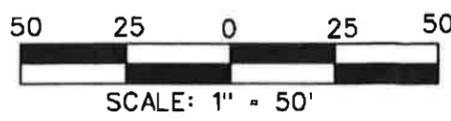
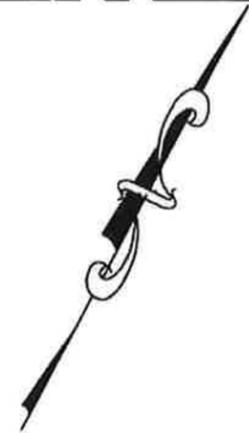
4

4

4

CHARLOTTE AVENUE
(PUBLIC RIGHT-OF-WAY VARIES)

11TH AVENUE NORTH
(PUBLIC RIGHT-OF-WAY VARIES)



 <small>815 Third Avenue South, Suite 700, Nashville, Tennessee 37210 PHONE (615)254-1500 FAX (615) 255-6572</small>	INDUSTRIAL DEVELOPMENT BOARD OF NASHVILLE & DAVIDSON COUNTY		<small>DRAWN BY:</small> MFS	<small>CHECKED BY:</small> JJC
	CAPITOL VIEW - BLOCK A CHARLOTTE AVENUE ENCROACHMENT EXHIBIT NASHVILLE, DAVIDSON COUNTY, TENNESSEE		<small>DRAWING NO.:</small> 4 OF 4	
			<small>PROJECT NO.:</small> 3566706	<small>DATE:</small> 6/20/2019

BUTLER | SNOW

February 28, 2020

Metropolitan Council of Nashville and Davidson County, Tennessee
1 Public Square, #204
Nashville, TN 37201

RE: Capitol View Joint Venture Development

Dear Metro Council members:

You have received a late filed Encroachment Agreement between CVA, Inc. ("Capitol View"). It is imperative that the Encroachment Agreement be submitted with the other Encroachment Agreements for this project previously delivered to the Metro Council. The Capitol View Development consists of multiple tracts of land. Each separate Encroachment Agreement is connected to a particular tract in the development. My client has finished the construction of all the public works projects and is seeking to close out the project subject to its continuing obligations under the Encroachment Agreements and consistent with the terms of the Participation Agreement between my client and Metro. In summary, the project is complete and the Encroachment Agreements need to be finalized at the same time reflecting the completion of the project. There is no reason all the Encroachment Agreements should not be approved at the same time. I am glad to discuss this matter.

Very truly yours,

BUTLER SNOW LLP



Robert M. Holland, Jr.

RMHjr:sew

*The Pinnacle at Symphony Place
150 3rd Avenue South, Suite 1600
Nashville, TN 37201*

ROBERT M. HOLLAND, JR.
615.651.6704
C 615.406.6436
robert.holland@butlersnow.com

*T 615.651.6700
F 615.651.6701
www.butlersnow.com*

AMENDMENT NO. 1
TO
ORDINANCE NO. BL2020-149

Mr. President –

I hereby move to amend Ordinance No. BL2020-149 by deleting proposed Section 11.20.010 in its entirety and substituting the following:

11.22.010 – Required notice for increases of residential rent

~~Prior to increasing the amount of rent charged to a residential tenant, a landlord must provide a minimum of ninety days' written notice. Any increase in rent may not become effective prior to the completion of the term of the rental agreement.~~

In the absence of a written rental agreement that requires sixty days or more written notice of an increase in residential rent, a landlord must provide a minimum of ninety days' advance written notice of any increase in the amount of rent charged to a residential tenant.

Any proposed increase shall have no effect on any other term or condition of a written rental agreement. After proper notice has been given, any increase in rent may not become effective prior to the completion of the original lease term.

This provision shall not apply to any housing funded through any programs that are regulated by a division, department, agency, or branch of the federal, state, or metropolitan government.

This provision shall apply to all residential leases entered into on or after July 1, 2020.

SPONSORED BY:

Kyonzte Toombs
Member of Council

AMENDMENT NO. 2
TO
ORDINANCE NO. BL2020-149

Mr. President –

I hereby move to amend Ordinance No. BL2020-149 by deleting Section 1 and substituting instead the following:

Section 1. That Title 11 of the Metropolitan Code of Laws to create a new Chapter 11.22 as follows:

Chapter 11.22 – Residential Landlord and Tenant Regulations

11.22.010 – Required notice for increases of residential rent

Prior to increasing the amount of rent charged to a residential tenant, a landlord must provide a minimum of ninety days' written notice. Any increase in rent may not become effective prior to the completion of the term of the rental agreement. This section shall apply to leases entered into on or after April 1, 2020.

SPONSORED BY:

Russ Bradford
Member of Council