



# **Metropolitan Council**

**PROPOSED AMENDMENTS PACKET  
FOR THE COUNCIL MEETING OF  
TUESDAY, JUNE 7, 2022**

SUBSTITUTE ORDINANCE NO. BL2022-1204

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 R40 to SP zoning for properties located at 5991 and ~~5994~~ 5997 Edmondson Pike, approximately 175 feet south of Banbury Station, (14.6 acres), to permit 36 single family lots, all of which is described herein (Proposal No. 2022SP-010-001).

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 R40 to SP zoning for properties located at 5991 and ~~5994~~ 5997 Edmondson Pike, approximately 175 feet south of Banbury Station, (14.6 acres), to permit 36 single family lots, requested by Dale & Associates, applicant; Susan B. Campbell Et Vir, owner., being Property Parcel Nos. 097, 098 as designated on Map 172-00 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 172 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 limited 36 single-family lots. Short term rental property, owner occupied and short term rental property, not owner occupied shall be prohibited.

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

1. Prior to the issuance of any building permits or final plat approval a traffic circle at the intersection of Edmondson Pike, Banbury Station and Mt. Pisgah Road shall be constructed and/or bonded and height shall be limited to a max of two stories in 35'.
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.
4. Comply with all conditions and requirements of Metro reviewing agencies.

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

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

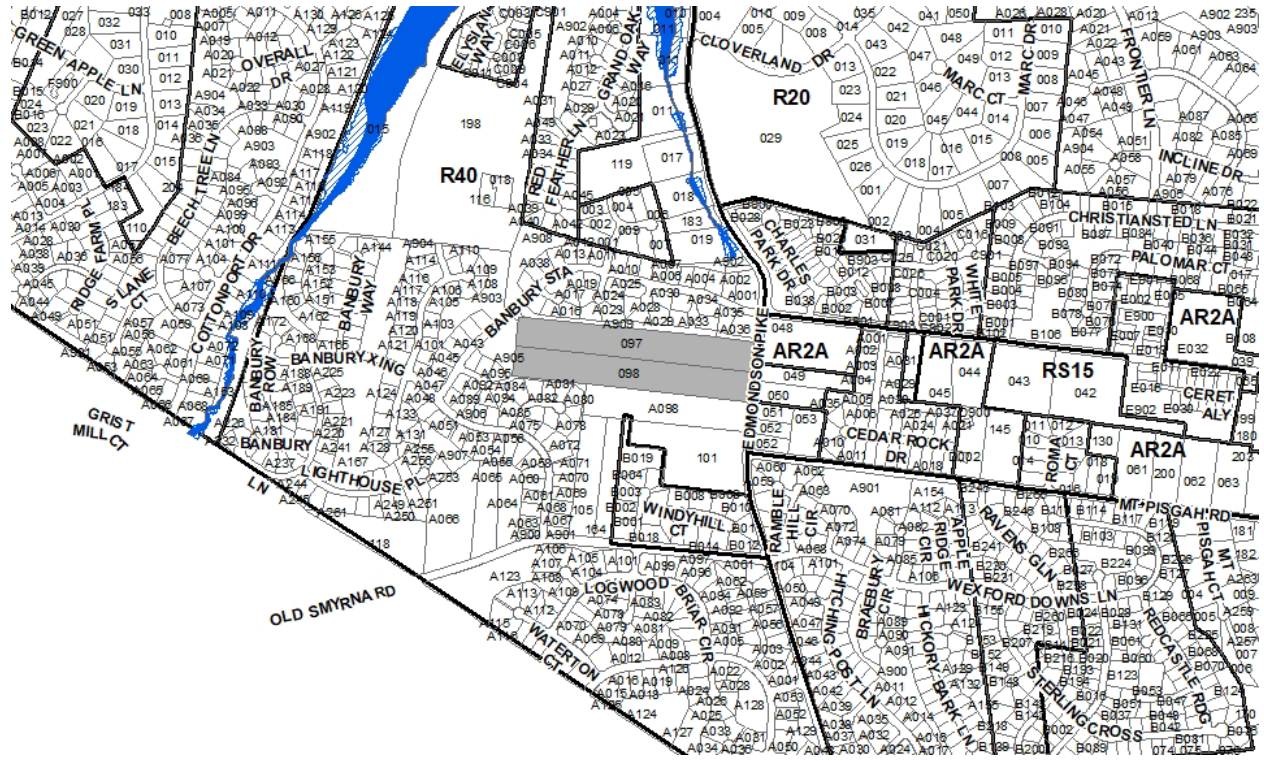
INTRODUCED BY:

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Robert Swope  
Member of Council

2022SP-010-001  
OVERLAND PARK SP  
Map 172, Parcel(s) 097-098  
Subarea 12, Southeast  
District 04 (Robert Swope)  
Application fee paid by: Dale and Associates, PLLC

A request to rezone from R40 to SP zoning for properties located at 5991 and 5991-5997 Edmondson Pike, approximately 175 feet south of Banbury Station, (14.6 acres), to permit 36 single family lots, requested by Dale & Associates, applicant; Susan B. Campbell Et Vir, owner.



## Water and Sewer Notes

- All water and sewer construction shall be in accordance with specifications and standard details of the Metro Water Services.
- The contractor is responsible for reimbursing the metro water services the cost of inspection.
- The contractor is to provide and maintain the construction identification sign for private development approved.
- All connections to existing manholes shall be by coring and resilient connector method.
- Reduced pressure backflow prevention devices (rpbp) or dual check valve will be required on all test and fill lines (jumper) needed for water main construction and must be approved by the metro water services.
- All water meters shall be a minimum of 24" not to exceed a maximum of 28" below finished grade.
- Pressure regulating devices will be required on the customer side of the meter when pressures exceed 100 psi.
- Pressure regulating devices will be required on the street side of the meter when pressures exceed 150 psi.
- After completion of the sanitary sewer, the developer is responsible for the televising of the lines prior to final acceptance. The videotaping must be coordinated with the Metro Water Services inspection section. All costs will be borne by the developer.
- Upon completion of construction of water and/or sewer, the engineer shall provide the Metro Water Services department with a complete set of as-built plans on moist erasable mylars in reverse and in digital (.dwg) format. Sewer plans shall be sealed by a licensed professional engineer or a registered land surveyor and shall include actual field angles between lines, all actual service lines and tee locations, the distance of the end of the service line to property corners and lines and/or station and offset from sewer centerline to end of service line, the depth to the top of the end of the service line, and shall reflect all alignment and grade changes. Water line plans shall be sealed by a licensed professional engineer or a registered land surveyor and shall include offset distance from the roadway centerline, or property line right of way, line depth, locations of hydrants, valves, reducers, tees and pressure reducing devices where applicable. All drawings must be completed and submitted prior to acceptance of the sewers or water mains into the public system and any connections being made.
- All water mains must be located within the paved area including all blow-off assemblies.

## Landscape Notes

- The landscape contractor shall coordinate all construction with the appropriate utility company and shall be responsible for and damage to utilities, the landscape contractor shall verify the exact location of all utilities and take precautions to prevent damage to the utilities.
- All planting and mulch beds shall be sprayed with round-up (contractor's option) prior to the installation of mulch.
- Plant materials and stumps indicated for removal shall be removed and disposed off-site by the contractor. Backfill holes with topsoil free of roots and rocks.
- The landscape contractor shall be responsible for the fine grading of all planting areas.
- All planting areas shall be fertilized with 12#/1000 s.f. of 10-10-10 fertilizer.
- All planting beds shall have a minimum of 3" depth of shredded hardwood bark mulch.
- The landscape contractor shall verify all material quantities. In the event of a discrepancy, the quantities shown on the plan will take precedence.
- The landscape contractor shall provide the owner with written instructions on the proper care of all specified plant materials prior to final payment.
- Existing trees to remain shall be protected from construction damage. Selectively prune dead wood.
- All disturbed areas shall be planted with turf as indicated on the materials schedule.
- All deciduous trees, existing and proposed shall be pruned to provide 4' minimum clear trunk unless otherwise noted.
- The landscape contractor shall provide a one year warranty on all plant materials and replace any dead or dying material within that time period.
- No plant materials should be substituted without authorization by Dale & Associates. Plant sizes shown are minimums required by the local municipality and materials shown have been selected specifically for this project.
- All wire baskets shall be completely removed and disposed of, burlap should be removed or punctured in at least 5 places. Remove all twine from burlapped materials.
- Guying is not allowed unless required by municipality or site conditions. The landscape contractor shall remove wires after a one year period.
- No canopy tree shall be located within 15' of an overhead utility. No tree shall be located within a public utility easement. Locating plant materials within a drainage easement is acceptable, but only if installed as not to disturb existing drainage flow. In such instances, the materials shall be located no closer than 5' from the centerline of drainage.
- Lighting plan to be coordinated with proposed planting plan. no light poles to be located in tree islands. See lighting plan for proposed light locations.

## NDOT Notes

- All work within the public right of way requires an excavation permit from NDOT.
- Proof-rolling of all street subgrades is required in the presence of the public works inspector. Inspection of the binder course is required prior to final paving in the presence of the public works inspector. These requests are to be made 24 hours in advance.
- Stop signs are to be 30 inch by 30 inch.
- Street signs to have six inch white letters on a nine inch green aluminum blade, high intensity reflective.
- All pavement marking are to be thermoplastic.
- The Developer's final construction drawings shall comply with the regulations established by NDOT in effect at the time of the approval of the Preliminary Development Plan or Final Development Plan or Building Permit, as applicable. Final Design may vary based upon field conditions.
- Comply with the NDOT Traffic Engineer upon the Final Plan to insure adequate sight distance is provided
- Final constructions plans shall comply with the design regulations established by the NDOT. Final design and improvements may vary based on actual field conditions.
- All sidewalks required per the MCSP shall meet NDOT standards and are to be within dedicated right of way
- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions.
- On final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity.
- A private hauler will be required for waste/recycle disposal.
- Driveway spacing and parking per Metro Code

## Phasing

Project to be completed in one or more phases.

## Architectural Requirements

- Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 15% glazing.
- Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers.
- EIFS, vinyl siding and untreated wood shall be prohibited.
- Building exterior to be 100% masonry using as combination brick, stone, cementous siding, and other concrete and masonry products
- Minimum total building floor area to be a minimum of 3,000 square feet

## Erosion Control and Grading Notes

- Expose as small an area of soil as possible on the site for no more than 15 days. Keep dust within tolerable limits by sprinkling or other acceptable means.
- All cut/fill areas to have a minimum of 6" of topsoil cover. Areas dressed with topsoil shall receive 12 lbs. per 1000 sq. ft. of 10-10-10 fertilizer (unless otherwise specified in written specifications). 5 lbs. or more of Kentucky 31 fescue seed per 1000 sq. ft., and a straw mulch cover of 70%-80% coverage (approximately 125 lbs. per 1000 sq. ft.), unless otherwise noted within written specifications.
- Erosion control barrier is called out on plans and is to comply with the Metropolitan stormwater management manual, volume four, section TCP-14.
- Disturbed areas are to be graded to drain as indicated in the plan to sediment barriers during and upon the completion of construction.
- The contractor shall be responsible for the verification and the location of any existing utilities. It shall be the responsibility of the contractor to avoid damage to all existing utilities during construction. If damage does occur to any such installation, full repair will be accomplished as per the current specification governing such work.
- Any access routes to the site shall be based with crushed stone, ASTM #1 stone, 100' long and at least 6" thick.
- The placing and spreading of any fill material is to be started at the lowest point and brought up in horizontal layers of 8" thickness (or as directed by the soils investigative report). Said fill material is to be free of sod, roots, frozen soils, or any other decomposable material. Said fill is to be compacted to a minimum of 95% standard proctor, or as otherwise specified by the soils report or written specifications.
- The contractor shall notify the Metro NDOT and WATER SERVICES construction compliance division, three days prior to beginning the work.
- The contractor shall locate and stake the layout of the site in the field for inspection by the engineer. The contractor shall check the grades and final dimensions on the ground, and report any discrepancies to the engineer immediately for a decision.
- Surplus excavation of topsoil shall be placed on the site as approved by the owner for the purpose of future landscape use.
- The contractor shall furnish and install all necessary temporary works for the protection of the public and employees, including warning signs and lights.
- The contractor shall be responsible for any damage done to the premises or adjacent premises or injuries to the public during the construction caused by himself, his sub-contractors, or the carelessness of any of his employees.
- All work is to be completed with compliance to the rules and regulations set forth by Metro Water Services and NDOT. The contractor shall give all necessary notice, obtain all permits, and pay fees required for the completion of his portion of the work. He shall also comply with all city, county and state laws and ordinance or regulations relating to portions of work which he is to perform.
- All erosion control measures shall remain in place until site is stabilized & construction is complete.
- Contractor to provide an area for concrete wash down and equipment fueling in accordance with metro CP-10 and CP-13, respectively. Contractor to coordinate exact location with NPDES department during the pre-construction meeting. Grading permittee to include bmp's designed to control site wastes such as discarded building materials, chemicals, litter and sanitary wastes that may cause adverse impacts to water quality. The location of and/or notes referring to said bmp's shall be shown on the EPSC plan.
- The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations.
- Drawing is for illustration purposes to indicate the basic premise of the development, as it pertains to storm water approval / comments only. The final lot count and details of the plan shall be governed by the appropriate Storm Water regulations at the time of final application.

## Standard SP Notes

- The purpose of this SP is to receive preliminary approval for 36 single family lots
- Any excavation, fill or disturbance of the existing ground elevation must be done in accordance with Storm Water Management Ordinance No. 78-840 & Approved by the Metropolitan Department of Water Services.
- This Property Does Not Lie Within a Flood Hazard Area as Depicted on the Current Flood Insurance Rate Maps (FIRM) Numbers 47037CO388H dated 4/5/2017.
- All public sidewalks are to be constructed in conformance with metro public works sidewalk design standards.
- Wheel chair accessible curb ramps, complying with applicable metro NDOT standards, shall be constructed at street crossings.
- The required fire flow shall be determined by the metropolitan fire marshal's office, prior to the issuance of a building permit.
- Size driveway culverts per the design criteria set forth by the Metro Stormwater Manual (minimum driveway culvert in Metro right of way is 18" RCP).
- Metro Water Services shall be provided sufficient & unencumbered ingress & egress at all times in order to maintain, repair, replace & inspect any stormwater facilities within the property.
- Landscaping and tree density requirements per Metro Zoning Ordinance.
- 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.
- For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of commission or council approval, the property shall be subject to the standards, regulations and requirements of the RS10 zoning district as of the date of the applicable request or application.
- The final unit count and details of the plan shall be governed by the appropriate regulations at the time of final application.
- The final site plan / building permit site plan shall depict 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 issuance of use and occupancy permits, existing vertical obstructions shall be located outside of the required sidewalks. Vertical obstructions are only permitted within the required grass strip or frontage zone.
- All development within the boundaries of this plan meet the requirements of the Americans with Disabilities Act and the Fair Housing Act.
- Each lot shall be limited to one driveway

## Edmonson Pike Improvement Requirements

This development is required to provide roadway improvements per the NDOT Designation: T3-R-ABS

Standard Right-of-Way: 96 feet

Half of Standard Right-of-Way: 48 feet

Planting Strip Width: 8.00 feet

Sidewalk Width: 6.00 feet

Bike Lane : 8.00 feet

Roadway improvements will be designed and constructed per the requirements of the Metro Nashville Department of Public Works

## Landscape Buffering Requirements

Existing vegetation will be maintained along the perimeter of the property. Where the property abuts the existing residential and SP Zoning, the existing perimeter vegetation will be supplemented in order to establish a Class "B" Buffer

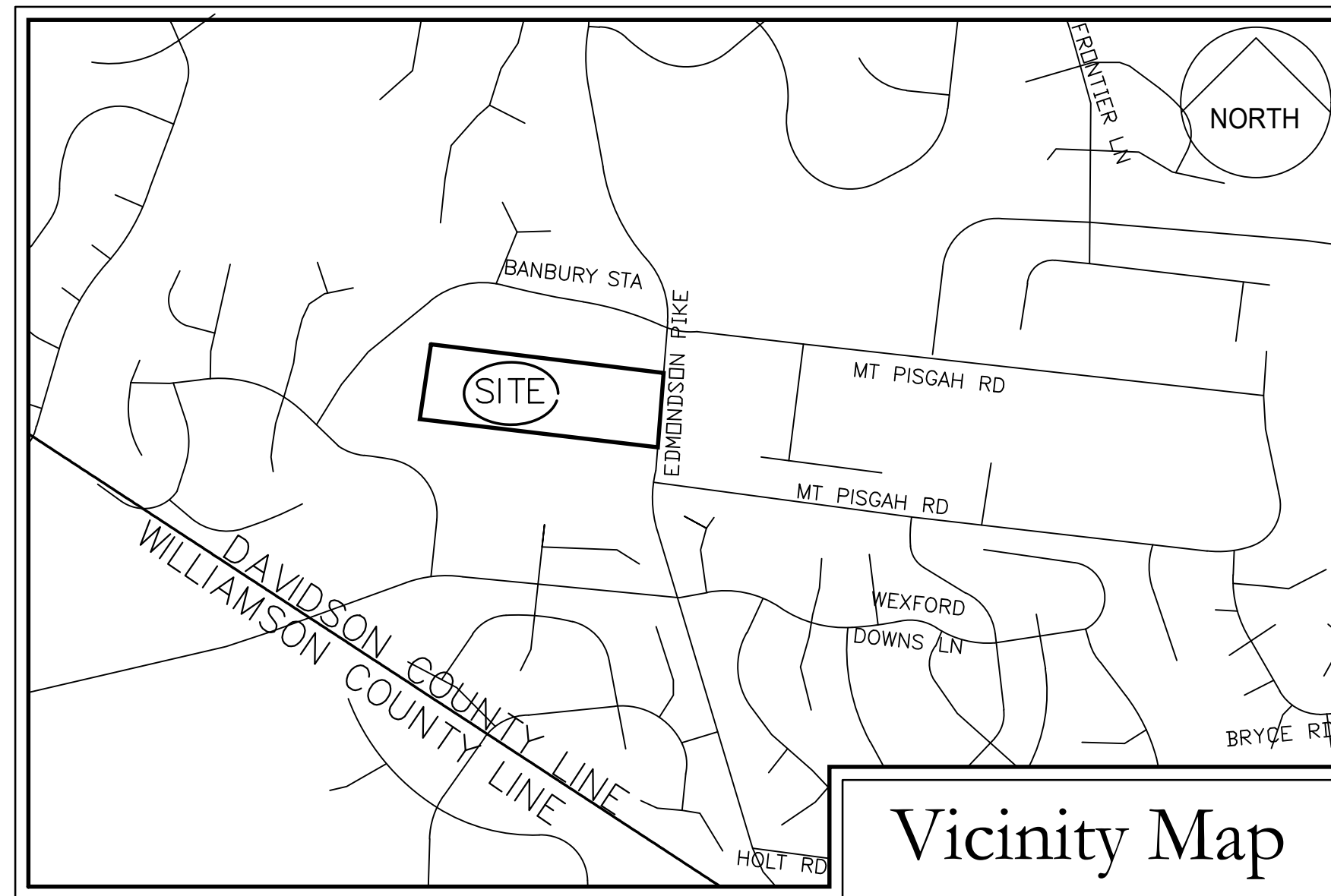
## Traffic Engineer

Prior to the submittal of a Final SP, A Traffic Access Study Shall Be Scoped By The Metro Traffic Engineer and a Resulting Traffic Access Study Shall Be Completed and Submitted to the Traffic Engineer For Review and Approval. All Traffic Improvements Warranted by Said Study Shall Be Designed and Submitted with the Application for The Final SP. Current Estimated Sight Distance Exceeds 500 feet North and South

Any final site plan shall include plans for traffic improvements at the intersection of Banbury Sta, Edmonson Pike, and Mt Pisgah Road. These improvements are intended to improve the safety of the intersection. Improvements may be in the form of a traffic circle and/or other traffic calming device(s) as approved by the Nashville Department of Transportation. Prior the recording of any final plat, the traffic improvements shall be constructed and accepted and/or bonded.

# A Preliminary SP Overland Park SP

Case No. 2022SP-010-001  
Being Parcels 97 and 98 on Tax Map 172  
Nashville, Davidson County, Tennessee



## GENERAL PLAN CONSISTENCY NOTE

T3 Suburban Neighborhood Maintenance (T3-NM) areas will experience some change over time, primarily when buildings are expanded or replaced. Efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use, and the public realm. Where transportation infrastructure is insufficient or not present, enhancements may be necessary to improve pedestrian, bicycle, and vehicular connectivity. T3-NM areas tend to be dominated by single-family detached and two-family flex housing; but may also contain other building types, such as tri- and quad-plexhouses, townhouses, low-rise flats, and courtyard flats.

This SP meets the goals of the T3-NM Policy by providing a transitional mixture of housing needed in this area. The lots within this development are generally comparable in size as the surrounding lots. Although the adjacent property is zoned R40/PUD, the density of the PUD is similar to the density proposed within this development. This development will widen Edmonson Pike and provide sidewalks where none currently exist.

## Stormwater Notes

- This site is responsible for water quality and water quantity, individual lots may have private infill stormwater features.
- Design of stormwater features will be provided during the final SP process.
- Storm sewer system on this plan is shown schematically. Final design will be provided during the final SP process and will meet the requirements of the stormwater management manual.
- This project will disturb more than 1 acre, therefore, a NOI will be submitted to TDEC during final SP process.
- This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.
- (Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.)
- (The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations.)
- (Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)
- (Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 18" RCP).
- Approved as a Preliminary SP only. Public and/or private Water and Sanitary Sewer construction plans must be submitted and approved prior to Final Site Plan/SP approval. The approved construction plans must match the Final Site Plan/SP plans. Submittal of an availability study is required before the Final SP can be reviewed. Once this study has been submitted, the applicant will need to address any outstanding issues brought forth by the results of this study. A minimum of 30% W&S Capacity must be paid before issuance of building permits.

## NES Notes

- NES can meet with developer upon request to determine service options.
- NES shall be placed in 20" PUE" along the front of each property.
- This phase will need to have underground power that will be connected to stubouts from phase 1 and phase 1B.
- NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules (see NES Construction Guidelines under "Builders and Contractors" tab @ www.nespower.com).
- Final quantity and location of NES equipment to be determined by the NES Engineer after reviewing final plans and electrical load information. A preliminary Exhibit 'B' design will be sent to the developer or representatives of the developer for review. Suggestions or requests to the design should be made during this review process. Any changes requiring re-design, after this document has been signed, will be at the developer's expense.
- Developer's vegetation design shall meet both Metro requirements and NES Vegetation Management requirements/clearances.
- NES facilities will not be allowed to sit in or to pass through retention areas including rain gardens, bio-retention, bio swales and the like. This includes primary duct between pad-mounted equipment, as well as service duct to a meter or meter center.
- NES needs electrical load information including any house, irrigation, pump, or compactor services.
- Postal plan is required before NES's final construction drawings can be approved.

## TO APPLY FOR SERVICE:

DIGITAL COPY: Provide copy of civil site plan on a CD (no pdfs; no x-ref's in .dwg file) registered to the TN State Plane Coordinate System, North American Datum 1983 (NAD83) with NO Datum Adjustment applied. Put data in separate layers and label them for easy identification.

Developer/Engineer will provide one complete set of approved plans by Metro Planning w/ all changes from other departments (fire, storm water, public works, etc...) to NES.

Developer/Engineer to provide a proposed easement drawing for the electric, phone and CATV. .

Go to www.nespower.com click on the "BUILDERS & CONTRACTORS" tab. Next click on the "Apply for Residential Subdivision" fill out the form. Then follow the direction for sending the digital drawing and the forms.

## Fire Marshall

Limited building detail, and/ or building construction information provided. Construction must meet all applicable building and fire codes. Any additional fire code or access issues will be addressed during the construction permitting process. Future development or construction may require changes to meet adopted fire and building codes.

## Architectural Requirements

- Building façades fronting a street shall provide a minimum of one principal entrance (doorway) and a minimum of 15% glazing.
- Windows shall be vertically oriented at a ratio of 1.5:1 or greater, except for dormers.
- Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
- Porches shall provide a minimum of six feet of depth.
- A raised foundation of 18" - 36" is required for all residential structures.

## Development Summary

Property Information	Developer	Electric Service
Map 172 Parcel 97 5991 Edmondson Pike Nashville, TN 37211 Zoned: R40	Beazer Homes Will Smith 501 Corporate Centre Drive Franklin, TN 37076 Phone: 931-273-4746 Email: will.smith@beazer.com	Nashville Electric Service (NES) 1214 Church Street Nashville, Tennessee 37246 615.747.6807
Map 172 Parcel 98 William and Reba Kimbro 5997 Edmonson Pike Nashville, TN 37211 Zoned: R40	Civil Engineer and Surveyor Dale & Associates (Roy Dale, PE) 516 Heather Place Nashville, Tennessee 37204 615.297.5166	Gas Service Nashville Gas (Piedmont) 615.734.0734
Total Site Area: 14.6 Ac	Floodnote This Property Does Not Lie Within a Flood Hazard Area as Depicted on the Current Flood Insurance Rate Maps (FIRM) Number 47037CO388H dated 4/5/2017.	Water and Sewer Service Metro Water Service 1600 2nd Avenue North Nashville, TN 37208 615.862.4598
Council District 4 - Robert Swope		Telephone Service BellSouth 866.620.6000
		Utility Location Tennessee One-Call 800.351.1111

## Specific Plan Development Summary

Uses	Single Family Homes
Project Area	14.6 Acres
Property zoning: R40	Surrounding Zoning: R40/ PUD
Fall Back Zoning	RS10
Minimum lot size	12,000 SF
Max Bldg Coverage	0.40
Density	36 Lots/ 2.47 Units Per Acre
Street Setbacks	20' from prop. R.O.W. /40' from Edmondson Pk
Side yard	10'
Rear yard	35' (20 ft from landscape easement)
Height standards	Three Stories in 40 feet
Area In Open Space	76,300 sf ( 12.3%)

# Sheet Schedule

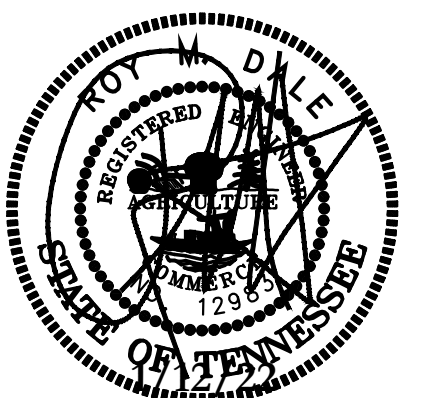
## C1.0 Notes & Project Standards

## C2.0 Existing Conditions

## C3.0 Proposed Overall SP Layout

## C4.0 Proposed Overall SP Layout Without Contours

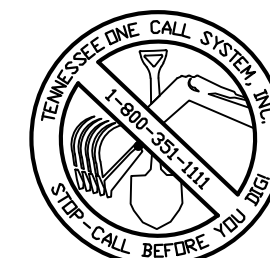
## C5.0 Details



REV 2/12/22

REV 2/26/22

REV 3/10/22



**Dale & Associates**  
Civil Engineering  
Land Planning & Zoning  
Surveying  
516 Heather Place  
Nashville, TN 37204  
(615) 297-5166

Case No 2022SP-010-001

# C1.0

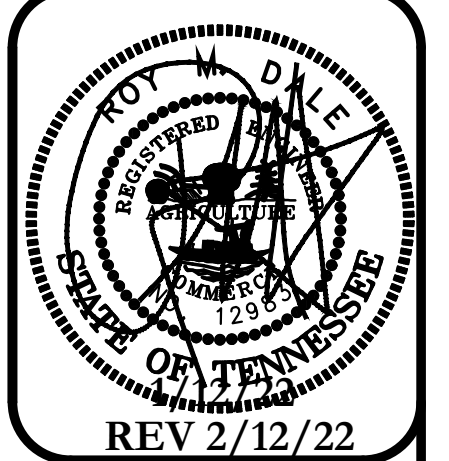
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Revisions

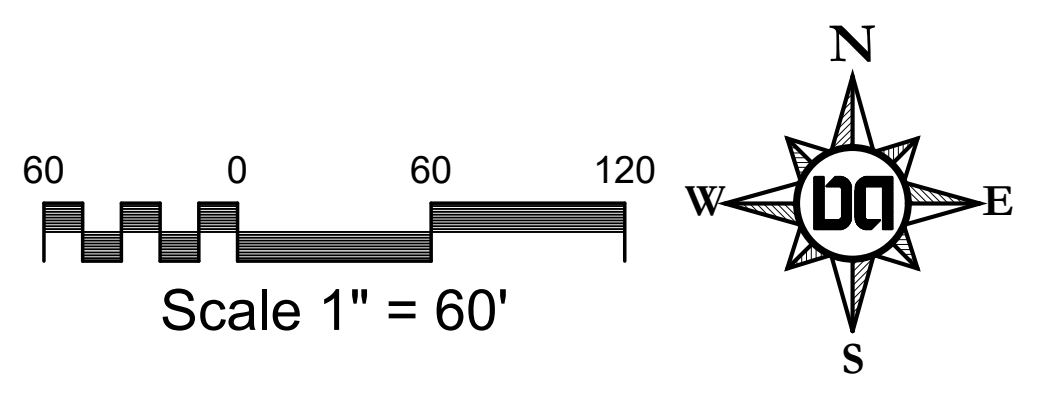


A Preliminary SP  
**Overland Park SP**  
 Being Parcels 97 and 98 on Tax Map 172  
 Nashville, Davidson County, Tennessee

Parcel ID	Owner	Property Address	Property City	State	Zip
1	172090A036	PATRA, ABHIRUP & GHOSH, DIYA	6201 BANBURY STA	BRENTWOOD	TN 37027
2	172090A035	WHITTINGTON, EDWARD H. & PATSY JKLE) & KENNETH	6205 BANBURY STA	BRENTWOOD	TN 37027
3	172090A033	MASSEY, JAMES & TANYA A.	105 TILBURY CIR	BRENTWOOD	TN 37027
4	172090A032	ST. PIERRE, MICHAEL H.	104 TILBURY CIR	BRENTWOOD	TN 37027
5	172090A029	LAW, BILLY JOE & CAROL B.	205 BANBURY CLOSE	BRENTWOOD	TN 37027
6	172090A028	BONANTE, CAROL T.	208 BANBURY CLOSE	BRENTWOOD	TN 37027
7	172090A023	PEARSALL, RICHARD LEE JR	309 TURNBERRY CIR	BRENTWOOD	TN 37027
8	172090A022	ANDERSON, MOLLY & JOSEPH DAVID	308 TURNBERRY CIR	BRENTWOOD	TN 37027
9	172090A016	HINDS, WILLIAM L. & JULIE P.	408 QUEENSBURY CT	BRENTWOOD	TN 37027
10	172090A015	ADCOCK, ROBERT JEFF & DAWN WILSON	404 QUEENSBURY CT	BRENTWOOD	TN 37027
11	172090A034	BAGIROV, RUSLAN & VICTORIA	6213 BANBURY STA	BRENTWOOD	TN 37027
12	172090A905	BANBURY CROSSING HOMEOWNERS ASSOCIATION, INC.	0 BANBURY STA	BRENTWOOD	TN 37027
13	172090A095	TROPEZ-SIMS, SUSANNE	509 BANSHIRE CT	BRENTWOOD	TN 37027
14	172090A084	CHARLES, EDEL & BONNIE	609 BANBURY PL	BRENTWOOD	TN 37027
15	172090A083	GARNER TENNESSEE COMMUNITY PROPERTY TRUST, THE	613 BANBURY PL	BRENTWOOD	TN 37027
16	172090A082	VARGO, LINDSEY ANNE & RENICK, JONATHAN BRADLEY	617 BANBURY PL	BRENTWOOD	TN 37027
17	172090A081	WILSON, FRANK L. & KAY R.	621 BANBURY PL	BRENTWOOD	TN 37027
18	172090A080	ELLIOTT, FLOYD S. JR. & SUSAN F.	625 BANBURY PL	BRENTWOOD	TN 37027
19	172090A098	MARSHALL, AARON W. & JACQUELINE A.	5999 EDMONDSON PIKE	NASHVILLE	TN 37211



REV 2/12/22  
 REV 2/26/22  
 REV 3/10/22



**Existing Conditions**



**Dale & Associates**  
 Civil Engineering & Land Planning & Zoning  
 Surveying  
 516 Heritage Place  
 Nashville, TN 37206  
 (615) 297-5106

Case No 2022SP-010-001

**C2.0**



A Preliminary SP  
**Overland Park SP**  
 Being Parcels 97 and 98 on Tax Map 172  
 Nashville, Davidson County, Tennessee

**Standard SP Notes**

- The purpose of this SP is to receive preliminary approval for 36 single family lots
- Any excavation, fill or disturbance of the existing ground elevation must be done in accordance with Storm Water Management Ordinance No. 78-840 & Approved by the Metropolitan Department of Water Services.
- This Property Does Not Lie Within a Flood Hazard Area as Depicted on the Current Flood Insurance Rate Maps (FIRM) Numbers 47037C0388H dated 4/5/2017.
- All public sidewalks are to be constructed in conformance with metro public works sidewalk design standards.
- Wheel chair accessible curb ramps, complying with applicable metro NDOT standards, shall be constructed at street crossings.
- The required fire flow shall be determined by the metropolitan fire marshal's office, prior to the issuance of a building permit.
- Size driveway culverts per the design criteria set forth by the Metro Stormwater Manual (minimum driveway culvert in Metro right of way is 18" RCP).
- Metro Water Services shall be provided sufficient & unencumbered ingress & egress at all times in order to maintain, repair, replace & inspect any stormwater facilities within the property.
- Landscape and tree density requirements per Metro Zoning Ordinance.
- 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.
- For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of commission or council approval, the property shall be subject to the standards, regulations and requirements of the RS10 zoning district as of the date of the applicable request or application.
- The final unit count and details of the plan shall be governed by the appropriate regulations at the time of final application.
- The final site plan / building permit site plan shall depict 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 issuance of use and occupancy permits, existing vertical obstructions shall be located outside of the required sidewalks. Vertical obstructions are only permitted within the required grass strip or frontage zone.
- All development within the boundaries of this plan meet the requirements of the Americans with Disabilities Act and the Fair Housing Act.
- Each lot shall be limited to one driveway.

**Edmondson Pike Improvement Requirements**

This development is required to provide roadway improvements per the NDOT Designation: T3-R-ABS  
 Standard Right-of-Way: 96 feet  
 Half of Standard Right-of-Way: 48 feet  
 Planting Strip Width: 8.00 feet  
 Sidewalk Width: 6.00 feet  
 Bike Lane : 8.00 feet  
 Roadway improvements will be designed and constructed per the requirements of the Metro Nashville Department of Public Works

**Landscape Buffering Requirements**

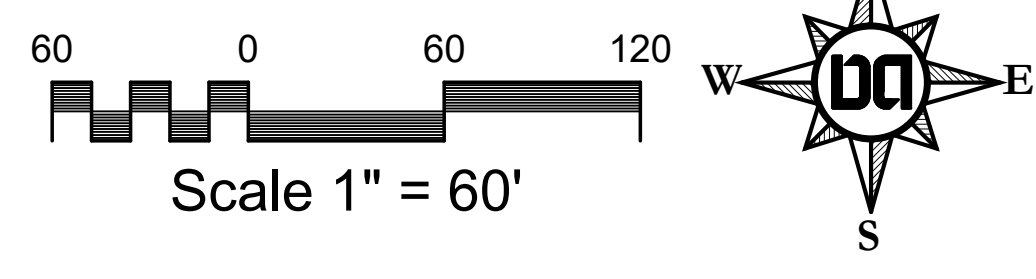
Existing vegetation will be maintained along the perimeter of the property. Where the property abuts the existing homes, the existing perimeter vegetation will be supplemented in order to establish a Class "B" Buffer Within a 15 Foot Wide Landscape Easement

**Traffic Engineer**

Prior to the submittal of a Final SP, A Traffic Access Study Shall Be Scoped By The Metro Traffic Engineer and a Resulting Traffic Access Study Shall Be Completed and Submitted to the Traffic Engineer For Review and Approval. All Traffic Improvements Warranted by Said Study Shall Be Designed and Submitted with the Application for The Final SP. Current Estimated Sight Distance Exceeds 500 feet North and South

Any final site plan shall include plans for traffic improvements at the intersection of Banbury Sta, Edmondson Pike, and Mt Pisgah Road. These improvements are intended to improve the safety of the intersection. Improvements may be in the form of a traffic circle and/or other traffic calming device(s) as approved by the Nashville Department of Transportation. Prior to the recording of any final plat, the traffic improvements shall be constructed and accepted and/or bonded.

Lot #	Area	Lot #	Area
1	12075	21	12625
2	12075	22	12625
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4	12075	24	12625
5	12075	25	12625
6	12075	26	12625
7	12075	27	12100
8	12075	28	12625
9	12075	29	12625
10	12075	30	12625
11	12075	31	12625
12	12075	32	12625
13	12075	33	12625
14	12075	34	12100
15	12075	35	12100
16	12075	36	12100
17	12075		
18	14700		
19	12625		
20	12625		



Specific Plan Development Summary	
Uses	Single Family Homes
Project Area	14.6 Acres
Property zoning: R40	Surrounding Zoning: R40/ PUD
Fall Back Zoning	RS10
Minimum lot size	12,000 SF
Max Bldg Coverage	0.40
Density	36 Lots/ 2.47 Units Per Acre
Street Setbacks	20' from prop. R.O.W. /40' from Edmondson Pk
Side yard	10'
Rear yard	35' (20 ft from landscape easement)
Height standards	Three Stories in 40 feet
Area In Open Space	76,300 sf ( 12.3%)



REV 2/12/22  
 REV 2/26/22  
 REV 3/10/22

**Dale & Associates**  
 City Engineering  
 Land Planning & Zoning  
 516 Heather Place  
 Nashville, TN 37204  
 (615) 297-5166

**Proposed Overall SP Layout**

A Preliminary SP  
**Overland Park SP**  
Being Parcels 97 and 98 on Tax Map 172  
Nashville, Davidson County, Tennessee



**Standard SP Notes**

- The purpose of this SP is to receive preliminary approval for 36 single family lots
- Any excavation, fill or disturbance of the existing ground elevation must be done in accordance with Storm Water Management Ordinance No. 78-840 & Approved by the Metropolitan Department of Water Services.
- This Property Does Not Lie Within a Flood Hazard Area as Depicted on the Current Flood Insurance Rate Maps (FIRM) Numbers 47037CO388H dated 4/5/2017.
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- Wheel chair accessible curb ramps, complying with applicable metro NDOT standards, shall be constructed at street crossings.
- The required fire flow shall be determined by the metropolitan fire marshal's office, prior to the issuance of a building permit.
- Size driveway culverts per the design criteria set forth by the Metro Stormwater Manual (minimum driveway culvert in Metro right of way is 18" RCP).
- Metro Water Services shall be provided sufficient & unencumbered ingress & egress at all times in order to maintain, repair, replace & inspect any stormwater facilities within the property.
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 Sidewalk Width: 6.00 feet  
 Bike Lane: 8.00 feet  
 Roadway improvements will be designed and constructed per the requirements of the Metro Nashville Department of Public Works

**Landscape Buffering Requirements**

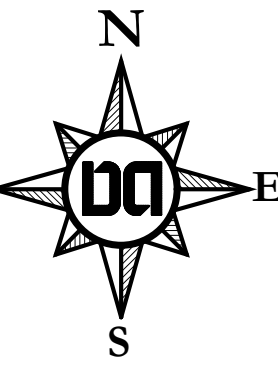
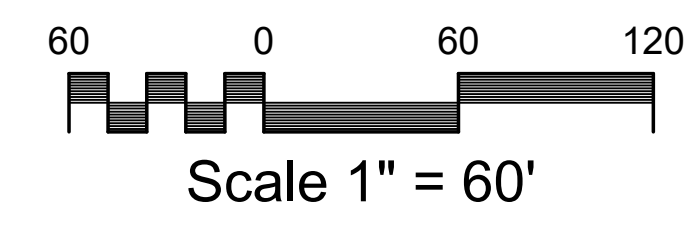
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**Traffic Engineer**

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 Estimated Sight Distance Exceeds 500 feet North and South

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Specific Plan Development Summary	
Uses	Single Family Homes
Project Area	14.6 Acres
Property zoning: R40	Surrounding Zoning: R40/ PUD
Fall Back Zoning	RS10
Minimum lot size	12,000 SF
Max Bldg Coverage	0.40
Density	36 Lots/ 2.47 Units Per Acre
Street Setbacks	20' from prop. R.O.W. /40' from Edmonson Pk
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Rear yard	35' (20 ft from landscape easement)
Height standards	Three Stories in 40 feet
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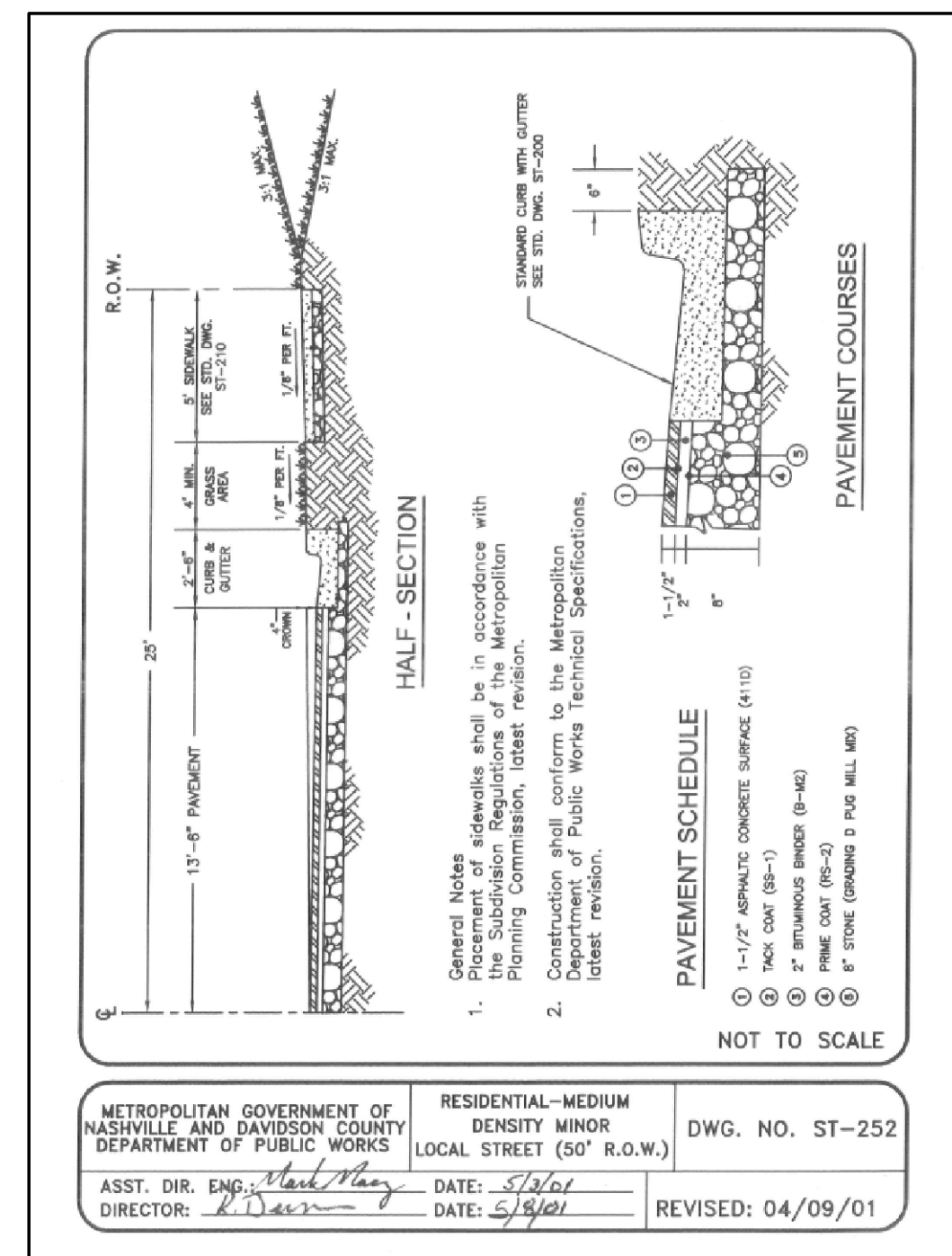
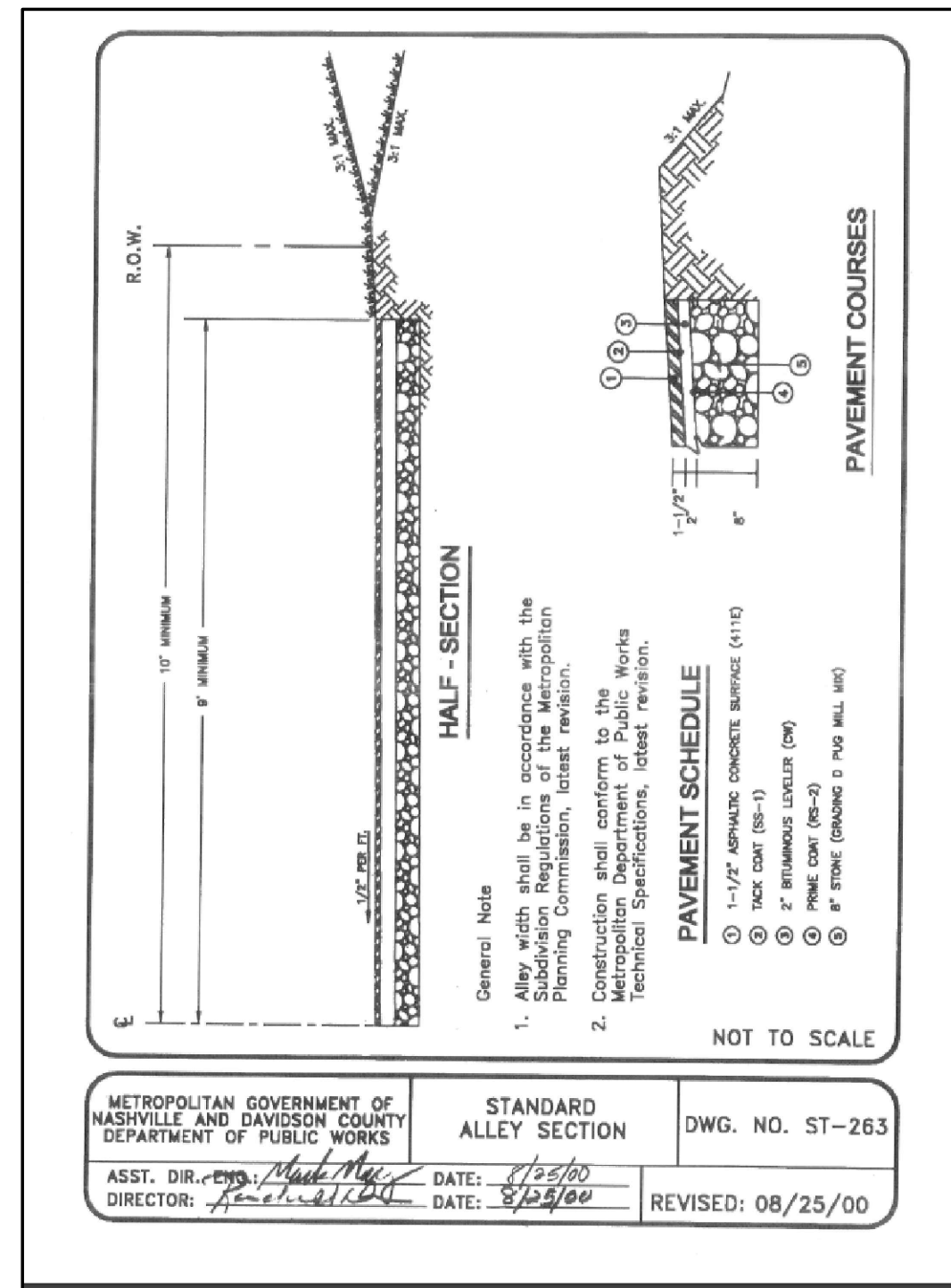
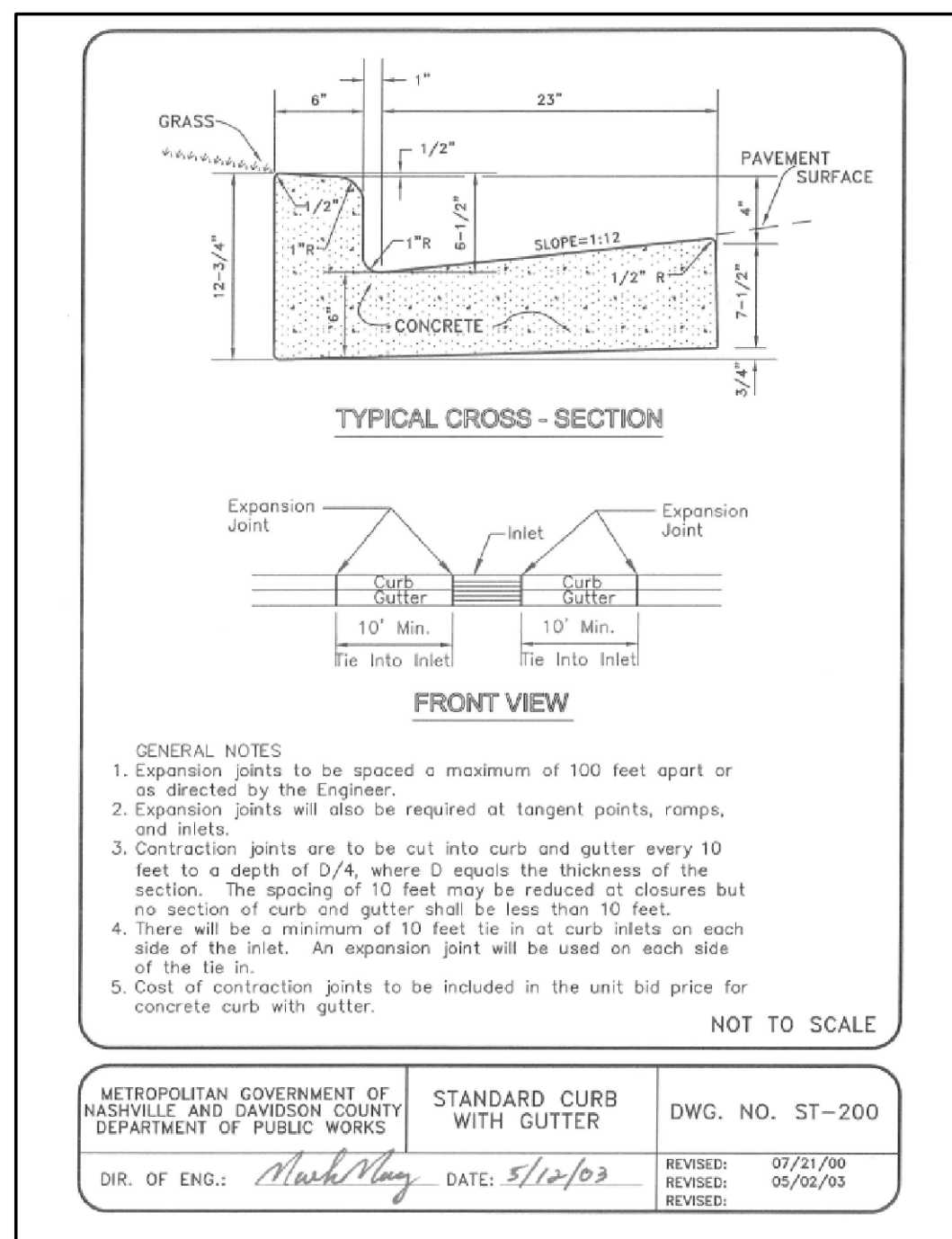


REV 2/12/22  
 REV 2/26/22  
 REV 3/10/22

**Dale & Associates**  
 Civil Engineering  
 Land Planning & Zoning  
 Surveying  
 516 Heather Place  
 Nashville, TN 37204  
 (615) 297-5566

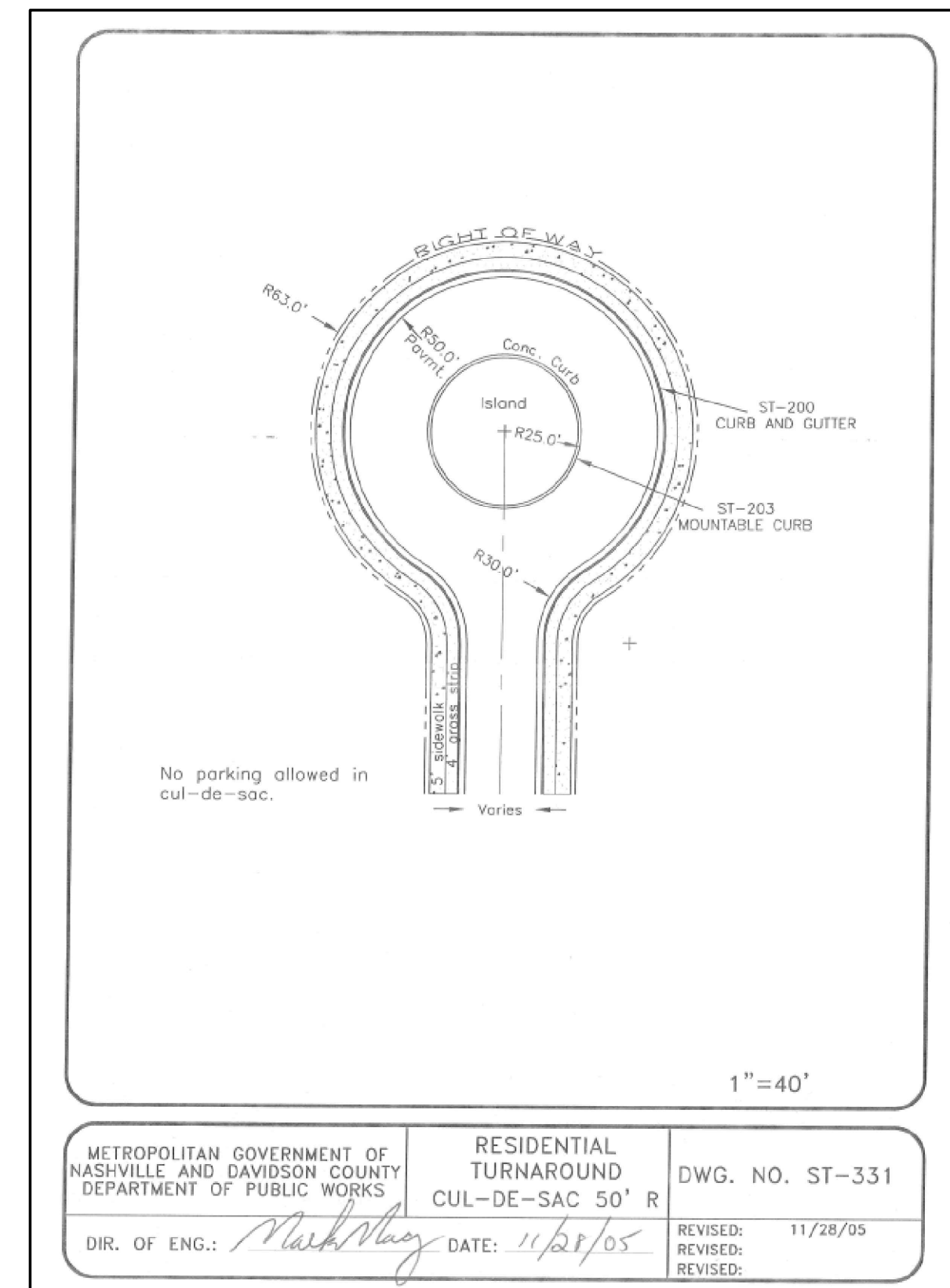
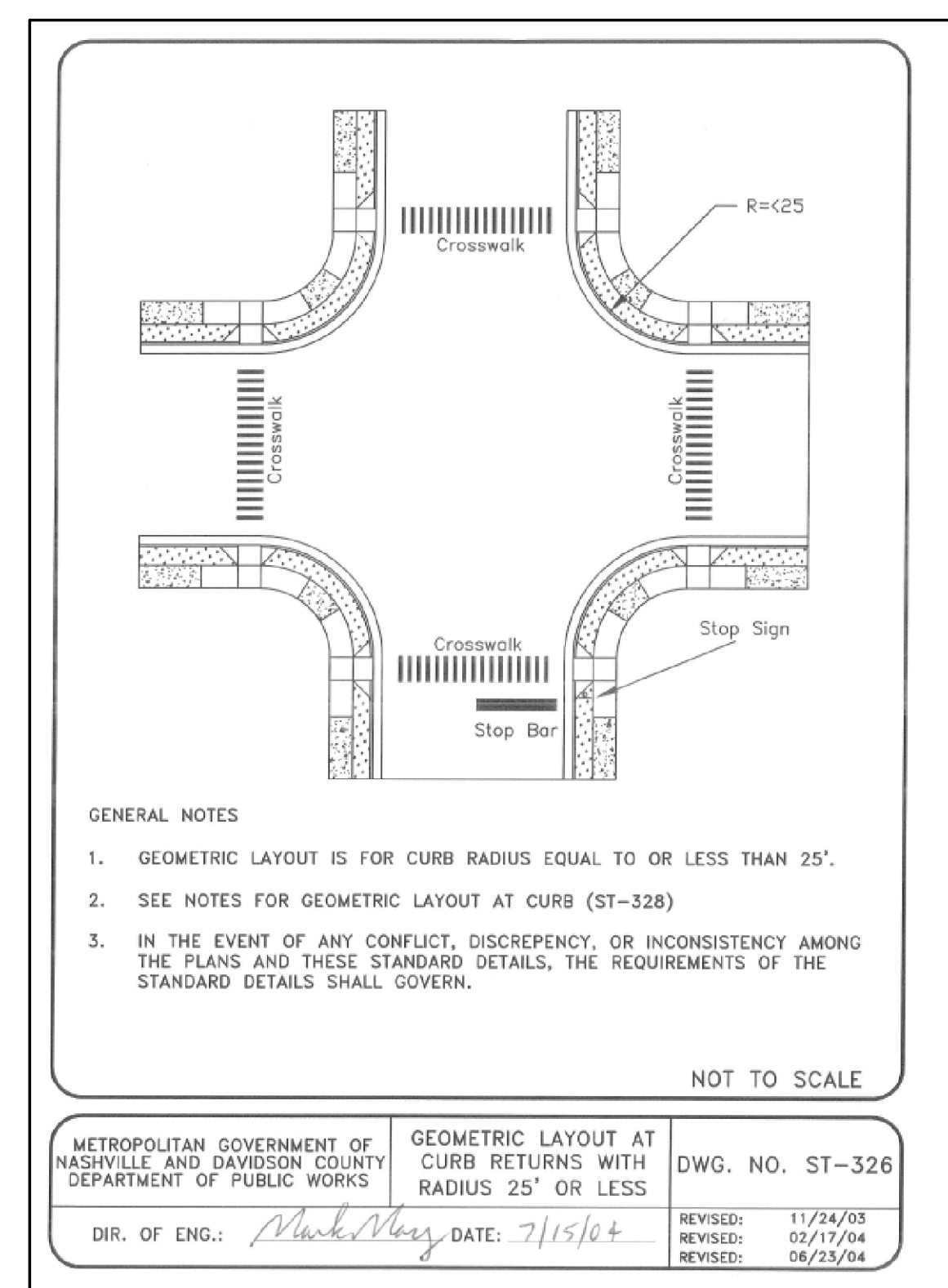
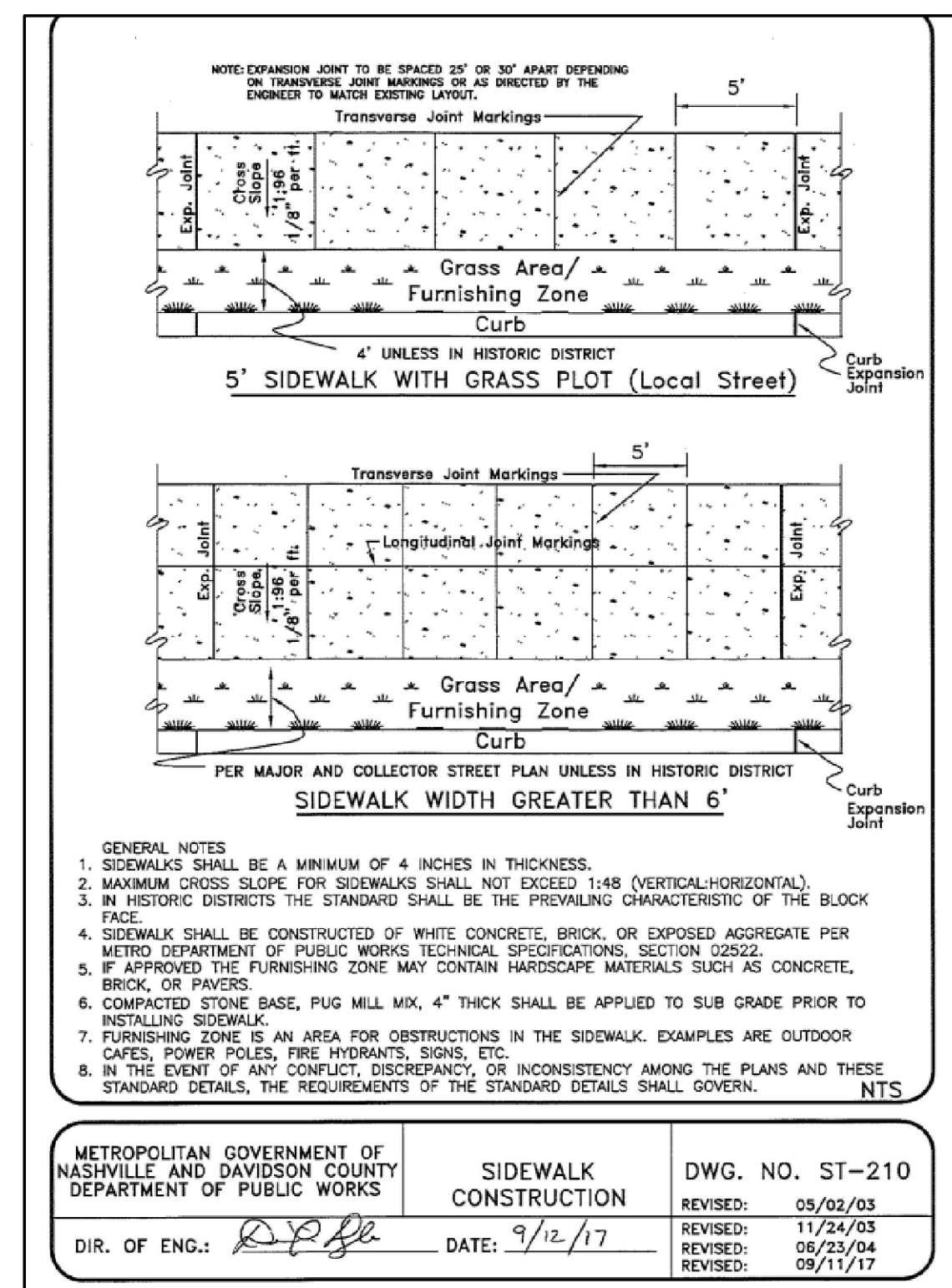
**Proposed Overall SP Layout Without Contours**





## NDOT Notes

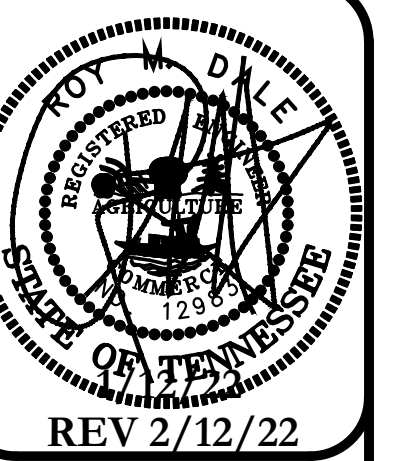
- All work within the public right of way requires an excavation permit from NDOT.
- Proof-rolling of all street subgrades is required in the presence of the public works inspector. Inspection of the binder course is required prior to final paving in the presence of the public works inspector. These requests are to be made 24 hours in advance.
- Stop signs are to be 30 inch by 30 inch.
- Street signs to have six inch white letters on a nine inch green aluminum blade, high intensity reflective.
- All pavement marking are to be thermoplastic.
- The Developer's final construction drawings shall comply with the regulations established by NDOT in effect at the time of the approval of the Preliminary Development Plan or Final Development Plan or Building Permit, as applicable. Final Design may vary based upon field conditions.
- Comply with the NDOT Traffic Engineer upon the Final Plan to insure adequate sight distance is provided
- Final constructions plans shall comply with the design regulations established by the NDOT. Final design and improvements may vary based on actual field conditions.
- All sidewalks required per the MCSP shall meet NDOT standards and are to be within dedicated right of way
- Final constructions plans shall comply with the design regulations established by NDOT. Final design and improvements may vary based on actual field conditions.
- On final: Callout roadway sections, ramps, sidewalks, curb & gutter, etc. per NDOT detail standards. Dimension ROW pavement widths for clarity.
- A private hauler will be required for waste/recycle disposal.



Drawing Date:

Revisions

A Preliminary SP  
**Overland Park SP**  
 Being Parcels 97 and 98 on Tax Map 172  
 Nashville, Davidson County, Tennessee



REV 2/12/22  
 REV 2/26/22  
 REV 3/10/22

**Dale & Associates**  
 Civil Engineering & Land Planning & Zoning  
 Surveying  
 516 Heaton Pike  
 Nashville, TN 37204  
 (615) 297-2166

Case No 2022SP-010-001

**C5.0**

Details

SUBSTITUTE ORDINANCE NO. BL2022-1205

An ordinance to authorize building material restrictions and requirements for BL2022-1204, a proposed Specific Plan Zoning District located at located at 5991 and ~~5994~~ 5997 Edmondson Pike, approximately 17-5 feet south of Banbury Station, (14.6 acres) (Proposal No. 2022SP-010-001). **THE PROPOSED ORDINANCE REQUIRES CERTAIN MATERIALS TO BE RESTRICTED IN THE CONSTRUCTION OF BUILDINGS.**

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

Section 1. That the following building material restrictions and requirements as a part of BL2022-1204, a proposed Specific Plan Zoning District located at 5991 and ~~5994~~ 5997 Edmondson Pike, approximately 175 feet south of Banbury Station, (14.6 acres) are hereby authorized:

- Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, and glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.

Section 2. 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:

\_\_\_\_\_  
Robert Swope  
Member of Council

AMENDMENT NO. \_\_\_\_  
to  
ORDINANCE NO. BL2022-1268

Mr. President:

I move to amend Ordinance No. BL2022-1268 by amending the following project as follows:

<u>Project</u>	<u>Project Amount</u>	<u>Method of Financing</u>
<b>Project No. 19SP0005</b> general Renovation of existing stadium; sources or construction of a new stadium.	\$2,200,000,000	To be funded with no obligation bonds. Funding to include contributions from the State and Team, and revenue bonds from the Sports Authority (debt service to be backed by <del>user-generated</del> <del>sales</del> tax, <del>tourism-oriented sources such</del> as the <del>Hotel Occupancy Tax</del> , and related funds <u>state and local option sales</u> and <u>hotel tax revenues statutorily</u> <u>designated by the State of</u> <u>Tennessee in</u> <u>Tennessee Code Annotated, Title</u> <u>67,</u> <u>and other funds and tourism-related</u> <u>sources).</u>

INTRODUCED BY:

\_\_\_\_\_  
Burkley Allen

\_\_\_\_\_  
Bob Mendes  
Members of Council, At-Large

AMENDMENT NO. \_\_\_\_  
TO  
RESOLUTION NO. RS2022-1545

Mr. President –

I hereby move to amend Resolution No. RS2022-1545 by replacing the existing Capital Project Cost Itemization Form with the Capital Project Cost Itemization Form attached to this amendment.

Sponsored by:

---

Courtney Johnston  
Member of Council

**CAPITAL PROJECT COST ITEMIZATION FORM**

**PARKS - Amenity Improvements**

CIB # **19PR0004**  
Date **5/17/2022**

**CAPITAL PROJECT NAME:** GENERAL PARK & AMENITY IMPROVEMENTS IN NEW AND EXISTING PARKS

**PROJECT DESCRIPTION:** Projects reflect deferred maintained construction, renovation and repairs to existing parks, facilities, and infrastructure based on Plan to Play. Includes Roofing, Building Mechanical, Paving, Playgrounds, Tennis and Basketball Courts, Bridges, Dog Parks, Electrical (Athletic/Parking Lot Lighting). Sustainable practices will be a priority on renovations and construction.

**PROJECT FUNDING HISTORY:**

Resolution #	Fund #	Account String	Total Allocated *
		N / A	

\* less any Contingency

**Will this allocation complete the funding for this project?** YES

**If Yes, what is the anticipated date to close-out the project?**

**If No, when is additional funding anticipated? (Phased project)**

**PROJECT COST ITEMIZATION:**

*BL2019-77: 5.04.150 Cost Itemization for capital projects. A. The Department of Finance shall develop a Capital Project Cost Itemization Form to be completed for all proposed capital projects with an estimated total value greater than \$5,000,000.00. Such form shall itemize the present value full projected costs, allowing for local market cost escalation, including, but not limited to, the following costs, as applicable:*

Land Acquisition	0.00
Environmental Compliance	0.00
Temporary Relocation	0.00
Architectural & Engineering	0.00
Design	0.00
Construction	22,000,000.00
Furniture, Fixtures & Equipment	0.00
Infrastructure Improvement	0.00
New and Supporting Technology	0.00
Utility-Relocation, Misc. Costs, etc.	0.00
Other Anticipated Project Costs *	0.00
<b>Total Funding Request</b>	<b>22,000,000.00</b>

\* Details of Other Anticipated Project Costs:

**ESTIMATED OPERATING BUDGET IMPACT:**

**Amount?**

What Fiscal Year will this Impact Operating Budget? FY23

Details - On Impact to Operating Budget

Form Prepared By: Rick Taylor

SUBSTITUTE RESOLUTION NO. RS2022-1563

A resolution accepting the terms of a cooperative purchasing master agreement for a cloud-based solution for scalable computing and storage related to computer-aided dispatch for the Department of Emergency Communication, the Metropolitan Nashville Police Department and other departments as approved by the Metropolitan Purchasing Agent.

WHEREAS, Tennessee Code Annotated § 12-3-1205(b) allows the Metropolitan Government of Nashville and Davidson County (“Metro”) to participate in a cooperative purchasing agreement for the procurement of any goods, supplies, services, or equipment with one or more governmental entities outside this state; and,

WHEREAS, Tennessee Code Annotated § 12-3-1205(b) allows Metro to participate in an out-of-state master agreement by adopting a resolution accepting the terms of the master agreement; and,

WHEREAS, the Purchasing Agent desires to participate in the master agreement between the County of Fairfax, Virginia and Insight Public Sector, Inc., a copy of which is attached hereto and incorporated herein.

WHEREAS, approval of the master agreement is in the best interest of the citizens of Davidson County.

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

Section 1. That the master agreement between the County of Fairfax, Virginia and Insight Public Sector, Inc., a copy of which is attached hereto and incorporated herein, is hereby approved.

Section 2. That this resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

\_\_\_\_\_  
Burkley Allen  
Member of Council

Resolution No. RS \_\_\_\_\_

A resolution appropriating a total of \$820,000 from a certain account of the FY21 FIN TN Direct Appropriation Grant to various nonprofit organizations selected to receive Public Safety Violence Reduction Pilot Grant Funds.

WHEREAS, as a part of the plan for expenditure of a direct appropriation grant from the State of Tennessee in the amount of \$10,000,000 adopted by Resolution No. RS2021-842, the Metropolitan Council appropriated \$2,000,000 to Public Safety Violence Reduction Pilot Grant Fund to be administered by the Mayor's Office; and

WHEREAS, Section 7-3-314 of the Tennessee Code Annotated states that metropolitan forms of government may provide financial assistance to nonprofit organizations; and

WHEREAS, Section 5.04.070 of the Metropolitan Code of Laws provides that the Council may, by Resolution, appropriate funds for the financial aid of nonprofit organizations; and

WHEREAS, the Community Safety Fund Advisory Board, chaired by Sharon Roberson and appointed by Mayor Cooper, convened to accept and review applications from nonprofit organizations to receive these Public Safety Violence Reduction Pilot Grant funds; and

WHEREAS, the Community Safety Fund Advisory Board has recommended that \$820,000 of the appropriated funds be distributed to fourteen specific nonprofit organizations to be used to support their programs to enhance safety in neighborhoods with high levels of gun violence; and

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that these funds be appropriated to these fourteen nonprofit organizations.

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

Section 1. There is hereby appropriated \$820,000 from Fund No. 30096 to fund grants to fourteen nonprofit organizations as follows:

- \$17,000 to Bridge Ministry to provide support for out of school programming during summer school break and materials for back-to-school.
- \$60,000 to Claiborne Family of Faith Worship Center to provide support for out of school services focusing on art, job training, peer mentoring, blight reduction, and meal prep.
- \$5,000 to Creative Girls Rock to provide out of school service focusing on art.
- \$100,000 to Elijah's Heart to provide out of school support and mentoring focusing on literacy and food security.
- \$10,000 to H.U.G.G.S for Inspirational Men and Women to provide employment focused life skills training.

- \$75,000 to Napier Kitchen Table to provide out of school support focused on job training and meal prep.
- \$48,000 to Neighborhood Health to provide individual mental health services.
- \$5,000 to Pass the Beauty to provide peer mentoring services focused on domestic violence awareness.
- \$237,000 to Raphah Institute to provide mental health services focused on community Restorative Justice and individual case management.
- \$113,000 to Rocketown to provide out of school services with and focus on athletics and mentorship.
- \$5,000 to Somali Community of Middle Tennessee to provide out of school services focused on athletics.
- \$5,000 to TeamCJColas to provide peer mentoring and safe transportation support for oncology patients.
- \$48,000 to Why We Can't Wait, Inc. to provide out of school services focused on employment and mentorship.
- \$92,000 to Youth Encouragement Services, Inc. to provide out of school educational and social emotional learning support.


Section 2. The Metropolitan Government is hereby authorized to enter into a grant contract with the nonprofit organizations listed in Section 1 above for the amount provided herein for the purposes stated. Such contract shall specify the terms and conditions under which the grant funds are to be spent. Such contract shall require the nonprofit organization to submit an end-of-the-year expenditure and activity report.

Section 3. That this Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO AVAILABILITY OF FUNDS:

INTRODUCED BY:

DocuSigned by:  
  
 Kelly Flannery, Director  
 Department of Finance

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

APPROVED AS TO FORM AND LEGALITY:

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

DocuSigned by:  
  
 Macy Amos  
 Assistant Metropolitan Attorney





**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

**JOHN COOPER  
MAYOR**

**OFFICE OF THE MAYOR  
METROPOLITAN COURTHOUSE  
NASHVILLE, TENNESSEE 37201  
PHONE: (615) 862-6000  
EMAIL: [mayor@nashville.gov](mailto:mayor@nashville.gov)**

To whom it may concern,

The presented resolution is being submitted as a late file due to the timing of the advisory board meeting associated with the selection of grant participants. In conjunction with the Memorial Day holiday, filing by the normal deadline for the Council Meeting was not feasible. Additionally, the time-sensitive nature of the associated grant contracts, most of which shall be set to begin summer 2022, necessitated addition into the June 7, 2022 Council Meeting.

A handwritten signature in black ink, appearing to read "Mike Lacy".

**Mike Lacy**

**John Cooper's Mayor's Office**

**Office of Community Safety**

Resolution No. RS2022- \_\_\_\_\_

A resolution approving the execution of the Second Amendment to the Agreement between the Metropolitan Government and the Nashville Downtown Partnership, amending their original contract and first amendment to it, and extending its term.

WHEREAS, the Metropolitan Government of Nashville and Davidson County (“Metro”) owns certain public parking facilities in the downtown Nashville area; and,

WHEREAS, Metro and the Nashville Downtown Partnership (collectively, the “Parties”) previously entered into an original contract on June 7, 2017 (“the Contract”) for the management of Metro’s parking facilities; and,

WHEREAS, the Contract was approved by Council by Ordinance No. BL2017-709, and Section 2 thereof stated, “[a]ny amendment to the Contract may be approved by resolution of the Metropolitan Council receiving at least 21 affirmative votes;” and,

WHEREAS, the Parties entered into the First Amendment amending the Contract on March 13, 2018 (“the First Amendment”), and Council approved same by adopting Resolution No. RS2018-1108; and,

WHEREAS, the Parties now wish to further amend the Contract and the First Amendment, and to extend the term of the Contract, by entering into the Second Amendment to the Agreement between the Metropolitan Government and the Nashville Downtown Partnership (“the Second Amendment”); and,

WHEREAS, the Metropolitan Traffic and Parking Commission recommended the approval and execution of the Second Amendment at their meeting on April 11, 2022.

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

Section 1. That the Second Amendment to the Agreement between the Metropolitan Government and the Nashville Downtown Partnership, attached hereto as Exhibit A, is hereby approved and execution thereof by the Director of the Department of Transportation and Multi-modal Infrastructure or her designee is hereby authorized.

Section 2. That this Resolution shall take effect, from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:



\_\_\_\_\_  
Diana Alarcon, Director  
Department of Transportation and  
Multi-modal Infrastructure

INTRODUCED BY:

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

MEMBER(S) OF COUNCIL

APPROVED AS TO AVAILABILITY  
OF FUNDS:

*Kelly flannery*

Kelly Flannery, Director  
Department of Finance

APPROVED AS TO FORM  
AND LEGALITY:

*Tara M. Ladd*

Assistant Metropolitan Attorney



**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

**JOHN COOPER  
MAYOR**

**NASHVILLE DEPARTMENT OF TRANSPORTATION  
AND MULTIMODAL INFRASTRUCTURE**

June 2, 2022

Dear Vice Mayor Shulman,

The Nashville Department of Transportation and Multimodal Infrastructure is requesting that the resolution to approve the extension of the Parking Management Contract with the Downtown Partnership be approved for late filing. Extending this contract is essential for continuing the management of downtown parking garages owned by Metro Nashville. The contract currently terminates the end of June. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Diana Alarcon".

Diana Alarcon  
Director

**SECOND AMENDMENT TO AGREEMENT BETWEEN THE METROPOLITAN GOVERNMENT AND THE  
DOWNTOWN PARTNERSHIP**

This Amendment is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the Metropolitan Government of Nashville and Davidson County, Tennessee, a political subdivision of the State of Tennessee, acting by and through the Metropolitan Traffic and Parking Commission ("Commission"), and the Nashville Downtown Partnership ("Partnership"), located at 150 4<sup>th</sup> Avenue, North, Suite G-150, Nashville, TN 37219 (collectively, "the Parties");

WHEREAS, the Parties previously entered into an original contract on June 7, 2017 ("the Contract"); and,

WHEREAS, the Parties entered into the First Amendment amending the Contract on March 13, 2018 ("the First Amendment"); and,

WHEREAS, the Parties now wish to further amend the Contract and the First Amendment, and to extend the term of the Contract.

NOW, THEREFORE, the parties agree as follows:

1. Except as explicitly provided herein, the terms and conditions of the Contract and the First Amendment are incorporated herein by reference, and will continue in full force and effect.
2. Section 5.1 of the Contract (and the identical Section 5.1 in the First Amendment, are hereby deleted in their entirety and replaced with the following:

5.1. The term of this contract will begin on the date this contract is signed by all required parties and filed in the office of the Metropolitan Clerk. METRO contemplates that the contract term will begin on or about June 7, 2017 (beginning date). The initial contract term will end seventy-eight (78) months from the beginning date.
3. Section 1.2 of the First Amendment is hereby deleted in its entirety and replaced with the following:

1.2 The PARTNERSHIP shall manage the Parking Facilities under the jurisdiction of METRO Department of Transportation and Multimodal Infrastructure (formerly Department of Public Works), Parking Division as of the Effective Date of this contract. The PARTNERSHIP's management of the Parking Facilities shall be subject to any other contracts in effect related to the Parking Facilities and subject to the COMMISSION's decisions regarding the Parking Facilities. Any agreements negotiated with third parties for use of parking spaces within the Parking Facilities shall be submitted to Department of Transportation and Multimodal Infrastructure for approval prior to presentation to the COMMISSION.
4. Section 1.3 of the First Amendment is hereby deleted in its entirety, and the subsequent sections shall be renumbered consecutively following Section 1.2.
5. Former Section 1.5 (now section 1.4) of the First Amendment is hereby deleted in its entirety and replaced with the following:

1.5 A yearly budget and operations forecast, including requests for capital expenses, will be prepared for review and approval as requested and defined by METRO. The yearly budget will include any requests for appropriations for capital improvements, marketing, access, shuttle support, Right of Way Landscaping Maintenance, Partnership Management Fee and parking ticket equipment upgrade and replacement. METRO will communicate the required dates for submitting this budget in accordance with annual Metropolitan Government operating budget process.

6. Section 6.7 of the First Amendment is hereby deleted in its entirety and replaced with the following:

6.7 The following expenses are deemed ordinary operating expenses and shall be paid by the PARTNERSHIP from Parking Facility Revenues in accordance with the annual budget approved by the COMMISSION each year: marketing, access, shuttle support, Right of Way Landscaping Maintenance and PARTNERSHIP Management expenses.

**THE METROPOLITAN GOVERNMENT OF NASHVILLE  
AND DAVIDSON COUNTY  
APPROVED AS TO PROJECT SCOPE:**

*Diana Walarca*

Department Head

**APPROVED AS TO COMPLIANCE WITH  
PROCUREMENT CODE:**

*Michelle A Hernandez Lane*

Purchasing Agent

**APPROVED AS TO AVAILABILITY OF FUNDS:**

*Kelly Flannery/TJE*

Director of Finance

**APPROVED AS TO PROOF OF INSURANCE:**

*Balogun Cobb*

Insurance Manager

**RECOMMENDED BY:**

*James Green*

Chair, Traffic and Parking Commission

**PARTNERSHIP**

Company: *Nashville Downtown Partnership*

BY: *Thomas D. Turner*

Print: *Thomas D. Turner*

Title: *President & CEO*

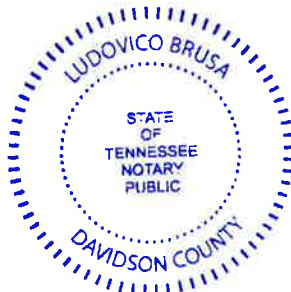
Sworn to and subscribed to before me, a

Notary Public, this *Wednesday* day

of *May 25*, 20*22*,

by *Ludovico Brusa*,

the \_\_\_\_\_  
of PARTNERSHIP and duly authorized to execute this  
instrument on PARTNERSHIP's behalf.



**APPROVED AS TO FORM AND LEGALITY:**



Metropolitan Attorney

**ATTESTED TO BY THE METROPOLITAN CLERK:**

Austin Kyle 6/2/2022 | 9:44 AM PDT  
Date: \_\_\_\_\_

State of Tennessee  
Notary Public

My Commission Expires 01/11/2026

AMENDMENT NO. \_\_\_\_\_

TO

SUBSTITUTE ORDINANCE NO. BL2021-971

Mr. President –

I hereby move to amend Ordinance No. BL2021-971, as substituted, by amending Section 1 as follows:

- I. By amending proposed Metropolitan Code of Laws Section 2.63.040 as follows:

2.63.040 - Director

The director of the Office of Homeless Services shall be appointed ~~and serve at the pleasure of~~ by the mayor from a list of three names submitted by the Nashville Davidson County Continuum of Care Homeless Planning Council.

SPONSORED BY:

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



SUBSTITUTE ORDINANCE NO. BL2022-1249

An ordinance establishing the tax levy in the General Services District for the fiscal year 2022-2023, and declaring the amount required for the annual operating budget of the Urban Services District, pursuant to section 6.07 of the Metropolitan Charter.

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

Section 1. That the tax levy for the General Services District of the Metropolitan Government of Nashville and Davidson County for the fiscal year 2022-2023 on each \$100.00 assessed value of all property, real, tangible personal, intangible personal and mixed, within the General Services District, shall be ~~\$2.920~~ \$2.922 prorated and distributed as follows:

1. General Fund	<del>\$ 1.297</del>	per \$100.00
	<u>\$ 1.299</u>	
2. School Fund	\$ 0.986	per \$100.00
3. Debt Service Fund	\$ 0.523	per \$100.00
4. School Debt Service Fund	<u>\$ 0.114</u>	per \$100.00
Total Levy General Services District	<del>\$ 2.920</del> <u>\$ 2.922</u>	per \$100.00

Section 2. That \$0.05 per \$100.00 of the revenue of the General Services District General Fund generated from this tax levy collected from the area of the Urban Services District will be deposited to the credit of the General Fund of the Urban Services District.

Section 3. Pursuant to Section 6.07 of the Charter, BE IT HEREBY DETERMINED AND DECLARED that the annual operating budget of the Urban Services District for the fiscal year 2022-2023 requires \$139,705,500 by a property tax levy therein, and the Urban Council is hereby directed to levy a tax upon all property, real, tangible personal, intangible personal and mixed, within the Urban Services District of \$0.332 per \$100.00 of assessed valuation, prorated and distributed as follows:

1. General Fund	\$ 0.283	Per \$100.00
2. Debt Service Fund	<u>\$ 0.049</u>	Per \$100.00
Total Levy Urban Services District	\$ 0.332	Per \$100.00

Section 4. This ordinance shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO AVAILABILITY OF FUNDS:

INTRODUCED BY:

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Kelly Flannery  
Director of Finance

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Burkley Allen

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Member(s) of Council

SUBSTITUTE ORDINANCE NO. BL2022-1250

An Ordinance to amend Title 2 of the Metropolitan Code of Laws to create the Nashville Entertainment ~~Commission~~ Industry Board.

WHEREAS, while it is recognized that the Music Recording and Live Event Industries have historically generated billions of dollars annually, and have prospered from industry focused Commissions and Boards over the past 25 years, the Nashville motion picture and television industries are in a completely different situation, because unlike music focused business's, the motion picture and television industry has been substantially and critically impacted and challenged by the advent of film incentives enacted by competing cities or states; and

WHEREAS, the Nashville Film Office that was originally formed in 1993 was substantially impacted through six different incarnations across three different Mayoral Administrations, where each new Administration used its incoming prerogative to reconstruct the Office, from its own independent entity, to a department under the Mayor's Office of Economic and Community Development, with increasing instability and limited effectiveness, ultimately eroding the Office in function and budget until 2007, when it was disbanded completely and the film permitting function moved the Parks Department; and

WHEREAS, in 2001 a group of film & television industry executives and production companies formed FilmNashville to collectively solicit out of state business and to foster a relationship between a Nashville Film Office and the Tennessee Film Commission, the group set up offices within the then Convention and Visitors Bureau in 2004, and to its credit, succeeded in compiling the first film/television Location and Production directory, which is still in use today; and

WHEREAS, in 2006, the State of Tennessee, via the Tennessee Film Commission, passed the Visual Content Act to compete with cities and states that already had or would soon create film incentives in the form of rebates, and/or transferable tax credits; and

WHEREAS, the Tennessee Film Commission subsequently changed its brand to the Tennessee Entertainment Commission to include other entertainment industries; and

WHEREAS, in 2018 the Tennessee Entertainment Commission and Tennessee Department of Economic and Community Development ("ECD") proposed and secured the passage of legislation for an expansion of the Visual Content Act to enable incentives to include feature films, television, video games, animation, digital entertainment and music scoring; and

WHEREAS, in 2021 the Tennessee Entertainment Commission and ECD proposed and secured passage of legislation for a new Franchise and Excise ("F&E") Tax Credit that could be applied to all entertainment industry categories served by the Tennessee Entertainment Commission; and

WHEREAS, any entertainment industry entity within Nashville will need to work with, and be in alignment with, the Tennessee Entertainment Commission in order to optimally utilize the new F&E tax incentive to generate much greater levels of entertainment industry activity in the Nashville area; and

WHEREAS, with the establishment of a Nashville Entertainment Industry Board, both the recruitment of out-of-state projects and development of locally created content would help drive tourism and additional tax revenues to Metro Nashville and further facilitate the packaging,

financing, and global distribution of intellectual property content created and owned by Nashvillians; and

WHEREAS, a Nashville Entertainment Industry Board that can both recruit and develop projects requires membership comprised of business leaders who have national and international relationships that can have bona fide transformational economic impacts; and

WHEREAS, there is a lack of diversity in the motion picture and entertainment industries of Nashville, not due to employer mandates, but because more thorough training and aspirational information is necessary at high school levels in all neighborhoods, with a coherent process established to flow students interested in entertainment careers upward to Nashville vocational colleges and universities, such a strategy for diversity would enrich the content created in Nashville; and

WHEREAS, the Tennessee Entertainment Commission has indicated that it would officially recognize an Entertainment Industry entity positioned in the Nashville Chamber of Commerce, the Nashville Convention & Visitors Corporation, or the Mayor's Office.

~~WHEREAS, Tennessee's entertainment sector includes more than 28,000 workers at 1,500 businesses. Over the last decade, motion picture and video production has grown by 57 percent and music production has grown by 37 percent; and~~

~~WHEREAS, in order to manage and foster this growth, the Metropolitan Government desires create a dedicated commission to assist and support the entertainment sector in Nashville and Davidson County; and~~

~~WHEREAS, a dedicated entertainment commission would help support and promote the entertainment industry, including its workforce, business services, and talent, by recruiting new entertainment projects to the state; and by helping local productions grow and enhance business; and~~

~~WHEREAS, an entertainment commission would foster Nashville and Davidson County's entertainment economy, including film, music, television, commercials, video games and virtual reality projects; and~~

~~WHEREAS, it is the desire of the Metropolitan Government for a newly created Nashville Entertainment Commission (NEC) to be temporarily staffed by the Mayor's Office of Economic and Community Development while endeavoring to establish a permanent Office of Music, Film and Entertainment in the future; and~~

~~WHEREAS, the creation of an entertainment commission is to the benefit of the citizens of Nashville and Davidson County.~~

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

Section 1. That Title 2 of the Metropolitan Code of Laws is hereby amended by creating a new Chapter 2.147 as follows:

Chapter 2.147 – Nashville Entertainment ~~Commission~~ Industry Board

2.147.010 – Established.

There is hereby established a Board to be known as the “Nashville Entertainment ~~Commission~~ Industry Board”, referred to in this chapter as ~~“commission.”~~ “Board.”

2.147.020 – Definitions.

“Music industry” means commercial activity that involves the production, distribution, and sale of music. Occupations in the music industry include, but are not limited to, recording artists, musicians, songwriters, composers, music producers, record label executives, recording studio owners, recording engineers, ~~music venue owners,~~ financing executives, publishing rights organization executives, and music marketing professionals.

“Film industry” means commercial activity that involves the production, distribution, and sale of film and television. Occupations in the film industry include, but are not limited to, actors, ~~film and television~~ studio executives, screenwriters, directors, casting agents, ~~film and television~~ producers, crew members, editors, and location scouts, videographers, voiceover artists, digital designers, film/television funding financiers, and film and television marketing professionals.

“Entertainment industry” means commercial activity that involves the production, distribution, and sale of entertainment, including the music industry and film industry. Occupations in the entertainment industry include, but are not limited to, occupations in the music industry, occupations in the film industry, entertainment related bankers, packaging/distribution financiers, managers, publicists, stylists, theatre companies, playwrights, theater directors, location scouts, videographers, voiceover artists, video game digital gaming designers, graphic software architects and video game developers other not listed entertainment industry marketing professionals.

2.147.030 – Membership and term of office.

~~The commission Board shall be composed of 15 9 members. Six members shall be appointed by the metropolitan council, four members shall be appointed by the mayor, and five members shall be nominated by members of the public and selected by the metropolitan council. Two members shall be appointed by the mayor and confirmed by the council. Three members shall be elected by the council. Two members shall be selected by the council from nominations submitted by the Nashville Convention & Visitors Corporation. Two members shall be selected by the council from nominations submitted by the Nashville Chamber of Commerce. One member must be a representative of an entertainment industry union, five members must be representatives of the music industry, five members must be representatives of the film industry, and four members must be representatives of the entertainment industry. All members shall hold occupations in either the Film Industry, Music Industry, or the Entertainment Industry (as defined herein) and should have substantial business relationships for the recruitment of productions both locally and out-of-state, or have existing relationships with project packaging entities, equity and lender financiers, world-wide sales agents, domestic and international distributors, merchandising specialists, and revenue collection companies for monetizing intellectual properties created in Nashville. Members of the commission Board shall serve without compensation. Except for the initial appointees, commission Board members shall serve staggered five three-year terms. Of the initial~~

members appointed, three members shall be appointed for one year, three members shall be appointed for two years, and three members shall be appointed for three years,~~three members shall be appointed for four years, and three members shall be appointed for five years.~~

#### 2.147.040 – Purpose of the ~~commission~~ Board

The purpose of the ~~commission~~ Board shall be to:

A. Endeavor to work closely with the Tennessee Entertainment Commission to establish and maintain operational connectivity to franchise & excise tax incentives and other opportunities for recruitment, promotion, and development of entertainment projects.

B. Provide necessary permitting, facilitation of locations for production through recommendation of available location scouts and managers, relations as necessary with police, fire department and security, maintenance of a directory of production personnel, vendors, soundstages, equipment rental, and all pragmatics that might be required for productions on any scale.

C. Establish, maintain and grow business relationships related to recruitment of entertainment industry to Nashville and Davidson County and development and promotion of the entertainment industry in Nashville and Davidson County, including the promotion of activities that merge different sectors of the entertainment industry, as well as economic development and job creation related to the entertainment industry.

D. Establish, maintain and grow awareness of entertainment industry opportunities throughout all neighborhoods in Nashville, including facilitating greater awareness at high schools in Metro Nashville of potential careers in the entertainment industry, facilitating practical pathways and training into Nashville vocational schools, two-year colleges, and university programs, culminating in guidance to career and business opportunities in the private sector.

~~A. Promote the production of music, television, film, commercials, documentaries, music videos, and video games in Nashville and Davidson County;~~

~~B. Market Nashville and Davidson County to regional, national, and international opportunities;~~

~~C. Promote job creation and economic development related to music, television, film, documentaries, music videos, and video games in Nashville and Davidson County; and~~

~~D. Promote gender and racial equity in the entertainment industry.~~

#### 2.147.050 – Powers and Duties.

In order to carry out ~~and facilitate the commission's general~~ the Board's purposes, ~~it~~ the Board shall have authority to:

A. Elect a chair and ~~such~~ other officers as ~~it may deem~~ necessary to carry out the functions and duties of the ~~commission~~ Board.

B. Promulgate and maintain ~~its own~~ regulations and bylaws; ~~and~~ for the Board.

C. Authorize and create committees focused on each of the following: recruitment of entertainment to Nashville and Davidson County, development of local entertainment opportunities, and awareness of career and business opportunities in the entertainment industry.

~~C. Conduct its affairs and select advisory committees or panels of experts as necessary to assist in the discharge of its duties.~~

2.147.060 – Staffing.

The executive director shall conduct the day-to-day business herein prescribed and hire additional staff, as necessary, to facilitate recruitment, development and daily functions of the responsibilities herein granted to the Board. The director of the mayor’s office of music, film and entertainment, or in the absence of such office, the director of the mayor’s office of economic and community development, shall serve as the executive director to the Board.

~~The director of the mayor’s office of economic and community development shall serve as executive director to the commission.~~

Section 2. This Ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by:

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Robert Swope  
Member of Council

AMENDMENT NO. 1  
TO  
ORDINANCE NO. BL2022-1252

Mr. President –

I hereby move to amend Ordinance No. BL2022-1252 by amending Section 1 as follows:

I. By amending propose Metropolitan Code of Laws Section 8.04.030, Subsection A, as follows:

A. For the purpose of this section, the following terms shall have the following meanings:

“Habitually” shall mean continuously ~~for a period of three minutes~~, or intermittently for one-half hour or more.

“Provocation” shall mean that the objectionable noise made by the animal was caused by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the animal, or was tormenting, teasing, abusing, or assaulting the animal, or was committing or attempting to commit a crime.

Sponsored by:

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Jennifer Gamble  
Member of Council



AMENDMENT NO. 2  
TO  
ORDINANCE NO. BL2022-1252

Mr. President –

I hereby move to amend Ordinance No. BL2022-1252 by amending Section 2 as follows:

- I. By modifying proposed Section 8.08.060, subsection B, as follows:
  - B. The general sessions court may impose such additional restrictions that it deems necessary, however, the court may not order the destruction of a level one dangerous dog, except as authorized in Section 8.08.050.
  
- II. By modifying proposed Section 8.08.070, Subsection B, as follows:
  - B. The general sessions court may impose such additional restrictions that it deems necessary, however, the court may not order the destruction of a level two dangerous dog, except as authorized in Section 8.08.050.

Sponsored by:

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Russ Bradford  
Member of Council

AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2022-1255

Mr. President –

I hereby move to amend Ordinance No. BL2022-1255 as follows:

- I. That Section 1 is hereby amended as follows:

Section 1. The Agreement is approved, and the Director of the Department of Parks and Recreation or her designee is authorized to accept and record it, provided that Section 3.b.iv.6 of the Agreement is amended to state the following: “use of motor vehicles (other than maintenance vehicles used by Metro in the fulfillment of its obligations hereunder). For the purposes of this agreement, electric bicycles are not considered motor vehicles;”.

Sponsored by:

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Bob Mendes  
Member of Council