



Metropolitan Council

**PROPOSED AMENDMENTS PACKET
FOR THE COUNCIL MEETING OF
TUESDAY, MARCH 4, 2025**

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AMENDMENT NO. 1
TO
ORDINANCE NO. BL2025-690

Madam President –

I hereby move to amend Ordinance No. BL2025-690 by amending Section 2, Proposed Section 13.08.080, Subsection K(1) by adding a new subsection (e) as follows:

- (e) MNPD shall not have access to live video from a donor camera if located upon the property of a solely residential use.

SPONSORED BY:

Kyonzté Toombs
Member of Council

AMENDMENT NO. 2

TO

ORDINANCE NO. BL2025-690

Madam President –

I hereby move to amend Ordinance No. BL2025-690 by amending Section 2, Proposed Section 13.08.080, Subsection K(1)(b) by adding a new subsection (v) as follows as follows:

(iv) is installed upon the property of a residential use and views an area which includes the front door of a residence or the entryway thereto-;

(v) is installed upon the property of a multifamily residential use and focuses on an area other than a parking lot, parking garage or other outdoor common area.

SPONSORED BY:

Jordan Huffman
Member of Council

AMENDMENT NO. 3
TO
ORDINANCE NO. BL2025-690

Madam President –

I hereby move to amend Ordinance No. BL2025-690 by amending Section 2, Proposed Section 13.08.080 Subsection K.4 as follows:

4. System Audits and Reporting

- a. ~~The commander of the CSC shall perform an~~ An audit of the community safety camera network shall be performed by an independent auditor contracted with the metropolitan government on a regular basis, not less than one time per year ~~quarter~~.
- b. ~~The department~~ MNPD shall maintain an audit trail of access to donor cameras for a period of not less than three years, which will include the following:
 - i. The date and time that a donor camera is accessed.
 - ii. The username of the person who accessed the donor camera.
 - iii. The purpose for accessing the donor camera.
 - iv. The outcome of the incident which caused the accessing of a donor camera.
- ~~bc.~~ No later than September 1 of each year, MNPD shall report to the metropolitan council, and shall publish on the MNPD website, the following data from the previous fiscal year:
 - i. The number of donor cameras registered as part of the camera safety network.
 - ii. The number of incidents in which one or more donor cameras were accessed.
 - iii. Outcomes of incidents which caused the accessing of donor cameras.
- ~~ed.~~ Any violation of this ordinance or material violations of the community safety camera network access or use policies shall be reported to the mayor and metropolitan council within seven days of discovery.

SPONSORED BY:

Brenda Gadd
Member of Council

Please note: Amendment No. 4 to BL2025-690 was adopted at the February 18, 2025 Council meeting.

AMENDMENT NO. 4
TO
ORDINANCE NO. BL2025-690

Madam President –

I hereby move to amend Ordinance No. BL2025-690 as follows:

- I. By amending Section 2, Proposed Section 13.08.080, Subsection K(2)(b) as follows:
 - b. The community safety camera network shall not be used to identify individuals, or the characteristics thereof, through the use of facial recognition technology. The community safety camera network shall not be used to identify individuals, or the characteristics thereof, through the use of artificial intelligence or machine learning-based solutions, excluding the use of such technologies to make an image more interpretable. The community safety camera network shall not utilize artificial intelligence, machine learning-based solutions, or any other artificial mechanism to capture conversations through automated lip reading.
- II. By amending Section 2, Proposed Section 13.08.080, Subsection K(4) as follows:
 4. System Audits and Reporting
 - a. Each officer responsible for accessing donor cameras shall be required to document in writing:
 - i. The date, time, and circumstance of each instance of accessing a donor camera; and
 - ii. A narrative detailing the purpose for accessing the donor camera.
 - ~~a.~~ b. The commander of the CSC shall perform an audit of the community safety camera network on a regular basis, not less than one time per quarter. The department shall maintain an audit trail of access to donor cameras for a period of not less than three years, which will include the following:
 - i. The date and time that a donor camera is accessed.
 - ii. The username of the person who accessed the donor camera.
 - iii. The purpose for accessing the donor camera.
 - iv. The outcome of the incident which caused the accessing of a donor camera.
 - ~~b.~~ c. No later than September 1 of each year, MNPd shall report to the metropolitan council, and shall publish on the MNPd website, the following data from the previous fiscal year:

- i. The number of donor cameras registered as part of the camera safety network.
 - ii. The number of incidents in which one or more donor cameras were accessed.
 - iii. Outcomes of incidents which caused the accessing of donor cameras.
- ~~e.~~ d. Any violation of this ordinance or material violations of the community safety camera network access or use policies shall be reported to the mayor and metropolitan council within seven days of discovery.
- e. The metropolitan government may, upon the authorization of the mayor or the metropolitan council, hire an independent firm to conduct an audit of the records created and kept under this section.

SPONSORED BY:

Jeff Preptit
Member of Council

AMENDMENT NO. 5
TO
ORDINANCE NO. BL2025-690

Madam President –

I hereby move to amend Ordinance No. BL2025-690 by amending Section 2, Proposed Section 13.08.080, Subsection K(2) by adding a new subsection (e) and redesignating the subsequent subsection accordingly, as follows:

e. In accordance with MNPD policy provisions regarding the duty to intervene, where video collected from the community safety camera network captures any MNPD employee utilizing excessive or unlawful force, such video shall be immediately preserved and provided to the MNPD office of professional accountability and the district attorney general.

~~e. f.~~ MNPD shall not share video from donor cameras with any individual, group, or entity for any purpose not outlined in subsection K.1(c).

SPONSORED BY:

Jeff Preptit
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2025-706

Madam President –

I hereby move to amend Ordinance No. BL2025-706 by amending Exhibit A to add the Greenway Conservation Easement attached to this amendment after the Greenway Conservation Easement in Exhibit A.

SPONSORED BY:

Kyonzté Toombs
Member of Council

AGREEMENT FOR GRANT OF EASEMENT

for

CONSERVATION GREENWAY

THIS AGREEMENT, made and entered into this the 20th day of September, 2023, by and between **The Metropolitan Government of Nashville and Davidson County**, acting by and through its Board of Parks and Recreation (herein referred to as "Metro"), and **ROGERS GROUP, INC.**, an Indiana corporation, the property owner (herein referred to as the "Grantor").

WHEREAS, Metro recognizes the increasing benefit of protecting open spaces within the Metropolitan Government area; and

WHEREAS, greenways provide the general public with recreational opportunities in natural areas, preserve, and protect native plant and animal species and their habitat, and provide low-impact transportation routes for pedestrian and bicycle traffic; and

WHEREAS, Metro, by Ordinance No. 091-13, created a Greenways Commission to assist Metro in the development of a system of open space greenways; and

WHEREAS, Grantor is the sole owner in fee simple of certain real property in Davidson County, Tennessee, of record in Instrument Number 20151223-0129074, in the Registrar's Office of Davidson County, Tennessee (herein referred to as the "Property"); and

WHEREAS, Grantor desires to grant and convey to Metro, its successors and assigns, a Conservation Greenway Easement, as defined below, over a portion of the Property, which shall be the Conservation Greenway Easement Area, as defined below, for the purposes of being preserved and made more accessible for public enjoyment; and

WHEREAS, the Conservation Greenway Easement Area, as defined below, possesses natural, open space, and recreational values (collectively, "conservation

values") of great importance to Grantor and the people of Nashville and Davidson County; and

WHEREAS, Grantor further intends, as owner of said Conservation Greenway Easement Area, as defined below to convey to Metro the right to preserve and protect the conservation values of the Conservation Greenway Easement Area in perpetuity; and

WHEREAS, Metro has the authority to accept this grant pursuant to Tennessee Code Annotated, Section 66-9-305(d), and Section 11.1002 of the Metropolitan Charter; and

WHEREAS, Metro agrees by accepting this grant to honor the intentions of Grantor stated herein, and to preserve and protect, in perpetuity, the conservation values of the Conservation Greenway Easement Area, as defined below, for the benefit of the people of Tennessee and the public-at-large.

NOW, THEREFORE, in consideration of the above and the mutual covenants, terms, conditions, and restrictions contained herein, Grantor hereby voluntarily grants and conveys to Metro, its successors and assigns, an easement in perpetuity over a portion of the Property (herein referred to as the "Conservation Greenway Easement") for the purposes of being preserved and made more accessible for public enjoyment by the anticipated incorporation and maintenance of said Conservation Greenway Easement as part of the Metro greenways system, which shall be located as more particularly described and shown on **Exhibit A** and **Exhibit B** attached hereto and incorporated by this reference (the herein referred to as the "Conservation Greenway Easement Area").

1. **Purpose.** It is the purpose of this grant to allow Metro to utilize the Conservation Greenway Easement Area for one or more of the following: a pathway for pedestrian or bicycle travel, nature trail, and/or natural area. Metro, at its discretion, shall design, construct, and maintain any pathway or physical structure in a manner that best preserves the open and natural condition of the Conservation Greenway Easement Area. Grantor intends that the use of the

Conservation Greenway Easement Area will be confined to such activities as are consistent with the purpose of the Conservation Greenway Easement.

2. Rights of Metro. To accomplish the purpose of the Conservation Greenway Easement, the following rights are conveyed to Metro by this grant:

a. To preserve and protect the conservation values of the Conservation Greenway Easement Area; and

b. To construct and maintain a pathway to be located on the Conservation Greenway Easement, including, at the discretion of Metro, necessary trailheads, signage, benches, and other improvements consistent with the recreational and educational uses of the pathway and other conservation values; and

c. To prevent any activity on or use of the Conservation Greenway Easement Area that is inconsistent with the purpose of the Conservation Greenway Easement and to require the restoration of such areas or features of the Conservation Greenway Easement Area that may be damaged by any inconsistent activity or use.

3. Metro Covenants. Metro, by accepting this grant, covenants and agrees, on behalf of itself, its successors and assigns, that the following shall constitute real covenants that shall attach to and run with the Conservation Greenway Easement hereby granted and shall be binding upon anyone who may hereafter come into ownership of such Conservation Greenway Easement, whether by purchase, devise, descent, or succession, or to be authorized to use said Conservation Greenway Easement Area:

a. It will make the Conservation Greenway Easement area available for use by all members of the general public without distinction or illegal discrimination on the grounds of race, color, national origin, handicap, or age.

b. It will adopt rules and regulations governing the use of the Conservation Greenway Easement area so as not to permit or suffer any use of the Conservation Greenway

Easement by Grantor or others in violation of such rules and regulations. At a minimum, the rules and regulations will provide as follows:

- i. That the hours of public access of the Conservation Greenway Easement shall be from sunrise to sunset.
- ii. That all persons utilizing the Conservation Greenway Easement area must remain on the pathway.
- iii. That all pets of persons utilizing the pathway must be on a leash at all times.
- iv. That the following activities shall be strictly prohibited:
 1. consumption or possession of alcoholic beverages;
 2. horseback riding;
 3. unauthorized motor vehicles; ebikes are permitted as defined under applicable state law;
 4. collecting or distributing plants, animals or other natural features;
 5. littering or dumping;
 6. hunting;
 7. playing of radios, musical instruments or other devices in a manner that might disturb others;
 8. vending or other concessions without proper permits;
 9. advertising or posting of bills;
 10. trespassing on adjacent property of Grantor;
 11. any unlawful activities.

4. Other Prohibited Uses. Any activity on or use of the Conservation Greenway Easement Area inconsistent with the purpose of the Conservation Greenway Easement is prohibited. The aforementioned express prohibitions shall not limit the generality of this paragraph.

5. Reserved Rights. Grantor reserves to itself, and to its personal representatives, heirs, successors, and assigns, all rights accruing from their ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are not expressly prohibited herein and are not inconsistent with the purpose of the Conservation Greenway Easement. Further, Grantor reserves the right to maintain the Conservation Greenway Easement Area consistent with the purposes herein set forth and will maintain it in accordance with all local laws until improvements are made by Metro.

6. Metro's Remedies. If Metro determines that Grantor is in violation of the terms of this Agreement or that a violation is threatened, Metro shall give written notice to Grantor of such violation and demand corrective action sufficient to cure the violation and, where the violation involves injury to the Conservation Greenway Easement Area resulting from any use or activity inconsistent with the purpose of the Conservation Greenway Easement, to restore the portion of the Conservation Greenway Easement Area so injured. If Grantor fails to cure the violation within thirty (30) days after receipt of notice thereof from Metro or, under circumstances where the violation cannot reasonably be cured within a thirty (30) day period, fails to continue diligently to cure such violation until finally cured, Metro may bring an action in a court of competent jurisdiction to enforce the terms of this Agreement to enjoin the violation by temporary or permanent injunction, and to recover any damages to which it may be entitled for violation of the terms of this Agreement or for injury to any conservation values protected by the Conservation Greenway Easement, including damages for the loss of scenic, aesthetic, or environmental values, and to require the restoration of the Conservation Greenway Easement Area to the condition that existed prior to any such injury. If Metro, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the conservation values of the Conservation Greenway Easement Area, Metro may pursue its remedies under this paragraph without prior notice to Grantor or without waiting

for the expiration of the period provided for cure. Metro's rights under this paragraph apply equally in the event of either actual or threatened violations of the terms of this Agreement. Metro's remedies described in this paragraph shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity.

7. Metro's Discretion. Enforcement of the terms of this Agreement shall be at the discretion of Metro, and any forbearance by Metro to exercise its rights under this Agreement in the event of any breach of any terms of this Agreement by Grantor shall not be deemed or construed to be a waiver by Metro of such term, or of any subsequent breach of the same, or any other term of this Agreement, or of any of Metro's rights under this Agreement. No delay or omission by Metro in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver.

8. Waiver of Certain Defenses. Grantor hereby waives any defense of laches, estoppel, or prescription.

9. Acts Beyond Grantor's Control. Nothing contained in this Agreement shall be construed to entitle Metro to bring any action against Grantor for any injury to or change in the Conservation Greenway Easement Area resulting from causes beyond Grantor's control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Conservation Greenway Easement Area resulting from such causes.

10. Amendment. If circumstances arise under which an amendment to or modification of this Agreement is appropriate, the Grantor, or the then current owner of the Conservation Greenway Easement Area, and Metro are free to jointly amend this Agreement without prior notice to any other party; provided that any amendment shall be in writing; shall be consistent with the purpose of the Conservation Greenway Easement; shall not affect its perpetual duration; and shall have the unanimous consent of the Metro Greenways Commission.

11. Extinguishment. If circumstances arise in the future that render the purpose of the Conservation Greenway Easement impossible to accomplish, the Conservation Greenway Easement can only be terminated or extinguished, whether in whole or in part, by judicial proceedings in a court of competent jurisdiction.

12. Assignment. The Conservation Greenway Easement is transferable, but Metro may assign its rights and obligations under this Agreement only to an organization that is a qualified organization at the time of transfer under Section 170(h) of the Internal Revenue Code of 1954, as amended, and the applicable regulations promulgated thereunder and authorized to acquire and hold conservation easements. As a condition of such transfer, Metro shall require that the conservation purposes which this grant is intended to advance continue to be carried out.

13. Subsequent Transfers. Grantor agrees to incorporate the terms of this Agreement in any deed or other legal instrument by which it divests itself of any interest in all or a portion of the Conservation Greenway Easement Area, including, without limitation, a leasehold interest. Grantor further agrees to give written notice to Metro of the transfer of any interest at least thirty (30) days prior to the date of such transfer. The failure of Grantor to perform any act required by this paragraph shall not impair the validity of the Conservation Greenway Easement or limit its enforceability in any way.

14. General Provisions.

a. Controlling Law. The interpretation and performance of this Agreement shall be governed by the laws of the State of Tennessee.

b. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Agreement shall be liberally construed in favor of the grant to effect the purpose of the Conservation Greenway Easement and the policy and purpose of Tenn. Code Ann. §§ 66-9-301 to 309. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose

of the Conservation Greenway Easement that would render the provision valid shall be favored over any interpretation that would render it invalid.

c. Severability. If any provision of this Agreement, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Agreement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, shall not be affected thereby.

d. Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to the Conservation Greenway Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Conservation Greenway Easement, all of which are merged herein. No alteration or variation of this instrument shall be valid or binding unless contained in an amendment that complies with paragraph ten (10).

e. Successors. The covenants, terms, conditions, and restrictions of this Agreement shall be binding upon, and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors, and assigns, and shall continue as a servitude running in perpetuity with the Property.

TO HAVE AND TO HOLD said Conservation Greenway Easement unto Metro, its successors, and assigns, forever.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, we have caused this instrument to be executed as
of this 20th day of July, 2023.

September

GRANTOR:

ACCEPTED:

ROGERS GROUP, INC.,
an Indiana corporation

THE METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY

By: [Signature]

[Signature]
DIRECTOR, PARKS AND RECREATION

Name: DANIEL C. ROSE

Title: Vice President

STATE OF TENNESSEE }
COUNTY OF DAVIDSON }

Before me, a Notary Public of said County and State, personally appeared Daniel C. Rose, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a VICE PRESIDENT of Rogers Group, Inc., an Indiana corporation (the "Company"), the within named bargainer, and that he, as a VICE PRESIDENT of the Company executed the foregoing instrument for the purposes therein contained.

Witness my hand, at Office, this 20 day of September, 2023.

[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES: 1-4-27

[Notary Page to Follow]



STATE OF TENNESSEE }

COUNTY OF Davidson }

Before me, a Notary Public of said County and State, personally appeared Monique Horton Odom, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Director of Parks and Recreation for The Metropolitan Government of Nashville and Davidson County ("Metro"), the within named bargainor, and that he, as the Director of Parks and Recreation Metro executed the foregoing instrument for the purposes therein contained.

Witness my hand, at Office, this 8th day of November, 2024

Larecia Travis
NOTARY PUBLIC

MY COMMISSION EXPIRES: 7/16/2026



EXHIBIT A

LEGAL DESCRIPTION OF CONSERVATION GREENWAY EASEMENT

[SEE ATTACHED]



RaganSmith

99149-8814

CONSERVATION GREENWAY EASEMENT: ROGERS GROUP, INC- TRINITY HILLS

BEING GENERALLY A PROPOSED VARYING WIDTH CONSERVATION GREENWAY EASEMENT RUNNING OVER AND ACROSS THE ROGERS GROUP, INC. PROPERTY OF RECORD IN INSTRUMENT #20151223-0129074, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE (R.O.D.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A IRON ROD (OLD) AT THE NORTHEAST CORNER OF AN OPEN SPACE AND THE NORTHWEST CORNER OF LOT 261 ON THE PLAT ENTITLED "TRINITY HILLS VILLAGE, SECTION TWO- FIRST ADDITION," OF RECORD IN PLAT BOOK 4460, PAGE 46, R.O.D.C.T. AND BEING THE SOUTHWEST CORNER OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY PROPERTY OF RECORD IN DEED BOOK 7954, PAGE 49, R.O.D.C.T. AND BEING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PROPOSED EASEMENT AND PROCEEDING AS FOLLOWS:

THENCE, WITH THE NORTHERLY LINE OF SAID OPEN SPACE, NORTH 81 DEGREES 21 MINUTES 30 SECONDS WEST, 104.30 FEET TO A POINT IN THE APPROXIMATE CENTERLINE OF A DITCH;

THENCE, LEAVING THE SAID OPEN SPACE AND CROSSING THE SAID ROGERS GROUP, INC PROPERTY, GENERALLY FOLLOWING THE CENTERLINE OF A DITCH THE FOLLOWING THREE CALLS (1 THROUGH 3):

1. NORTH 14 DEGREES 12 MINUTES 52 SECONDS WEST, 90.77 FEET TO A POINT,
2. NORTH 26 DEGREES 45 MINUTES 15 SECONDS EAST, 81.91 FEET TO A POINT,
3. NORTH 22 DEGREES 20 MINUTES 06 SECONDS EAST, 90.52 FEET TO A POINT IN THE SOUTHERLY LINE OF THE SAID METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY PROPERTY,

THENCE, WITH THE SOUTHERLY AND WESTERLY LINES OF SAID METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY THE FOLLOWING TWO CALLS (1 AND 2):

1. SOUTH 82 DEGREES 34 MINUTES 34 SECONDS EAST, 36.80 FEET TO A 1/2" IRON ROD (OLD) WITH CAP STAMPED "RAGAN SMITH ASSOC",
1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 790.00 FEET, AN ARC LENGTH OF 257.53 FEET, A DELTA ANGLE OF 18 DEGREES 40 MINUTES 39 SECONDS, HAVING A CHORD BEARING AND DISTANCE OF SOUTH 03 DEGREES 56 MINUTES 35 SECONDS EAST, 256.39 FEET TO THE **POINT OF BEGINNING** AND HAVING AN AREA OF 24,024 SQUARE FEET OR 0.55 ACRES, MORE OR LESS.

NASHVILLE

315 Woodland Street
Nashville, TN 37206
(615) 244-8591

MURFREESBORO

100 East Vine Street, Suite 402
Murfreesboro, TN 37130
(615) 546-6050

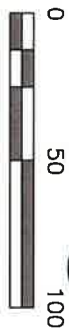
CHATTANOOGA

1410 Cowart Street, Suite 200
Chattanooga, TN 37408
(423) 490-9400

EXHIBIT B

DEPICTION OF CONSERVATION GREENWAY EASEMENT AREA

[SEE ATTACHED]



CONSERVATION GREENWAY
EASEMENT AREA



RaganSmith

Nashville • Chattanooga • Knoxville
RaganSmith.com

MAP 60, PARCEL 71.00
METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY
DEED BOOK 7954, PAGE 49
R.O.D.C.T

$A=18^{\circ}40'39''$
 $R=790.00'$
 $L=257.53'$
 $T=129.92'$
 $CHD=256.39'$
 $S03^{\circ}56'35''E$

24024 SQ. FT. \pm
0.55 AC. \pm
MAP 59, PARCEL 226.00
ROGERS GROUP, INC.
INSTRUMENT #20151223-0129074
R.O.D.C.T

APPROXIMATE
CENTERLINE OF
CREEK

POINT OF BEGINNING
EASEMENT DESCRIPTION

TRINITY HILLS VILLAGE
SECTION TWO-FIRST ADDITION
BOOK 4460, PAGE 46
R.O.D.C.T
EASEMENT AREA = 24,024 SQUARE FEET OR 0.55 ACRES \pm

MAP 59, PARCEL 226.00
ROGERS GROUP, INC.
INSTRUMENT #20151223-0129074
R.O.D.C.T

DEED REFERENCE

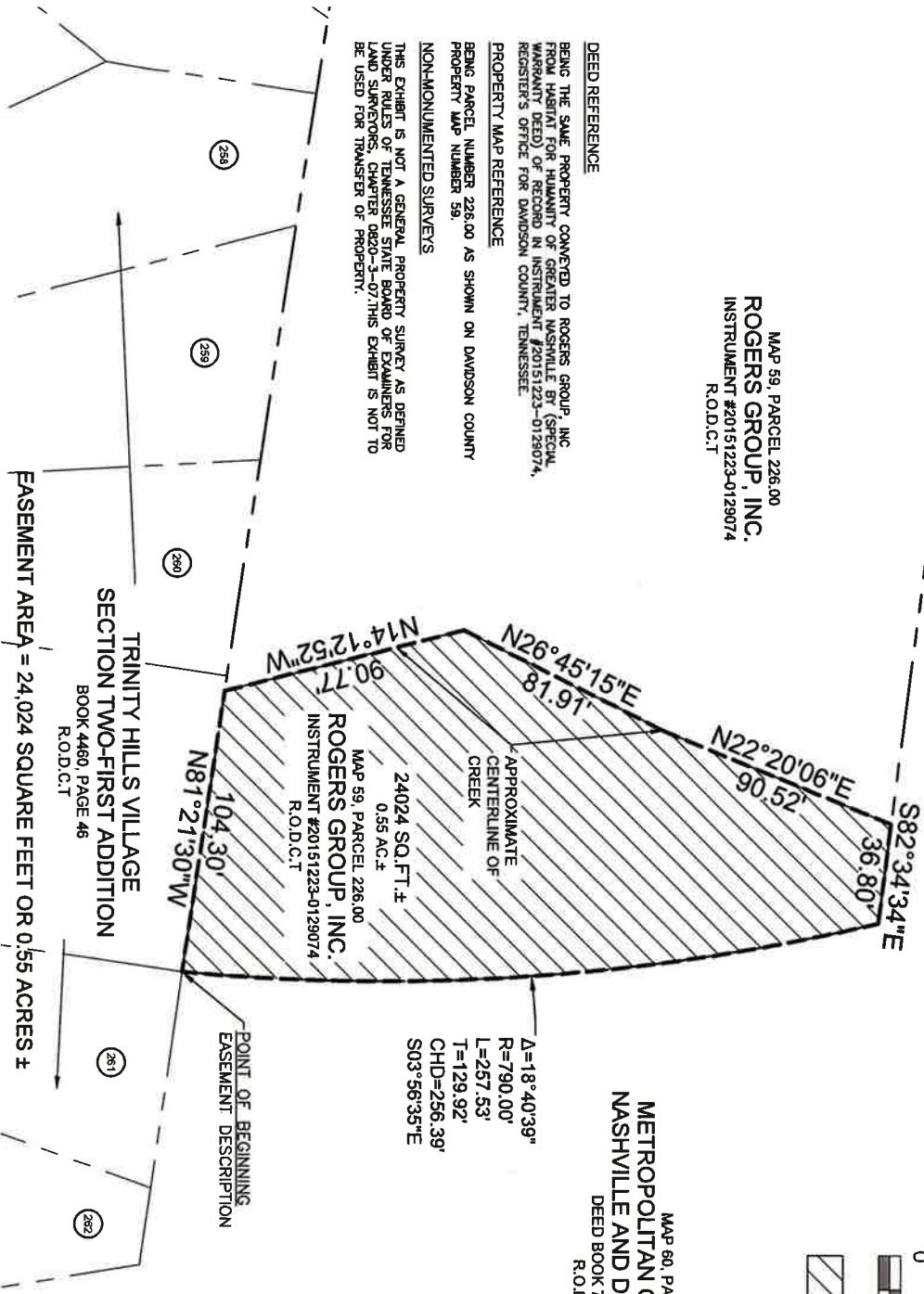
BEING THE SAME PROPERTY CONVEYED TO ROGERS GROUP, INC.
FROM HABITAT FOR HUMANITY OF GREATER NASHVILLE BY (SPECIAL
WARRANTY DEED) OF RECORD IN INSTRUMENT #20151223-0129074,
REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

PROPERTY MAP REFERENCE

BEING PARCEL NUMBER 226.00 AS SHOWN ON DAVIDSON COUNTY
PROPERTY MAP NUMBER 59.

NON-MONUMENTED SURVEYS

THIS EXHIBIT IS NOT A GENERAL PROPERTY SURVEY AS DEFINED
UNDER RULES OF TENNESSEE STATE BOARD OF EXAMINERS FOR
LAND SURVEYORS, CHAPTER 0820-3-07. THIS EXHIBIT IS NOT TO
BE USED FOR TRANSFER OF PROPERTY.



CONSERVATION GREENWAY EASEMENT

FOR
ROGERS GROUP, INC. TO METROPOLITAN
GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

021

METROPOLITAN NASHVILLE, DAVIDSON COUNTY, TENNESSEE

Scale	1"=60'
Date	10/20/2023
Drawn By	ELB
Approved By	
Reviewed By	

Drawn To:
EASEMENT EXHIBIT

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2024-687

Madam President,

I move to amend Ordinance No. BL2024-687 by amending Section 2, proposed Metropolitan Code of Laws Section 17.28.065, Subsection D.5.d to add the following:

- d. Tree fence shall be maintained until applicable Staff has completed a final inspection and released the project. For the purposes of this section, "Applicable Staff" means the urban forester or staff designated by the urban forester.

SPONSORED BY:

Burkley Allen
Member of Council

SUBSTITUTE ORDINANCE NO. BL2025-689

An ordinance approving a memorandum of understanding between the Metropolitan Beer Permit Board and the Metropolitan Department of Codes Administration to facilitate cooperation for the enforcement of Title 7, ~~and Chapter 9.20,~~ and Chapter 16.24 of the Metropolitan Code of Laws.

WHEREAS, pursuant to the Metropolitan Code of Laws ("M.C.L.") Section 9.20.060, the Metropolitan Department of Codes Administration is responsible for enforcement of violations of M.C.L. Chapter 9.20 on Excessive Noise; and,

WHEREAS, pursuant to M.C.L. 7.04.060, the Metropolitan Beer Permit Board is empowered to employ suitable persons as metropolitan beer permit inspectors to enforce the applicable provisions of Title 7 of the Metro Code; and,

WHEREAS, the Metropolitan Department of Codes Administration and the Metropolitan Beer Permit Board desire to cooperate to protect the health and safety of the citizens of the Metropolitan Government through the allocation of staff and responsibilities; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that this memorandum of understanding be approved.

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

Section 1. That the memorandum of understanding between the Metropolitan Beer Permit Board and the Metropolitan Department of Codes Administration, to facilitate cooperation for the enforcement of Title 7, ~~and Chapter 9.20,~~ and Chapter 16.24 of the Metropolitan Code of Laws, attached here as Exhibit A and incorporated by reference, is approved.

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

SPONSORED BY:

Joy Styles
Member of Council

**MEMORANDUM OF UNDERSTANDING BETWEEN THE METROPOLITAN
GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
ACTING BY AND THROUGH
THE METROPOLITAN BEER PERMIT BOARD AND THE METROPOLITAN
DEPARTMENT OF CODES ADMINISTRATION**

This Memorandum of Understanding (“MOU”) is between the Metropolitan Beer Permit Board (“Beer Board”), and the Metropolitan Department of Codes Administration (“Codes”), (collectively “the Parties”), both of which are departments of the Metropolitan Government of Nashville and Davidson County (“Metropolitan Government”), a governmental, municipal, and public corporation created and existing under and by virtue of the Constitution and Laws of the State of Tennessee. The purpose of this Memorandum is to facilitate cooperation between the Beer Board and Codes for the enforcement of Title 7 and Chapter 9.20 of the Metropolitan Code of Laws.

WHEREAS, pursuant to the Metropolitan Code of Laws (“M.C.L.”) Section 9.20.060, Codes is responsible for enforcement of violations of M.C.L. Chapter 9.20 on Excessive Noise and Chapter 16.24 on Property Standards.

WHEREAS, pursuant to M.C.L. 7.04.060, the Beer Board is empowered to employ suitable persons as metropolitan beer permit inspectors to enforce the applicable provisions of Title 7 of the Metro Code.

WHEREAS, Codes and the Beer Board desire to cooperate to protect the health and safety of the citizens of the Metropolitan Government through the allocation of staff and responsibilities.

NOW, THEREFORE, the Parties hereby agree as follows:

1. **Beer Board Duties and Responsibilities.**

That in exchange for a \$171,100 allocation of funds from Codes to the Beer Board for two full time employee (“FTE”) salaries and benefits, the Beer Board shall employ two beer permit inspectors and prescribe to them duties and responsibilities to enforce the applicable provisions of Title 7 of the Metro Code.

2. **Codes Duties and Responsibilities.**

Pursuant to M.C.L. 9.20.060, Codes shall delegate authority to enforce M.C.L. Chapter 9.20 on Excessive Noise and Chapter 16.24 on Property Standards to the two FTE positions allocated hereunder to the Beer Board in establishments which have been permitted by the Beer Board. For the purposes of enforcement of M.C.L. Chapter 9.20, the two FTE positions shall function as compliance inspectors under the auspices of Codes.

3. **Compensation.**

Codes shall allocate two FTE salaries and benefits in the amount of \$171,100 to the Beer Board.

4. **Term.**

The MOU term will begin on the date this MOU is approved by all required parties and filed

in the Metropolitan Clerk's Office. This MOU shall remain in effect until terminated or modified pursuant to the terms of this MOU. The Parties shall review this MOU on an annual basis and verify that procedures and policies in place satisfy M.C.L., Beer Board, and Codes regulatory requirements.

5. **Termination.**

This MOU may be terminated by either party upon thirty (30) days written notice.

6. **Modification.**

This MOU may be amended in writing by mutual agreement of the Parties.

7. **Severability.**

Should any provision of this MOU be declared to be invalid by any court of competent jurisdiction, such provision shall be severed and shall not affect the validity of the remaining provisions of this MOU.

[Remainder of Page Intentionally Left Blank]

[Signature Page to Follow]

IN WITNESS WHEREOF, the Parties have by their duly authorized representatives set their signatures.

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

R. Benton McDonough
Benton McDonough, Executive Director
Metropolitan Beer Permit Board

02/14/2025
Date

Bill Herbert
Bill Herbert, Director
Department of Codes Administration

02/14/2025
Date

APPROVED AS TO AVAILABILITY
OF FUNDS:

Jenneen Reed/mjw
Jenneen Reed, Director
Department of Finance

02/14/2025
Date

FILED:

Metropolitan Clerk

Date

SUBSTITUTE NO. 1 TO ORDINANCE NO. BL2025-714

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from R8 to SP zoning for property located at 866 Youngs Lane, approximately 430 feet southeast of Roy Street, (7.96 acres), to permit ~~159 multi-family residential units~~ a mixed use development, all of which is described herein (Proposal No. 2024SP-063-001).

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

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

By changing from R8 to SP zoning for property located at 866 Youngs Lane, approximately 430 feet southeast of Roy Street, (7.96 acres), to permit ~~159 multi-family residential units~~ a mixed use development, being Property Parcel No. 106 as designated on Map 070-07 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 070-07 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to a maximum of ~~159~~ 85 multi-family residential units and the uses permitted by the MUL zoning district with the following uses being prohibited: Short term rental properties, owner occupied and short term rental properties, not owner occupied, shall be prohibited.

- Short term rental property – owner occupied
- Short term rental property – not owner occupied
- Alternative financial services
- Automobile convenience
- Bar or nightclub
- Beer and cigarette market
- Car wash
- Distributive business/wholesale
- Warehouse

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

1. On the corrected copy, the setback note on page 4 shall be replaced with the following, "The required front setbacks shall establish an appropriate transition from the existing residential structures located on adjacent property (902 C Young Lane) to the west, to the proposed residential units for the property located at 840 Youngs Lane (2023SP-062-001).

The required front setback shall be measured from the boundary of the developable footprint (which is measured after the right-of-way dedication is accommodated). For the westernmost unit, block of units, or structure, the setback shall be 40 feet. The subsequent or adjacent units located to the east may reduce the required setback by 10 percent for each unit, block of units, or structure, not to be reduced to a value of less than 25 feet. This transition is meant to establish a stair step pattern to accomplish an appropriate transition across the property frontage from the west to the east.”

2. On the corrected copy, update the exhibit and regulatory table to reflect the setback language above.
3. On the corrected copy, add the following standard: Grading will only occur in the area noted as the developable footprint and as necessary to construct the greenway to meet Metro Parks standards.
4. On the corrected copy, update Note 1 under Architectural Standards to remove the second sentence.
5. On the corrected copy, update the ISR to 0.7 to align with the fallback zoning district.
6. On the corrected copy, remove Note 1 under Access and Parking on page 5.
7. On the corrected copy, update Note 1 under Architectural Standards on page 5: Proposed structures shall either front toward the public street or shall front toward shared common areas and/or designated open space, if no public street frontage.
8. On the corrected copy, remove the last sentence from Note 11 under Landscape Standards on page 5.
9. 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.
10. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and outlined on the preliminary SP for review and approval.
11. The final site plan shall label all internal driveways as “Private Driveways.” A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner’s Association.
12. 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.
13. Comply with all conditions and requirements of Metro reviewing agencies.
14. No master permit/HPR shall be recorded prior to final SP approval.
15. Final plat may be required prior to permitting.
16. There shall be a minimum of 20,000 square feet of conditioned space dedicated for commercial uses on the property.

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

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

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

Section 8. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 9. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Kyonzté Toombs
Member of Council

SUBSTITUTE NO. 2 TO ORDINANCE NO. BL2025-714

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from R8 to SP zoning for property located at 866 Youngs Lane, approximately 430 feet southeast of Roy Street, (7.96 acres), to permit ~~159~~ 85 multi-family residential units, all of which is described herein (Proposal No. 2024SP-063-001).

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

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

By changing from R8 to SP zoning for property located at 866 Youngs Lane, approximately 430 feet southeast of Roy Street, (7.96 acres), to permit ~~159~~ 85 multi-family residential units, being Property Parcel No. 106 as designated on Map 070-07 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 070-07 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to a maximum of ~~159~~ 85 multi-family residential units. Short term rental properties, owner occupied and short-term rental properties, not owner occupied, shall be prohibited.

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

1. On the corrected copy, the setback note on page 4 shall be replaced with the following, "The required front setbacks shall establish an appropriate transition from the existing residential structures located on adjacent property (902 C Young Lane) to the west, to the proposed residential units for the property located at 840 Youngs Lane (2023SP-062-001). The required front setback shall be measured from the boundary of the developable footprint (which is measured after the right-of-way dedication is accommodated). For the westernmost unit, block of units, or structure, the setback shall be 40 feet. The subsequent or adjacent units located to the east may reduce the required setback by 10 percent for each unit, block of units, or structure, not to be reduced to a value of less than 25 feet. This transition is meant to establish a stair step pattern to accomplish an appropriate transition across the property frontage from the west to the east."
2. On the corrected copy, update the exhibit and regulatory table to reflect the setback language above.

3. On the corrected copy, add the following standard: Grading will only occur in the area noted as the developable footprint and as necessary to construct the greenway to meet Metro Parks standards.
4. On the corrected copy, update Note 1 under Architectural Standards to remove the second sentence.
5. On the corrected copy, update the ISR to 0.7 to align with the fallback zoning district.
6. On the corrected copy, remove Note 1 under Access and Parking on page 5.
7. On the corrected copy, update Note 1 under Architectural Standards on page 5: Proposed structures shall either front toward the public street or shall front toward shared common areas and/or designated open space, if no public street frontage.
8. On the corrected copy, remove the last sentence from Note 11 under Landscape Standards on page 5.
9. 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.
10. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards and outlined on the preliminary SP for review and approval.
11. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
12. 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.
13. Comply with all conditions and requirements of Metro reviewing agencies.
14. No master permit/HPR shall be recorded prior to final SP approval.
15. Final plat may be required prior to permitting.

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

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

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

Section 8. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 9. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Kyonzté Toombs
Member of Council

SUBSTITUTE NO. 1 TO ORDINANCE NO. BL2025-715

An ordinance to authorize building material restrictions and requirements for BL2025-714, a proposed Specific Plan Zoning District for property located at 866 Youngs Lane, approximately 430 feet southeast of Roy Street, (7.96 acres), to permit ~~159 multi-family residential units~~ a mixed use development, all of which is described herein (Proposal No. 2024SP-063-001). **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 ~~BL2024-714~~ BL2025-714, a proposed Specific Plan Zoning District located at 866 Youngs Lane, approximately 430 feet southeast of Roy Street, (7.96 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.

SPONSORED BY:

Kyonzté Toombs
Member of Council

SUBSTITUTE NO. 2 TO ORDINANCE NO. BL2025-715

An ordinance to authorize building material restrictions and requirements for BL2025-714, a proposed Specific Plan Zoning District for property located at 866 Youngs Lane, approximately 430 feet southeast of Roy Street, (7.96 acres), to permit ~~459~~ 85 multi-family residential units, all of which is described herein (Proposal No. 2024SP-063-001). **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 ~~BL2024-714~~ BL2025-714, a proposed Specific Plan Zoning District located at 866 Youngs Lane, approximately 430 feet southeast of Roy Street, (7.96 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.

SPONSORED BY:

Kyonzté Toombs
Member of Council

SUBSTITUTE ORDINANCE NO. BL2025-703

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 applying a Historic Landmark Overlay District for property located at 4301 Harding Pike, 296 feet southwest of Woodlawn Drive, zoned CS and located within the Harding/White Bridge Urban Design Overlay (~~0.26~~ 3.99 acres), all of which is described herein (Proposal No. 2025HL-001-001).

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 applying a Historic Landmark Overlay District for property located at 4301 Harding Pike, 296 feet southwest of Woodlawn Drive, zoned CS and located within the Harding/White Bridge Urban Design Overlay (~~0.26~~ 3.99 acres), being Property Parcel No. 058 as designated on Map 103-15 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 103 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. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

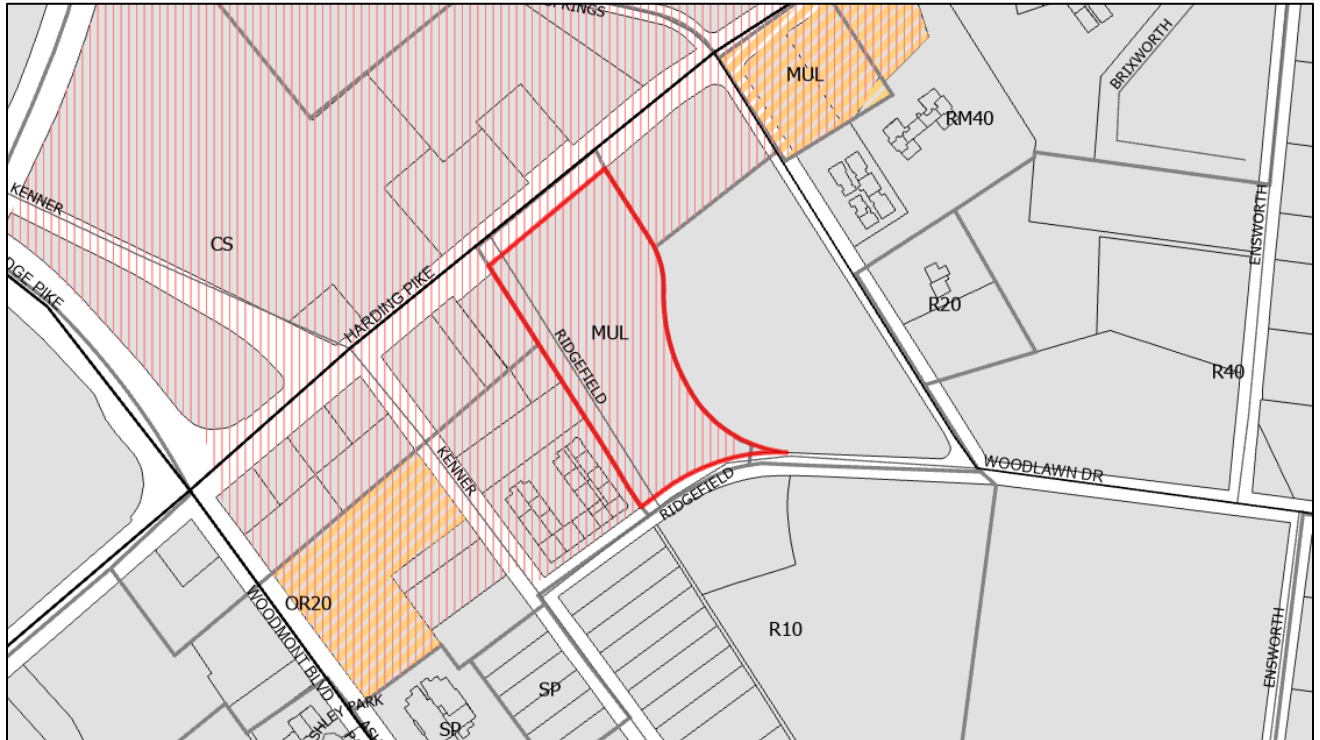
Section 4. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Brenda Gadd
Councilmember

2024HL-001-001
Map 103-15, Parcel(s) 058
Subarea 10, Green Hills - Midtown
District 24 (Gadd)
Application fee paid by: Councilmember waiver

A request to apply a Historic Landmark Overlay District for property located at 4301 Harding Pike, 296 feet southwest of Woodlawn Drive, zoned CS and located within the Harding/White Bridge Urban Design Overlay (~~0.26~~ 3.99 acres), requested by Councilmember Brenda Gadd, applicant; Ridgefield Properties, owner.



SUBSTITUTE ORDINANCE NO. BL2025-704

An ordinance to authorize building material restrictions and requirements for BL2025-703, a proposed Historic Landmark Overlay District to include property located at 4301 Harding Pike, 296 feet southwest of Woodlawn Drive, zoned CS and located within the Harding/White Bridge Urban Design Overlay (~~0.26~~ 3.99 acres) (Proposal No. 2025HL-001-001). **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 building material restrictions and requirements as a part of BL2025-703, a proposed Historic Landmark Overlay District located at 4301 Harding Pike, as described in 'Exhibit A' are hereby authorized.

Section 2. Any request for a waiver from part or all of the building material restrictions and requirements contained within this ordinance shall be submitted to the Metropolitan Historic Zoning Commission at the time of application for a historic preservation permit.

Section 3. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 4. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Brenda Gadd
Members of Council

SUBSTITUTE ORDINANCE NO. BL2025-688

An ordinance to amend Chapter 2.147 of the Metropolitan Code of Laws regarding the Nashville Music, Entertainment, and Film Commission.

WHEREAS, Second Substitute BL2022-1631 was passed by the Metropolitan Council on April 18, 2023, and signed into law on May 1, 2023, creating the Nashville Music, Entertainment, and Film Commission (“Commission”); and,

WHEREAS, after over a year of working with Nashville’s creative community, this Commission was created with an industry diverse 15-member body, plus four ex-officio members, with the explicit request that the hiring of the executive director be completed by the commission with no interference by mayoral administrations in order to maintain consistency; and

WHEREAS, advisory committees were to be created utilizing members of the creative community that were not on the Commission, but had at least one Commission member per advisory committee to bring the issues to the Commission body for discussion; and

WHEREAS, the Commission has ~~voted to send suggested additional~~ recommendations to improve its operations and asked for amendments to BL2022-1631. The Commission’s requests to rename the Commission to align with the state’s Tennessee Entertainment Commission, add new definitions, and create advisory committees are incorporated in this legislation to the Metro Nashville Board and Commission Working Group (“Working Group”); and

~~WHEREAS, the Working Group has discussed the Commission’s recommendations, the relevant Metro Charter, Metro Code of Laws, state law, and best practices for boards and commissions and has recommended amendments, accordingly, to the mayor’s office; and,~~

~~WHEREAS, Commission recommendations to rename the Commission to align with a similar state body, add new definitions, and restructure committees are incorporated in this legislation; and,~~

WHEREAS, the suggested recommendations were sent to the Metropolitan Nashville Board and Commission Working Group (“Working Group”), and without informing the Commission, the Working Group made recommendations to the Commission structure that are not in line with the original function and purpose of the Commission; and

WHEREAS, the Working Group recommended modifying the existing supervisory structure for the executive director, which Metro Legal suddenly determined to be unworkable in that it allows the Commission to hire an individual to lead an office within the mayor’s office while retaining its own authority to supervise this individual, though not a problem when the Commission was created; and

WHEREAS, the Working Group recommended that the voting membership size of the Commission be reduced from fifteen to eleven over a structured period of time in order to increase efficiency and, additionally, recommended that the four ex-officio members on the Commission be non-voting members not required for quorum purposes; ~~and,~~

~~WHEREAS, the Working Group recommended modifying the existing supervisory structure for the executive director, which Metro Legal determined to be unworkable in that it allows the Commission to hire an individual to lead an office within the mayor’s office while retaining its own authority to supervise this individual.~~

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

Section 1. That Section 2.147 of the Metropolitan Code of Laws is hereby amended by deleting the section in its entirety and replacing it with the following:

Chapter 2.147 - Nashville Entertainment Commission

2.147.010 - Established.

There is hereby established a commission to be known as the "Nashville Entertainment Commission," referred to in this chapter as "commission."

2.147.020 - Definitions.

"Entertainment industry" is defined as commercial activity that involves the production and sale of entertainment, including the music industry, film and television industry, theatre industry, fashion industry, video game industry, and all other creative industries.

"Film and television industry" is defined as commercial activity that involves the production, distribution, and sale of entertainment, whether in film, television, digital streaming content, virtual/augmented reality, or within the metaverse/omniverse.

"Music industry" is defined as commercial activity that involves concerts, festivals, tours, clubs and any other performance, production, promotion, distribution, or sale of recorded or live music.

2.147.030 - Composition, membership, and term of office.

- A. The commission shall be composed of three councils, to be known as the Music Advisory Council, the Film and Television Advisory Council, and the Entertainment Diversity and Equity Council. The Music Advisory Council shall be focused on the music industry, the Film and Television Advisory Council shall be focused on the film and television industry, and the Entertainment Diversity and Equity Council shall be focused on the promotion of diversity, equity, and inclusion in the entertainment industry.
- B. The commission shall be composed of ~~eleven~~ fifteen voting members. ~~Three~~ Four members shall be appointed by the mayor and confirmed by the council. ~~Two~~ Three members shall be selected by the council from nominations submitted by council members. ~~Two~~ Four members shall be selected by the council from nominations submitted from the entertainment industry at large. One member shall be selected by the International Alliance of Theatrical Stage Employees (IATSE) from its membership and confirmed by the council. One member shall be selected by the Screen Actors Guild - American Federation of Television and Radio Artists (SAG-AFTRA) from its membership and confirmed by the council. One member shall be selected by the American Federation of Musicians (AFM) from its membership and confirmed by the council. One member shall be selected by the Nashville Songwriters Association International (NSAI) from its membership and confirmed by the council. The executive director of the Metropolitan Arts Commission, the director of visual and performing arts for Metropolitan Nashville Public Schools, a representative of the Nashville Education, Community, and Arts Television Corporation, and a representative of the Nashville Convention and Visitors Corporation shall serve as ex-officio, non-voting members and shall not be counted in determining a quorum.

C. Members of the commission shall serve without compensation.

~~D. Commission members shall serve staggered four-year terms. After the passage of BL2025 _____, the first vacancy caused by the resignation, term end, or other departure of a member from each of the following categories shall not be filled:~~

~~i. A member appointed by the mayor and confirmed by the council.~~

~~ii. A member nominated and selected by the council.~~

~~iii. Two members nominated by the entertainment industry at large and selected by the council.~~

2.147.040 - Mission of the commission.

The mission of the commission shall be to create policies to:

A. Promote the entertainment industry in Nashville and Davidson County and recruit projects and employment related to the entertainment industry.

B. Promote racial and gender equity and establish mechanisms and metrics to maintain diversity and inclusion within the entertainment industry.

C. Work to address quality of life issues facing individuals in the entertainment industry in Nashville and Davidson County.

D. Support small and independent businesses within the entertainment industry in Nashville and Davidson County.

E. Promote education initiatives and programming related to the entertainment industry.

F. Work with the Tennessee Entertainment Commission to achieve this mission.

2.147.050 - Duties.

To carry out the commission's purposes, the commission shall have authority to:

A. Elect a chair and other officers as necessary to carry out the functions and duties of the commission.

B. Promulgate and maintain regulations and bylaws for the commission.

C. ~~Consult with the mayor on the hiring of, and direct the chair to participate in the interviews for, Hire~~ the executive director, who shall serve as the executive director of the commission and of the office of entertainment.

D. Promote, market, and support the office of entertainment.

E. Meet no less than once per quarter. The Music Advisory Council, the Film and Television Advisory Council, and the Entertainment Diversity and Equity Council shall meet on an as needed basis, at the discretion of the chair of the commission.

F. ~~Establish councils in addition to those listed in Section 2.147.030.A, including advisory committees or panels of experts to serve in an advisory capacity to the commission, as necessary, to assist in addressing~~ other creative industries and issues facing the

entertainment industry. There shall be standing advisory committees regarding (i) the fashion industry and (ii) theater. The commission may establish or disband additional advisory committees as needed. Each advisory committee shall be composed of up to ten members including volunteer members of the public and at least one member of the commission appointed by the chair. Volunteer members of the public who serve on an advisory committee (i) shall serve a term of one year, (ii) must comply with the standards of conduct in chapter 2.222 of this code, and (iii) must live or work in Davidson County. Any commission member appointed to an advisory committee must provide a quarterly report to the commission regarding the work of the advisory committee. A list of advisory committees, along with their membership, must be provided to the rules, confirmations, and public elections committee of the metropolitan council, or a successor committee.

2.147.060 - Office of entertainment.

- A. There shall be an office of entertainment, led by an executive director, to carry out the duties and mission of the commission.
- B. Among other duties as described by the commission, the executive director and approved staff shall be responsible for:
 - i. Assisting the entertainment industry with securing necessary permitting.
 - ii. Building relationships for community engagement.
 - iii. Assisting with location scouting.
 - iv. Establishment of relationships with Metropolitan Nashville departments and non-governmental partners.
 - v. Any additional actions necessary to carry out the duties and responsibilities established by this chapter.

2.147.065 - Staffing.

~~The work of the commission and of the office of entertainment shall be managed by an executive director. The mayor, in consultation with the commission, shall appoint an~~ The executive director of the commission shall be appointed by and serve at the pleasure of the commission. The human resources department will work in conjunction with the commission to post the job opening and assist in the selection of the candidates. The chair of the commission, at the direction of the commission, may be present at interviews for the hiring of an executive director. The executive director and any staff shall be organized under the mayor's office.

Section 2. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government requiring it.

SPONSORED BY:

Joy Styles
Erin Evans
Ginny Welsch
Members of Council

SUBSTITUTE ORDINANCE NO. BL2025-742

An Ordinance amending ~~Chapter Title 2.128 and Section 16.28.195~~ of the Metropolitan Code pertaining to the Metropolitan Historical Commission and the Metropolitan Historic Zoning Commission.

~~WHEREAS, the Metropolitan Historical Commission and Historic Zoning Commission have played a vital role in preserving and promoting the historical, cultural, and architectural heritage of Nashville and Davidson County; and~~

~~WHEREAS, efficient governance and strategic planning are essential to ensuring the continued protection, enhancement, and integration of historic preservation within Nashville and Davidson County; and~~

~~WHEREAS, best practices in urban planning recognize the importance of incorporating historic preservation into long-term development strategies to balance growth with cultural and historical preservation; and~~

~~WHEREAS, the consolidation of the staffs of the Metropolitan Historical Commission and the Historic Zoning Commission under the authority of the Metropolitan Department of Planning will enhance coordination, streamline decision-making, and align historic preservation efforts with current comprehensive land use, economic development, and infrastructure planning; and~~

~~WHEREAS, the consolidation of the staffs of the Metropolitan Historical Commission and the Historic Zoning Commission under the authority of the Metropolitan Department of Planning will promote and improve public engagement in historic preservation efforts; and~~

~~WHEREAS, the Metropolitan Council seeks to promote transparency, accountability, and effectiveness in the management of historic resources while maintaining the integrity and expertise of historic preservation professionals; and~~

~~WHEREAS, amendments to Chapter 2.128 of the Metropolitan Code of Laws are necessary to clarify the Planning Department's management and supervision of the staffs of the Historical Commission and the Historic Zoning Commission; and~~

~~WHEREAS, the Metropolitan Council finds that these amendments serve the public interest by ensuring a streamlined and effective planning and development process.~~

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

Section 1. Section 2.128.050 of the Metropolitan Code of Laws is hereby amended by modifying the section as follows:

2.128.050 - Historical Commission director and staff

- A. There shall be created the position of director for the historical commission of the Metropolitan Government of Nashville and Davidson County. The director shall report to and serve at the pleasure of the ~~Executive Director of the Metropolitan Department of Planning~~ historical commission and shall be paid such compensation as shall be fixed by the historical commission within the ~~Department of Planning's~~ its budgeted appropriations. The director for the historical commission:

1. Shall possess a degree in history, historic preservation, architectural history, or related field (e.g., planning, architecture), preferably with postgraduate training;
 2. Shall have at least five years of experience working in the historic preservation or related field;
 3. Shall be familiar with the history of Nashville-Davidson County and Tennessee;
 4. Shall have demonstrated ability to discharge the duties and functions of the director of the Historical Commission.
- B. The director of the historical commission shall hire staff as needed to carry out the necessary tasks to assist the commission in the performance of its functions.

~~All staff of the Historical Commission and Historic Zoning Commission of Metropolitan Nashville-Davidson County employed prior to the effective date of this Ordinance shall be transitioned to the Metropolitan Government's civil service, ensuring employment protections and benefits consistent with other Metropolitan civil service employees. The status of Historical Commission and Historic Zoning Commission staff hired after the effective date of this ordinance shall be the same as other employees of the Metropolitan Department of Planning.~~

- C. ~~All existing and future staff of the Historical Commission and Historic Zoning Commission of Metropolitan Nashville-Davidson County shall be reorganized under the Metropolitan Planning Department and shall report to the Executive Director of the Metropolitan Planning Department.~~

Section 2. That Title 2 of the Metropolitan Code of Laws is amended by adding the following as a new Chapter 2.130 as follows:

Chapter 2.130 – Historic Zoning Commission Staff

2.130.010 – Historic Zoning Administrator

There shall be created within the metropolitan planning department the position of historic zoning administrator to the metropolitan historic zoning commission. The historic zoning administrator shall report to and serve at the pleasure of the executive director of the planning department and shall be paid such compensation as shall be within the dept of planning's budgeted appropriations. The historic zoning administrator:

1. Shall possess a degree in history, historic preservation, architectural history, or related field (e.g., planning, architecture), preferably with postgraduate training focused on planning and land use;
2. Shall have at least five years of experience working in historic zoning or a related field;
and
3. Shall be familiar with the history and zoning laws of Nashville-Davidson County and Tennessee.

2.130.020 – Historic Zoning Commission Staff

All staff of the historic zoning commission shall be employees of the department of planning and report to the executive director of the department of planning. The existing staff of the historic zoning commission as of July 1, 2025, shall become members of the department of planning and shall retain their civil service status, ensuring employment protections and benefits consistent with other metropolitan civil service employees. Future

employees of the department of planning assigned to perform duties related to historic zoning or support of the historic zoning commission shall have the same employment status as do other employees of the department of planning as of the effective date of this ordinance.

Section 3. That Section 16.28.195, Subsection A, of the Metropolitan Code is hereby amended by deleting it in its entirety and replacing it with the following:

When the department of codes administration receives an application for a demolition permit for a structure which, individually or as part of a group of structures, is listed or is eligible for listing on the National Register of Historic Places, or meets the criteria of T.C.A. § 7-51-1201 as determined by the historic zoning commission, but is not included in a historic overlay district, the director of codes administration shall not issue a demolition permit for the structure until the historic zoning administrator approves the demolition permit. The historic zoning administrator must take action on the demolition permit within ninety days of the permit application, unless a longer period is agreed upon by the applicant and the historic zoning administrator. The department of codes administration shall provide notice by email to the district councilmember representing the district in which the historic structure is located within two business days after the application for the demolition permit has been filed.

Section 24. This ordinance shall take effect from and after its passage on July 1, 2025, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Emily Benedict
Erin Evans
Jacob Kupin
Tasha Ellis
Ginny Welsch
Jordan Huffman
Courtney Johnston
Jennifer Gamble
Jason Spain
Sheri Weiner
Members of Council

AMENDMENT NO. 1
TO
SUBSTITUTE ORDINANCE NO. BL2025-742

Madam President –

I hereby move to amend Substitute Ordinance No. BL2025-742 by adding the following as recitals:

WHEREAS, the Metropolitan Historic Zoning Commission plays a vital role in preserving and promoting the historical, cultural, and architectural heritage of Nashville and Davidson County; and

WHEREAS, efficient governance and strategic planning are essential to ensuring the continued protection, enhancement, and integration of historic preservation within Nashville and Davidson County; and

WHEREAS, best practices in urban planning recognize the importance of incorporating historic preservation into long-term development strategies to balance growth with cultural and historical preservation; and

WHEREAS, the consolidation of the staff of the Metropolitan Historic Zoning Commission under the Metropolitan Department of Planning provides opportunities to promote and improve public engagement in historic preservation efforts, enhance coordination, streamline decision-making, and align historic preservation efforts with current comprehensive land use, economic development, and infrastructure planning; and

WHEREAS, the Metropolitan Council seeks to promote transparency, accountability, and effectiveness in the management of historic resources while maintaining the integrity and expertise of historic preservation professionals; and

WHEREAS, amendments to Title 2 and Title 16 of the Metropolitan Code of Laws are necessary to clarify the Planning Department's management and supervision of the staff of the Historic Zoning Commission; and

WHEREAS, the Metropolitan Council finds that these amendments serve the public interest by ensuring a streamlined and effective historic zoning process that will encourage improved public engagement in historic preservation efforts.

SPONSORED BY:

Tom Cash
Member of Council

AMENDMENT NO. 2
TO
SUBSTITUTE ORDINANCE NO. BL2025-742

Madam President –

I hereby move to amend Substitute Ordinance No. BL2025-742 by amending Section 3 as follows:

Section 3. That Section 16.28.195, Subsection A, of the Metropolitan Code is hereby amended by deleting it in its entirety and replacing it with the following:

When the department of codes administration receives an application for a demolition permit for a structure which, individually or as part of a group of structures, is listed or is eligible for listing on the National Register of Historic Places, or meets the criteria of T.C.A. § 7-51-1201 as determined by the historic zoning commission, but is not included in a historic overlay district, the director of codes administration shall not issue a demolition permit for the structure until the director of the historical commission ~~historic zoning administrator~~ approves the demolition permit. The director of the historical commission ~~historic zoning administrator~~ must take action on the demolition permit within ninety days of the permit application, unless a longer period is agreed upon by the applicant and the director of the historical commission ~~historic zoning administrator~~. The department of codes administration shall provide notice by email to the district councilmember representing the district in which the historic structure is located within two business days after the application for the demolition permit has been filed.

SPONSORED BY:

Zulfat Suara
Member of Council

AMENDMENT NO. 3
TO
SUBSTITUTE ORDINANCE NO. BL2025-742

Madam President –

I hereby move to amend Substitute Ordinance No. BL2025-742 by amending Section 2, proposed Metropolitan Code of Laws Section 2.130.020, as follows:

2.130.020 – Historic Zoning Commission Staff

- A. All staff of the historic zoning commission shall be employees of the department of planning and report to the executive director of the department of planning. The existing staff of the historic zoning commission as of July 1, 2025, shall become members of the department of planning and shall retain their civil service status, ensuring employment protections and benefits consistent with other metropolitan civil service employees. Future employees of the department of planning assigned to perform duties related to historic zoning or support of the historic zoning commission shall have the same employment status as do other employees of the department of planning as of the effective date of this ordinance.
- B. All future employees of the department of planning assigned to perform duties related to historic zoning or support of the historic zoning commission should have experience in historic preservation.

SPONSORED BY:

Brenda Gadd
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-624

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 R15 to SP zoning for property located at Pennington Bend Road (unnumbered), at the corner of Wooddale Lane and Pennington Bend Road, (13.44 acres), to permit 39 multi-family residential units, all of which is described herein (Proposal No. 2023SP-055-001).

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 R15 to SP zoning for property located at Pennington Bend Road (unnumbered), at the corner of Wooddale Lane and Pennington Bend Road, (13.44 acres), to permit 39 multi-family residential units, being Property Parcel No. 001.01 as designated on Map 052-00 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 052 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to a maximum of 39 multi-family residential units. Short term rental property, not owner occupied, and short-term rental property, 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. On the corrected copy, re-label the area labeled as Conservation Land to Open Space.~~
- ~~2. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.~~
- ~~3. Comply with all conditions and requirements of Metro reviewing agencies.~~
- ~~4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.~~
- ~~5. 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.~~
- ~~6. 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.~~

- ~~7. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.~~
1. On the corrected copy, relabel the area labeled as Conservation Land to Open Space.
 2. On the corrected copy, provide dimension from centerline of Pennington Bend Road to the site boundary, including areas of dedication.
 3. On the corrected copy, remove the language on the site plan referencing the multi-use trail.
 4. With the submittal of the final site plan, provide architectural elevations complying with all architectural standards outlined on the preliminary SP for review and approval.
 5. Comply with all conditions and requirements of Metro reviewing agencies.
 6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any of any building permits.
 7. The final site plan shall label all internal driveways as "Private Driveways." A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association
 8. 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.

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

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

Section 7. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the RM15 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

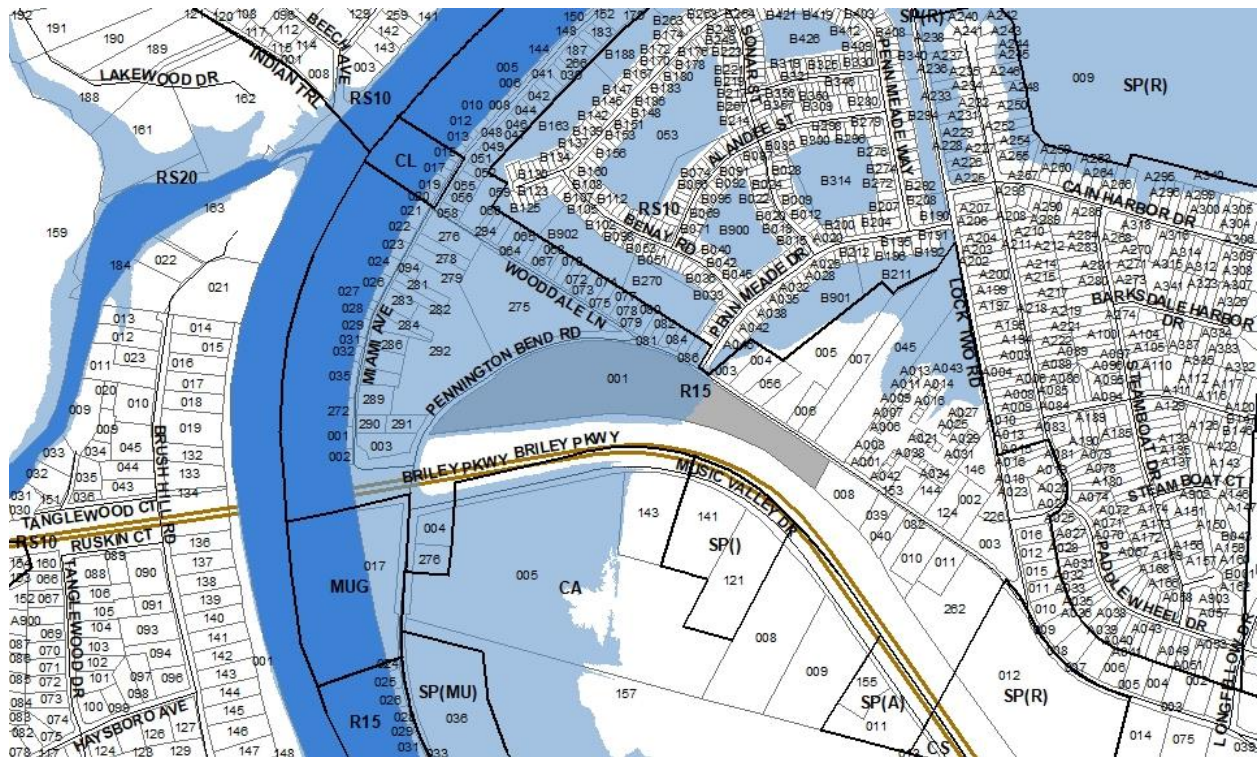
Section 9. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Jeff Gregg
Member of Council

2023SP-055-001
PENNINGTON BEND SP
Map 052, Parcel(s) 001
Subarea 14, Donelson - Hermitage - Old Hickory
District 15 (Jeff Gregg)
Application fee paid by: Christopher Harwell

A request to rezone from R15 to SP zoning for property located at Pennington Bend Road (unnumbered), at the corner of Wooddale Lane and Pennington Bend Road, (13.44 acres), to permit 39 multi-family residential units, requested by Dale & Associates, applicant; Christopher Harwell, Trustee, owner.



Erosion Control and Grading Notes

1. 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.
2. 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.
3. Erosion control barrier is called out on plans and is to comply with the Metropolitan stormwater management manual, volume four.
4. Disturbed areas are to be graded to drain as indicated in the plan to sediment barriers during and upon the completion of construction.
5. 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.
6. Any access routes to the site shall be based with crushed stone, ASTM #1 stone, 100' long and at least 6" thick.
7. 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.
8. The contractor shall notify the Metro Davidson County NDOT construction compliance division, three days prior to beginning the work.
9. 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.
10. Surplus excavation of topsoil shall be placed on the site as approved by the owner for the purpose of future landscape use.
11. The contractor shall furnish and install all necessary temporary works for the protection of the public and employees, including warning signs and lights.
12. 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.
13. All work is to be completed with compliance to the rules and regulations set forth by Metro Water Services. 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.
14. All erosion control measures shall remain in place until site is stabilized & construction is complete.
15. 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.
16. 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.

NDOT Notes

1. All work within the public right of way requires an excavation permit from NDOT.
2. Proof-rolling of all street subgrades is required in the presence of the NDOT inspector. Inspection of the binder course is required prior to final paving in the presence of the NDOT inspector. These requests are to be made 24 hours in advance.
3. Stop signs are to be 30 inch by 30 inch.
4. Street signs to have six inch white letters on a nine inch green aluminum blade, high intensity reflective.
5. All pavement marking are to be thermoplastic.

Landscape Notes

1. 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.
2. All planting and mulch beds shall be sprayed with round-up (contractor's option) prior to the installation of mulch.
3. 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.
4. The landscape contractor shall be responsible for the fine grading of all planting areas.
5. All planting areas shall be fertilized with 12#/1000 s.f. of 10-10-10 fertilizer.
6. All planting beds shall have a minimum of 3" depth of shredded hardwood bark mulch.
7. The landscape contractor shall verify all material quantities. In the event of a discrepancy, the quantities shown on the plan will take precedence.
8. The landscape contractor shall provide the owner with written instructions on the proper care of all specified plant materials prior to final payment.
9. Existing trees to remain shall be protected from construction damage. Selectively prune dead wood.
10. All disturbed areas shall be planted with turf as indicated on the materials schedule.
11. All deciduous trees, existing and proposed shall be pruned to provide 4" minimum clear trunk unless otherwise noted.
12. The landscape contractor shall provide a one year warranty on all plant materials and replace any dead or dying material within that time period.
13. 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.
14. 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.
15. Guying is not allowed unless required by municipality or site conditions. The landscape contractor shall remove wires after a one year period.
16. 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.
17. 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.

Water and Sewer Notes

1. All water and sewer construction shall be in accordance with specifications and standard details of the Metro Water Services.
2. The contractor is responsible for reimbursing the metro water services the cost of inspection.
3. The contractor is to provide and maintain the construction identification sign for private development approved.
4. All connections to existing manholes shall be by coring and resilient connector method.
5. 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.
6. All water meters shall be a minimum of 24" not to exceed a maximum of 28" below finished grade.
7. Pressure regulating devices will be required on the customer side of the meter when pressures exceed 100 psi.
8. Pressure regulating devices will be required on the street side of the meter when pressures exceed 150 psi.
9. 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.

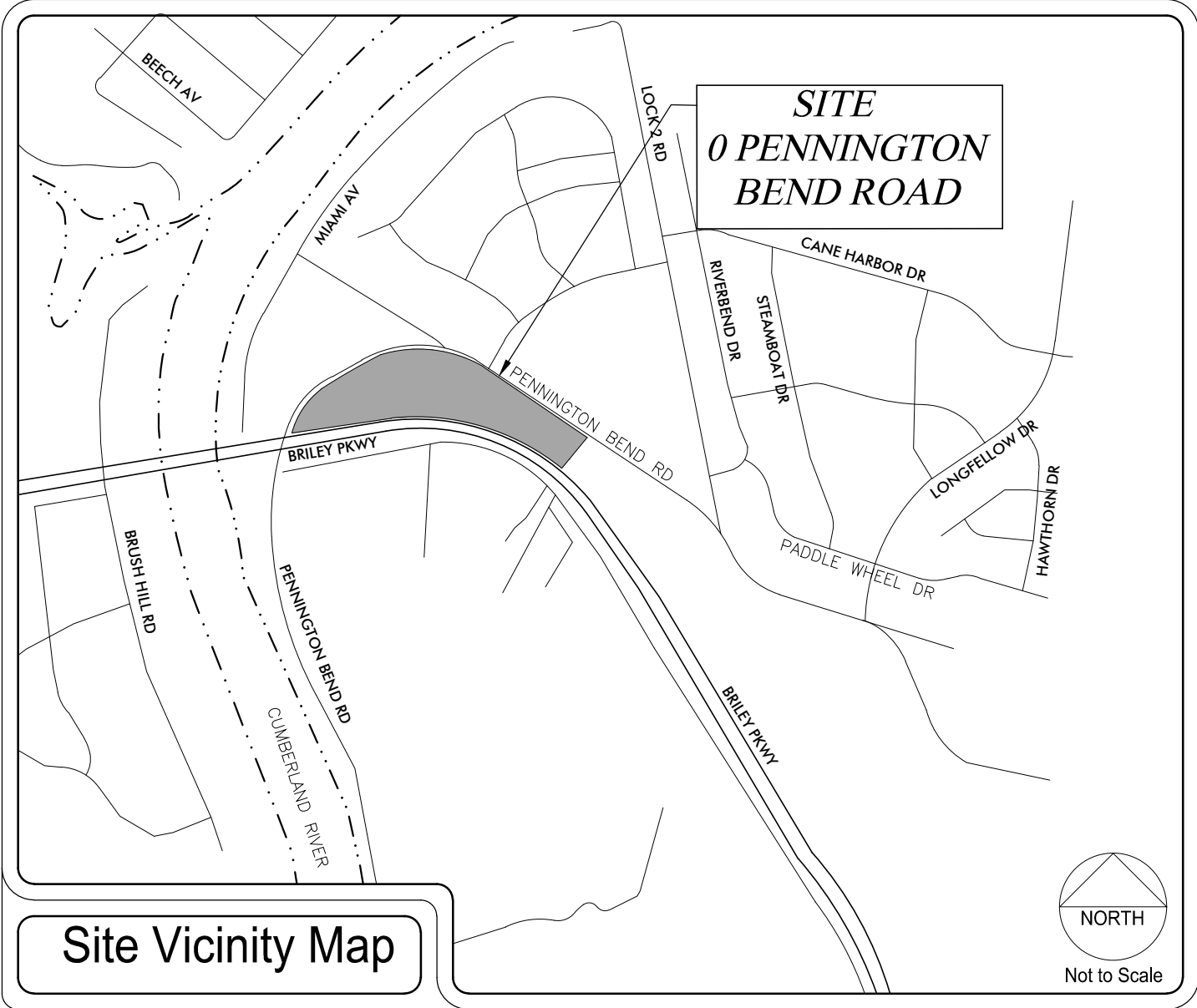
Standard SP Notes

1. The purpose of this SP is to receive preliminary approval to permit the development of a 39 Unit Multi-Family Development as shown.
2. 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.
3. This property does not lie within a flood hazard area as identified by FEMA ON MAP 47037C0412", Dated: April 5, 2017.
4. All public sidewalks are to be constructed in conformance with NDOT sidewalk design standards.
5. Wheel chair accessible curb ramps, complying with applicable NDOT standards, shall be constructed at street crossings.
6. The required fire flow shall be determined by the metropolitan fire marshal's office, prior to the issuance of a building permit.
7. Size driveway culverts per the design criteria set forth by the Metro Stormwater Manual (minimum driveway culvert in Metro right of way is 15" RCP).
8. 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.
9. Individual water and/or sanitary sewer service lines are required for each unit.
10. Solid waste pickup to be provided by private hauler. Solid Waste Contract with Hauler to be provided to NDOT prior to Building Permit Approval.
11. Landscape and tree density requirements per Metro Zoning Ordinance.
12. 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. 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.
13. 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 RM4 zoning district as of the date of the applicable request or application.
14. The final Site Plan/building permit site plan shall depict the required public sidewalks, any required grass strip or frontage zone and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.

Architectural Notes

Building elevations for all street and open space-facing facades shall be provided with the final site plan. The following standards shall be met:

- A. Building facades fronting a street or open space shall provide a minimum of one principal entrance (doorway) and a minimum of 15% glazing.
- B. Windows shall be vertically oriented at a ration of 1:5:1 or greater.
- C. 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.
- D. A raised foundation of 18"-36" is required for all residential structures.
- E. Porches shall provide a minimum of six feet of depth.



SHEET SCHEDULE

- C0.0 Cover Sheet
- C1.0 Existing Conditions Plan
- C2.0-C2.1 Overall Layout & Landscape Plan
- C3.0 Utility, Grading & Drainage Plan

Note:
Drawing is for illustration purposes to indicate the basic premise of the development, as it pertains to stormwater approval / comments only. The final lot count and details of the plan shall be governed by the appropriate stormwater regulations at the time of final application.

Adjacent Hydrant Test
Existing hydrants, tag bolt numbers 00000 & 00000 along with flow tested on xxx/xx/21 by Madison Surveying, Inc. (District, below is a summary of the flow results:
Static Pressure: --- psi
Residual Pressure: --- psi
Flow: --- gpm
Flow @ 20 psi:
Based on table H.5.1 of the current NFPA, the building will not require a fire suppression system.

SPECIFIC PLAN DEVELOPMENT SUMMARY	
USE	MULTI-FAMILY UNITS (39 UNITS)
TOTAL SITE AREA: 13.1 ACRES	
PROPERTY ZONING: R15 (OV-FLD)	SURROUNDING ZONING: R15 (OV-FLD)
MINIMUM LOT SIZE	NOT APPLICABLE
NUMBER OF RESIDENTIAL UNITS/DENSITY	39 TOTAL UNITS / 2.97 UNITS PER ACRE
ISR	0.60 MAXIMUM / 0.57 PROPOSED
STREET YARD SETBACK:	30' FRONT S/B FROM PROPOSED R.O.W.
SIDE YARD	20' FROM PROPERTY LINE
REAR YARD	10' FROM PROPERTY LINE
HEIGHT STANDARDS	3 STORIES MAXIMUM
PARKING AND ACCESS	
RAMP LOCATION AND NUMBER	UNIT ACCESS VIA PROPOSED DRIVES OFF PENNINGTON BEND ROAD
DISTANCE TO NEAREST EXISTING RAMP (MINIMUM 30')	+/- 105' TO THE EAST ALONG PENNINGTON BEND ROAD
DISTANCE TO INTERSECTION	+/- 310' TO THE WEST ALONG PENNINGTON BEND ROAD
REQUIRED PARKING	2.5 STALLS / UNIT (3 BR) @ 39 UNITS = 98 STALLS
PARKING PROVIDED	2 STALLS / UNIT = 78 COVERED STALLS @ 90° + 34 SURFACE

Property Information
0 Pennington Bend Road
(Map 52, Parcel 101)

Nashville, Tennessee 37214
13.1 Total Acres
Council District 15 (Jeff Syracuse)

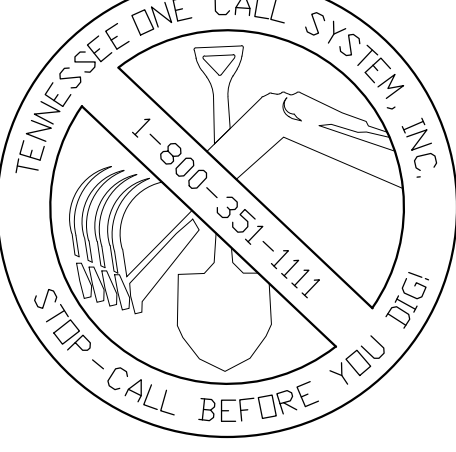
Owner of Record
Christopher F. Harwell Trustee
P.O. Box 158543
Nashville, Tennessee 37215

Surveyor
Campbell, McRae & Associates, Surveying, Inc.
P.O. Box 41153
Nashville, Tennessee 37204
Phone: 615.298.2424
Email: cmas@att.net

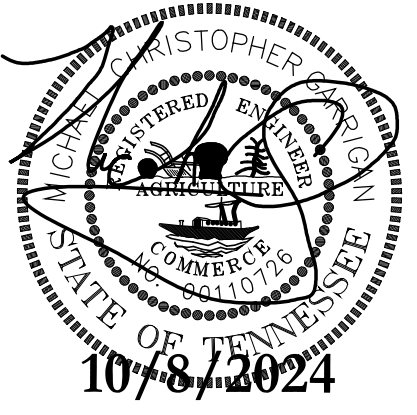
Floodnote
This property is partially located within a Flood Hazard Area as depicted on the current Flood Insurance Rate Map (FIRM) Number 47037C0252H dated April 5, 2017.

Civil Engineer
Dale & Associates
516 Heather Place
Nashville, Tennessee 37204
Contact: Michael Garrigan, PE
Phone: 615.297.5166
Email: michael@daleandassociates.net

Revision Note:
October 2024: Revised to remove the Multi-Use Path from the 9.73 acre Conservation portion of the property & to revise the sidewalk along the frontage to 6' wide per MCSP.



Permits
Metro Case 2023SP-055-001



Dale & Associates
Civil Engineering
Land Planning & Zoning
Surveying

516 Heather Place
Nashville, TN 37204
(615) 297-5166

D&A Project #22161
Pennington Bend SP

C0.0

Development Summary

Property Information
0 Pennington Bend Road
(Map 52, Parcel 101)
Nashville, Tennessee 37214
Council District 15: Jeff Syracuse

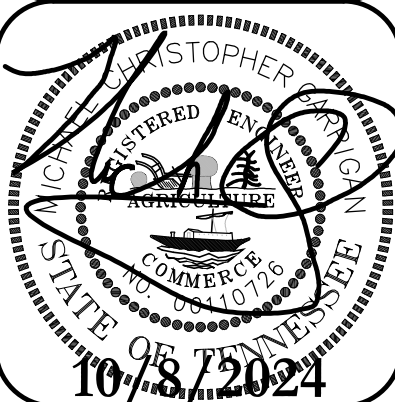
Civil Engineer
Dale and Associates
516 Heather Place
Nashville, Tennessee 37204
Contact: Michael Garrigan, PE
Phone: 615.297.5166
Email:
michael@daleandassociates.net

Drawing Date:
April 2023

Revisions
Oct 2024: Removed
Multi-Use Trail from
Conservation Area

Pennington Bend SP
Preliminary SP Plans

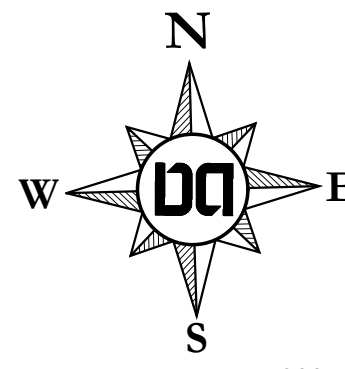
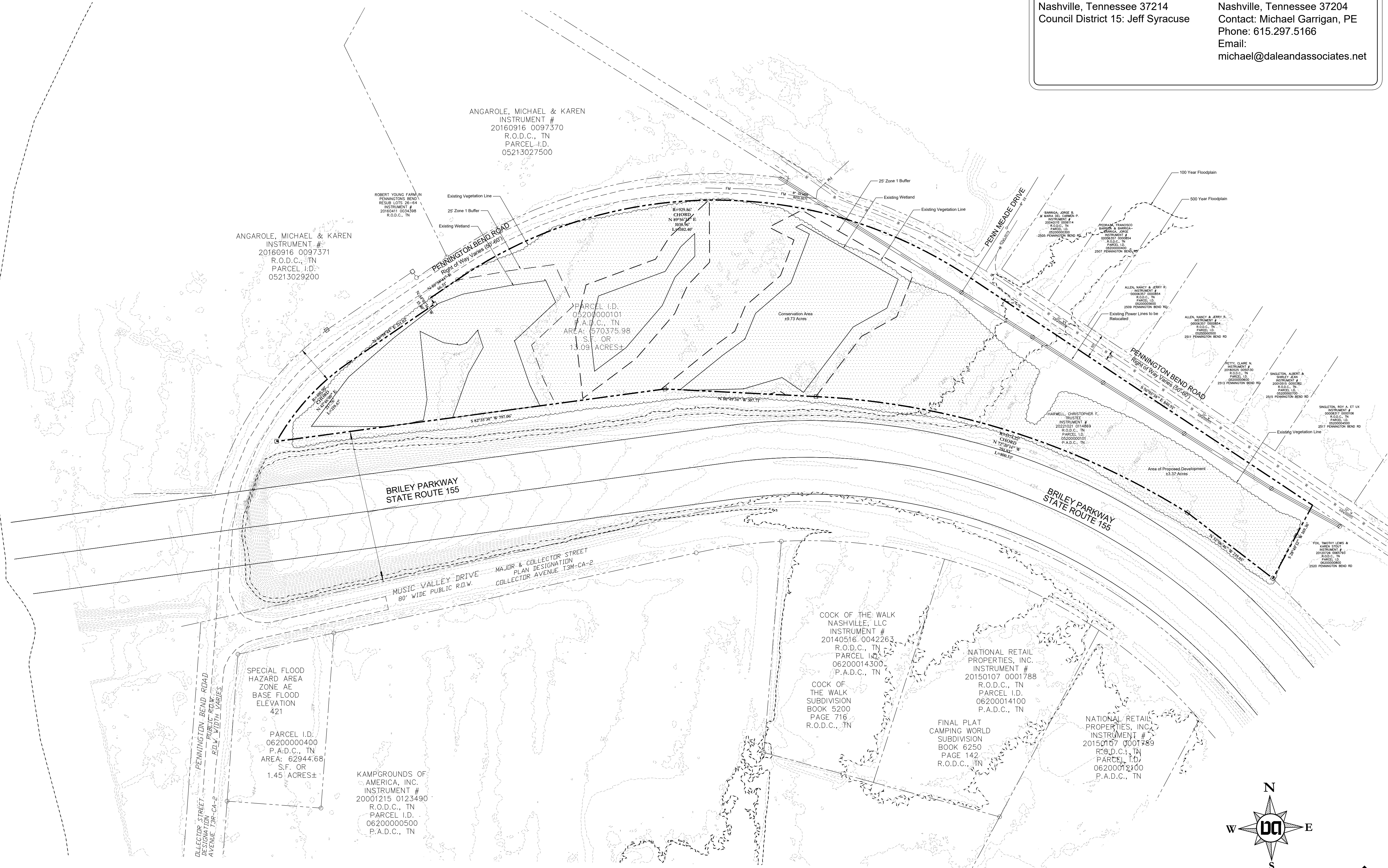
Tax Map 52, Parcel 101
Nashville, Davidson County, Tennessee



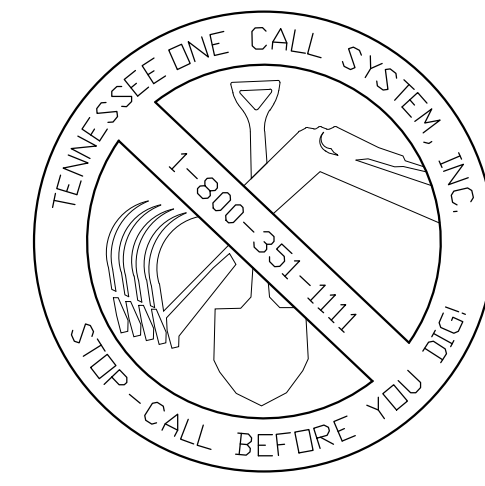
Existing
Conditions
Plan

Dale & Associates
Civil Engineering
Land Planning & Zoning
Surveying
516 Heather Place
Nashville, TN 37204
(615) 297-5166
D&A Project #22161
Pennington Bend SP

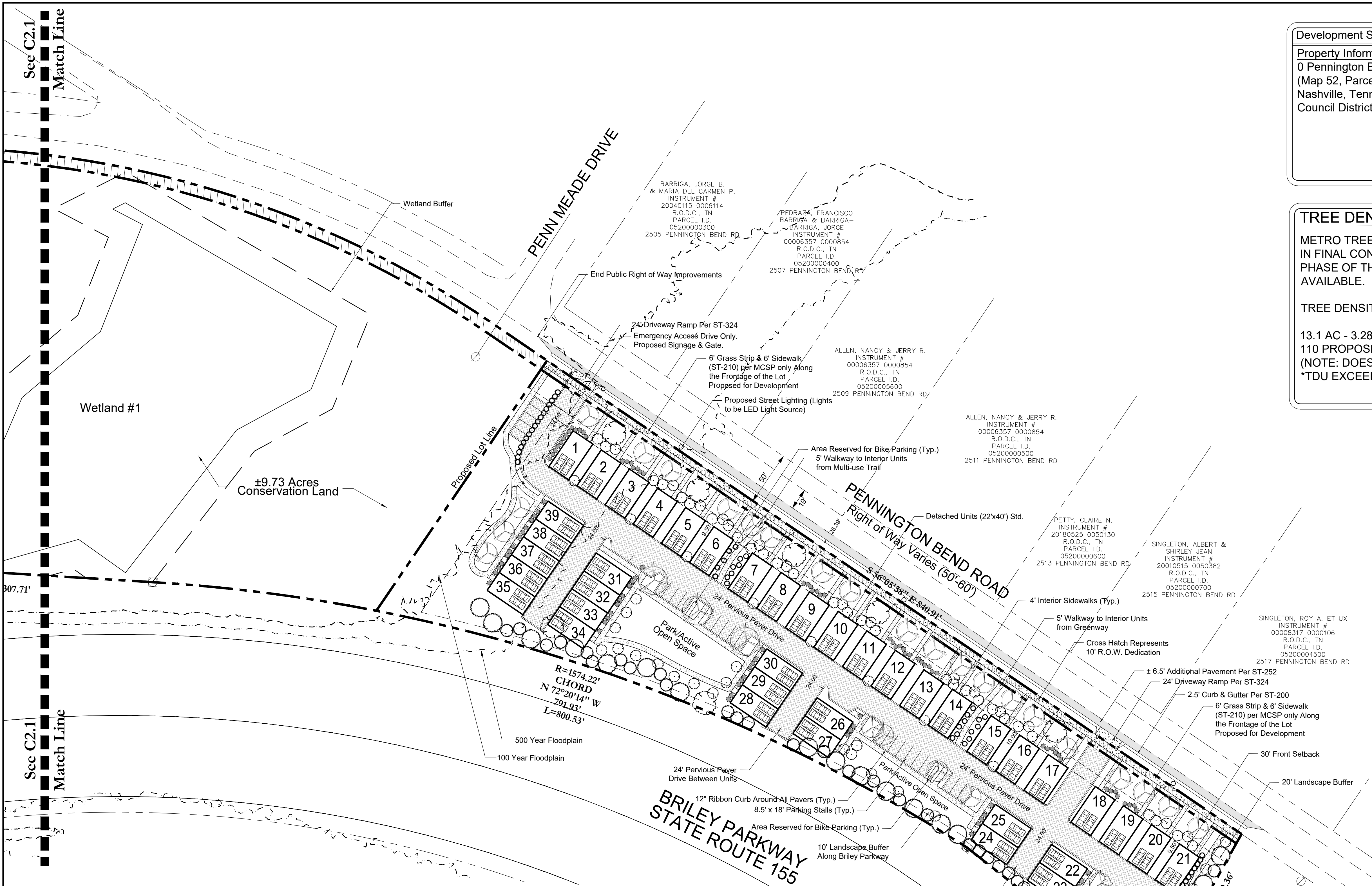
C1.0



SCALE: 1" = 100'
SITE AREA = 570,636 Sq Ft (13.1 Acres)
DISTURBED AREA = 147,103 Sq Ft (3.37 Acres)



Permits
Metro Case 2023SP-055-001



Development Summary

Property Information
0 Pennington Bend Road
(Map 52, Parcel 101)
Nashville, Tennessee 37214
Council District 15: Jeff Syracuse

Civil Engineer
Dale and Associates
516 Heather Place
Nashville, Tennessee 37204
Contact: Michael Garrigan, PE
Phone: 615.297.5166
Email:
michael@daleandassociates.net

TREE DENSITY NOTES

METRO TREE DENSITY REQUIREMENTS WILL BE ADDRESSED IN FINAL CONSTRUCTION DOCUMENTS. AT THE PRELIMINARY PHASE OF THIS PROJECT, NO TREE INFORMATION IS AVAILABLE.

TREE DENSITY UNITS:

13.1 AC - 3.28 AC = 9.82 AC x 22 = 216.04 TDU's REQ'D
110 PROPOSED 2" CALIPER TREES = 220 TDU PROV.
(NOTE: DOES NOT INCLUDE EX. TREES TO BE PRESERVED)
*TDU EXCEEDED

TREE DENSITY NOTES

TREE DENSITY FACTORS PER METRO ZONING ORDINANCE.

Note:

SOLID WASTE TO BE PROVIDED BY PRIVATE HAULER VIA ROLL-AWAY CANS.

Note:

Drawing is for illustration purposes to indicate the basic premise of the development, as it pertains to stormwater approval / comments only. The final lot count and details of the plan shall be governed by the appropriate stormwater regulations at the time of final application.

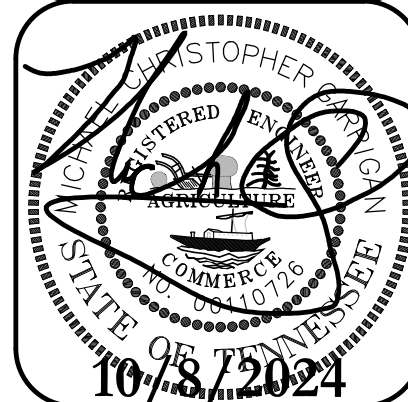
Drawing Date:
April 2023

Revisions
Oct 2024: Removed
Multi-Use Trail from
Conservation Area

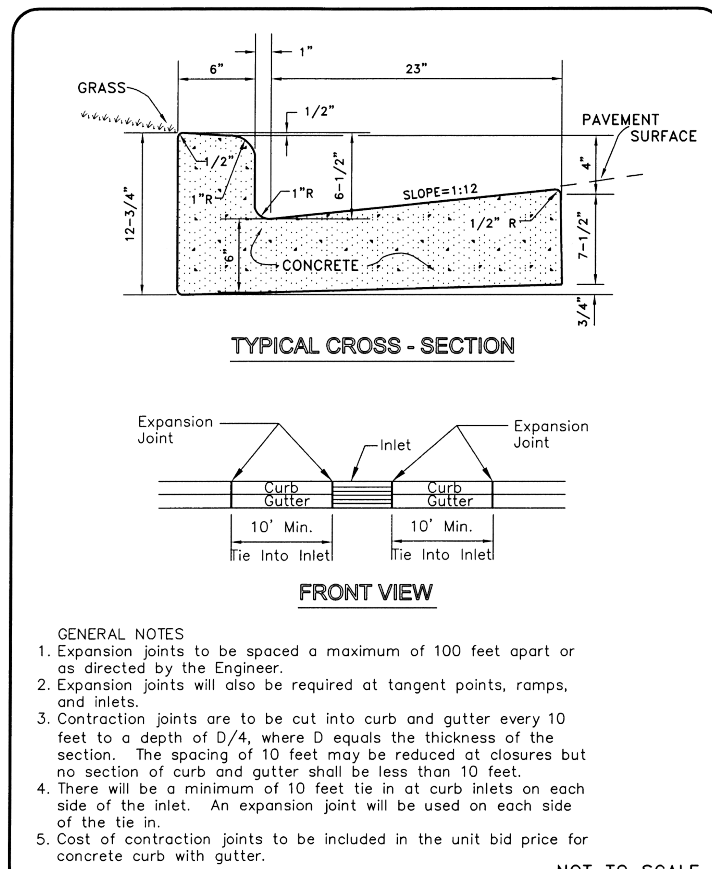
Pennington Bend SP

Preliminary SP Plans

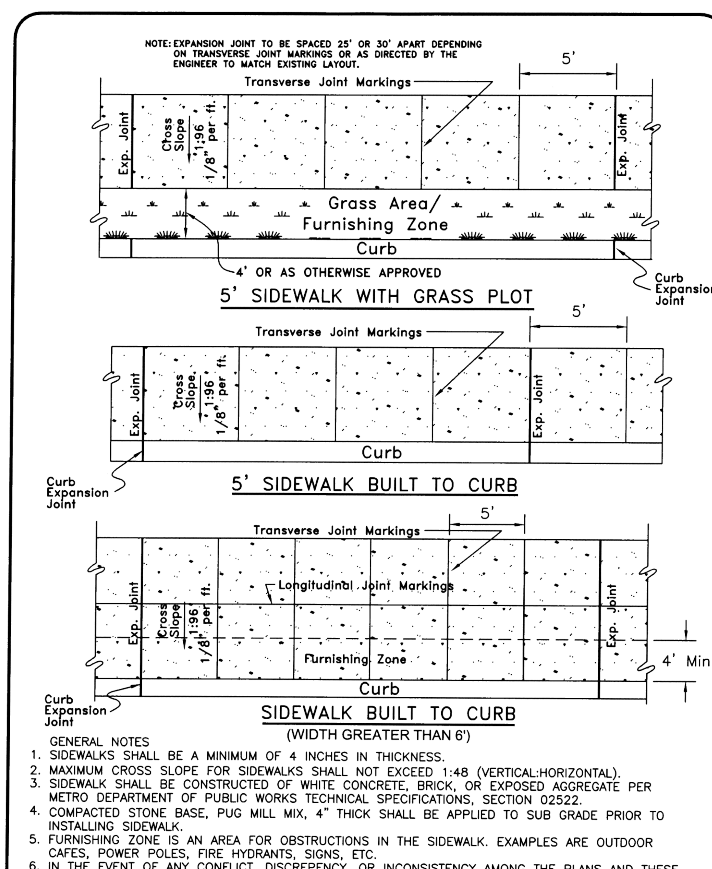
Tax Map 52, Parcel 101
Nashville, Davidson County, Tennessee



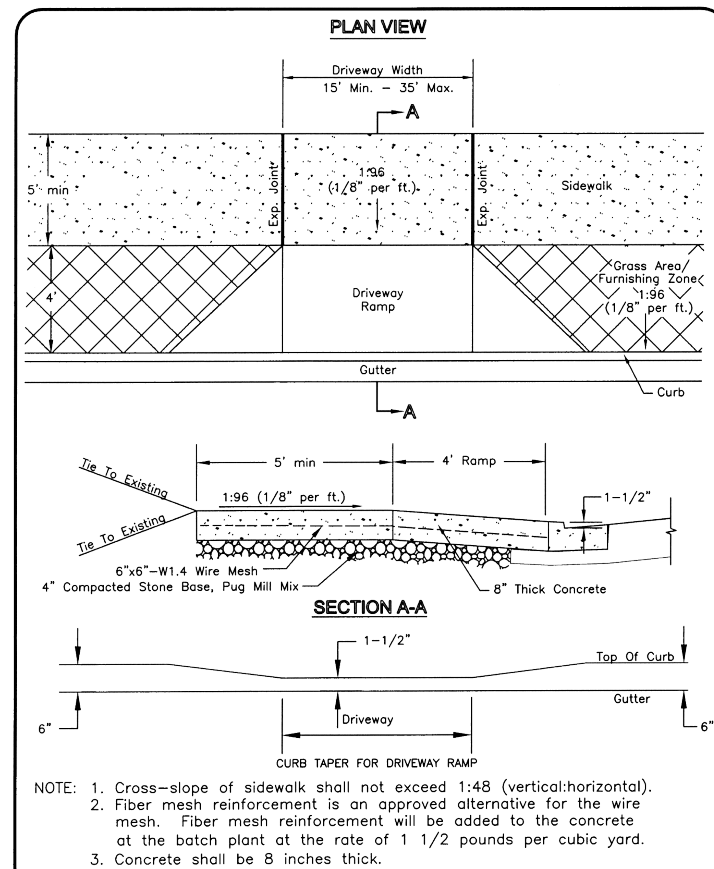
Overall Layout
and Landscape
Plan



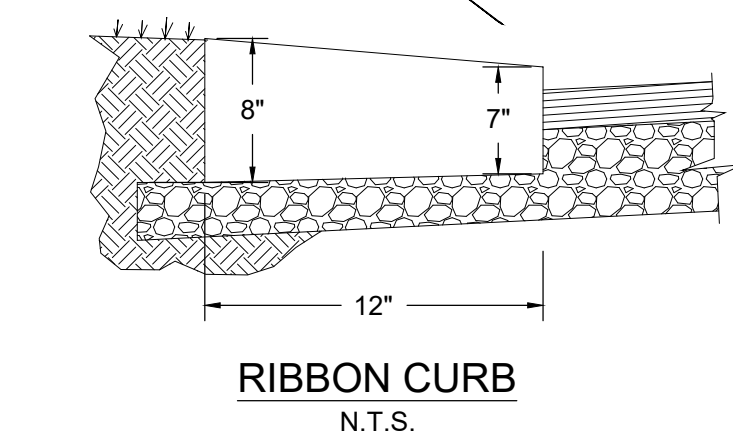
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
DEPARTMENT OF PUBLIC WORKS
DIR. OF ENG.: *Mark Hargis*
DATE: 5/12/23
REVISION: 07/27/23
REVISION: 05/02/23



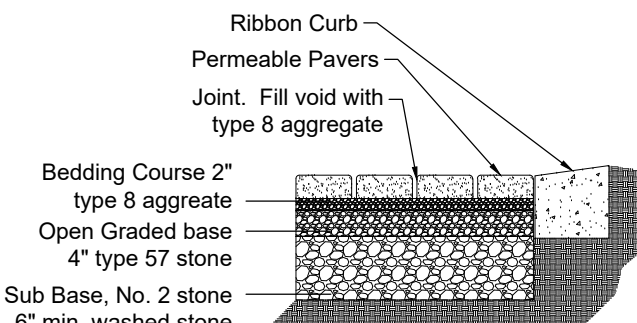
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
DEPARTMENT OF PUBLIC WORKS
DIR. OF ENG.: *Mark Hargis*
DATE: 7/15/24
REVISION: 05/02/23
REVISION: 11/24/23
REVISION: 06/25/24



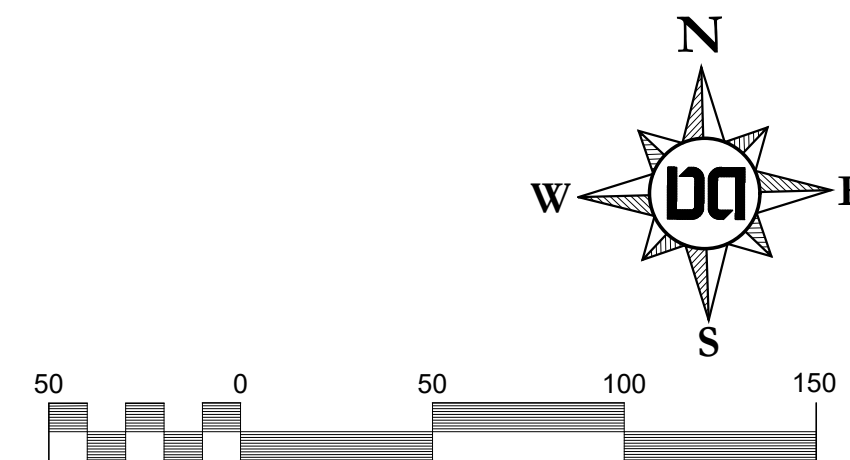
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REVISION: 05/02/23
REVISION: 05/02/23



General Notes:
1. Expansion joints to be spaced a max. of 100' apart or as directed by engineer.
2. Expansion joints will also be required at tangent points, ramps, and inlets.
3. Contraction joints are to be cut into curb and gutter every 10' to a depth of D/4, where d equals the thickness of the section. The spacing of 10' may be reduced at closures but no section of curb shall be less than 10'.



General Notes:
1. Contractor, engineer, owners representative shall notify Metro Water Services development review at least 24 hrs. prior to the installation of the pervious layer to observe the sub base material.
2. Vehicular traffic shall be prohibited on the pervious pavement until the site is stable to prevent mud from being deposited by vehicle.



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Dale & Associates
Civil Engineering
Land Planning & Zoning
Surveying

D&A Project #22161
Pennington Bend SP

C2.0

ANGAROLE, MICHAEL & KAREN
INSTRUMENT #
20160916 0097371
R.O.D.C., TN
PARCEL I.D.
05213029200

ROBERT YOUNG FARM IN
PENNINGTONS BEND
RESUB LOTS 26-64
INSTRUMENT #
20160411 0034398
R.O.D.C., TN

10' Right of Way Dedication. No
Public Improvements Proposed

PENNINGTON BEND ROAD
Right of Way Varies (60'-60')

Wetland Buffer

Wetland Buffer

Wetland Buffer

R=929.86'
CHORD
N 89°56'33" E
1038.96'
L=1102.40'

Match Line
See C2.0

Wetland #2

±9.73 Acres
Conservation Land

Wetland #1

±9.73 Acres
Conservation Land

Wetland #3

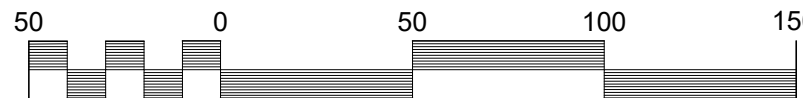
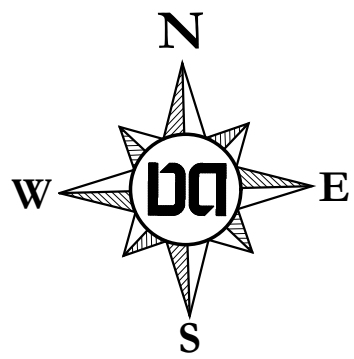
R=480.90'
CHORD
N 42°46'00" E
217.76'
L=219.67'

S 82°35'30" W 797.06'

N 86°49'34" W 307.71'

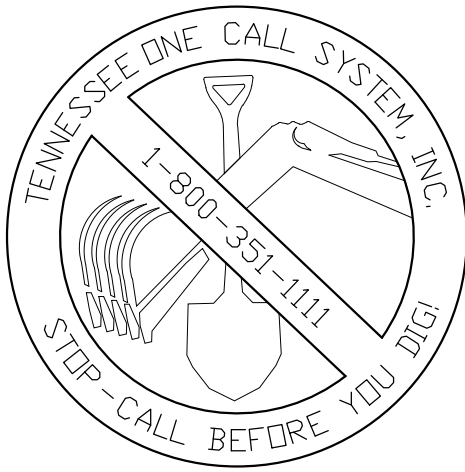
Match Line
See C2.0

BRILEY PARKWAY
STATE ROUTE 155



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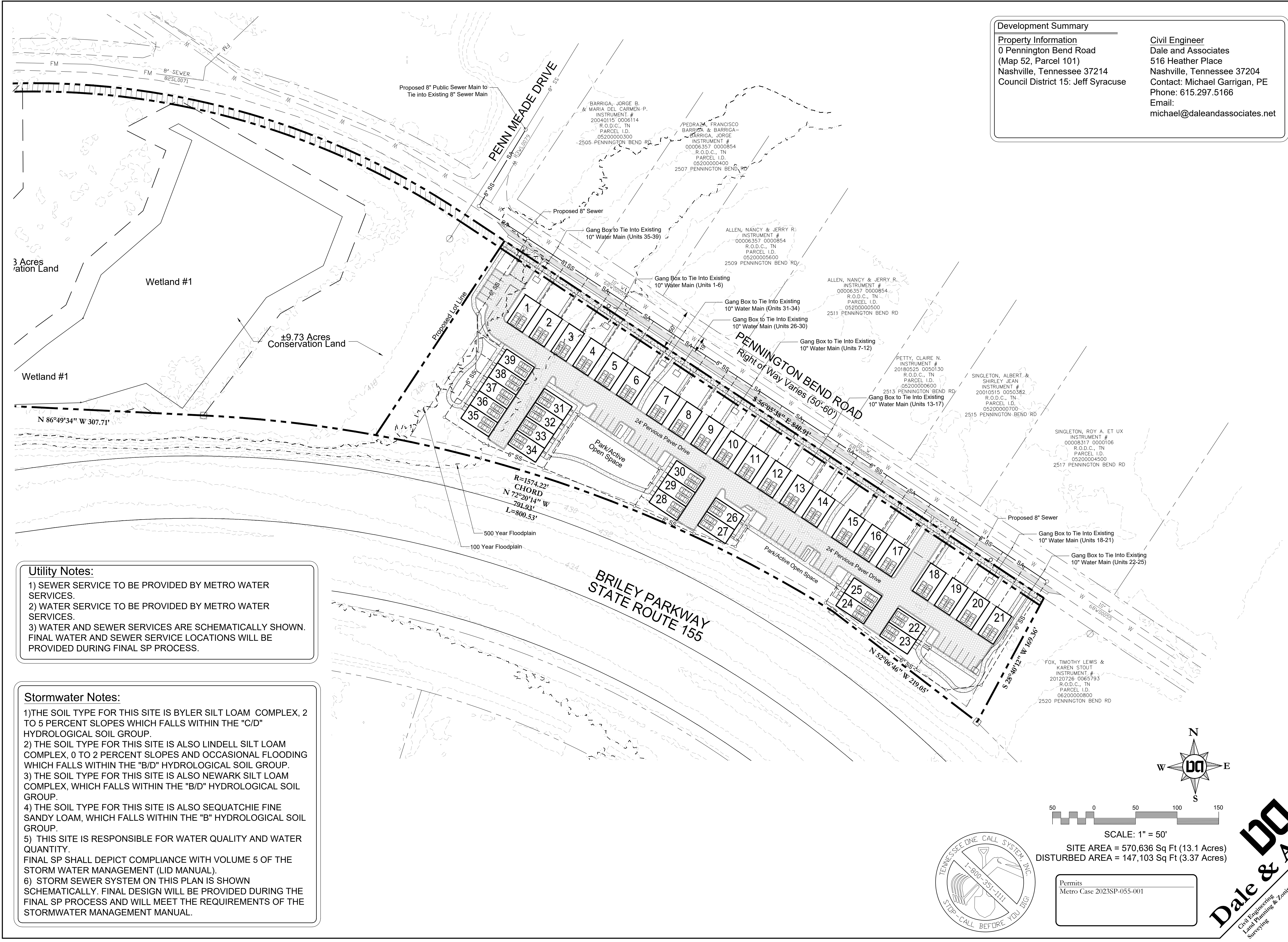
10/8/2024

Overall Layout
Plan
(Continued)

D&A Project #22161
Pennington Bend SP

C2.1

516 Heather Place
Nashville, TN 37204
(615) 297-5166



Development Summary

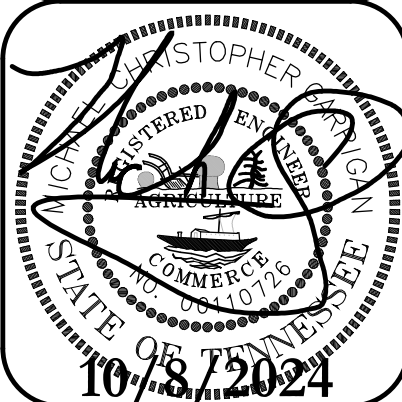
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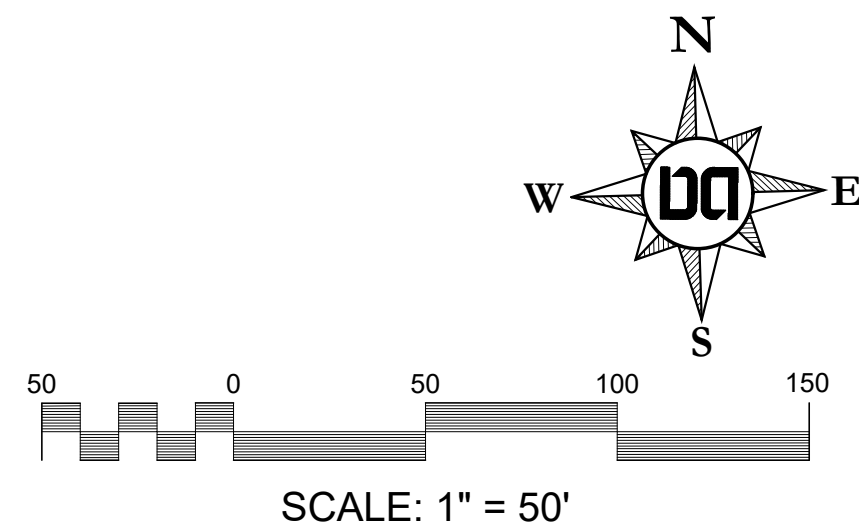
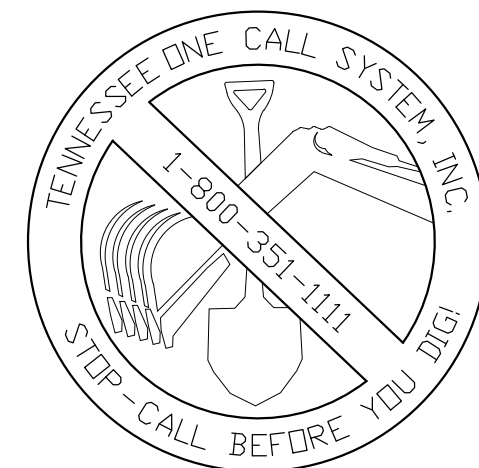
Utility and
Grading &
Drainage Plan

Utility Notes:

- 1) SEWER SERVICE TO BE PROVIDED BY METRO WATER SERVICES.
- 2) WATER SERVICE TO BE PROVIDED BY METRO WATER SERVICES.
- 3) WATER AND SEWER SERVICES ARE SCHEMATICALLY SHOWN. FINAL WATER AND SEWER SERVICE LOCATIONS WILL BE PROVIDED DURING FINAL SP PROCESS.

Stormwater Notes:

- 1) THE SOIL TYPE FOR THIS SITE IS BYLER SILT LOAM COMPLEX, 2 TO 5 PERCENT SLOPES WHICH FALLS WITHIN THE "C/D" HYDROLOGICAL SOIL GROUP.
- 2) THE SOIL TYPE FOR THIS SITE IS ALSO LINDELL SILT LOAM COMPLEX, 0 TO 2 PERCENT SLOPES AND OCCASIONAL FLOODING WHICH FALLS WITHIN THE "B/D" HYDROLOGICAL SOIL GROUP.
- 3) THE SOIL TYPE FOR THIS SITE IS ALSO NEWARK SILT LOAM COMPLEX, WHICH FALLS WITHIN THE "B/D" HYDROLOGICAL SOIL GROUP.
- 4) THE SOIL TYPE FOR THIS SITE IS ALSO SEQUATCHIE FINE SANDY LOAM, WHICH FALLS WITHIN THE "B" HYDROLOGICAL SOIL GROUP.
- 5) THIS SITE IS RESPONSIBLE FOR WATER QUALITY AND WATER QUANTITY.
- 6) FINAL SP SHALL DEPICT COMPLIANCE WITH VOLUME 5 OF THE STORM WATER MANAGEMENT (LID MANUAL).
- 7) 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.



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C3.0