



Metropolitan Council

**PROPOSED AMENDMENTS PACKET
FOR THE COUNCIL MEETING OF
TUESDAY, SEPTEMBER 3, 2024**

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017	Substitute Ordinance No. BL2024-476

SUBSTITUTE
AMENDMENT TO RULES OF PROCEDURE, RULE 28

Madam President:

I move to amend the 2023-2027 Metropolitan Council Rules of Procedure by amending Rule 28.1 as shown below:

28. Public addressing Council

28.1 The public shall be provided an opportunity to address the Council during a public comment period at the beginning of each regular and special meeting of the Council and of a Council committee. The public comment period shall be limited to residents of the State of Tennessee. Members of the public must show proof of Davidson County residency in order to speak. The public comment period for regular and special meetings of the Council shall not be limited to items on the agenda. The public comment period for regular and special meetings of the Council shall be limited to 20 minutes. The public comment period for regular and special meetings of Council Committees shall be limited to matters that are relevant to legislative items on the Committee agenda. The public comment period for regular and special meetings of Council Committees shall be limited to eight minutes. Individuals shall be allowed to speak for up to two minutes each. Public comment periods will not be held at any meeting where there are no actionable items on the agenda. The Council Office shall make policies and procedures necessary to facilitate the public comment period, including acceptable proof of residency, access to language interpretation, and other related accessibility needs. To the extent permitted by law, the Council Office shall not store any proof of residency that it may review.

SPONSORED BY:

Zulfat Suara
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2024-484

Madam President –

I hereby move to amend Ordinance No. BL2024-484 by replacing the Preliminary SP plan with the updated Preliminary SP Plan attached to this amendment.

SPONSORED BY:

John Rutherford
Member of Council

Aug 13, 2024 - 1:20pm T:\CADD\2021\21-137-01\CAD\Civil\Prelim SP\21-137-01 - C0.00 - Cover Sheet.dwg

PRELIMINARY SP BERKHAMSTED

7088 BURKITT ROAD
NASHVILLE, DAVIDSON COUNTY, TENNESSEE
MAP 186 - PARCEL 6.00
ZONED: AR2A
COUNCIL DISTRICT 31 - JOHN RUTHERFORD
METRO SP CASE NO. 2022SP-021-001

PROJECT CONTACTS

OWNER | DEVELOPER CAMBRIDGE COMMUNITIES OF TN

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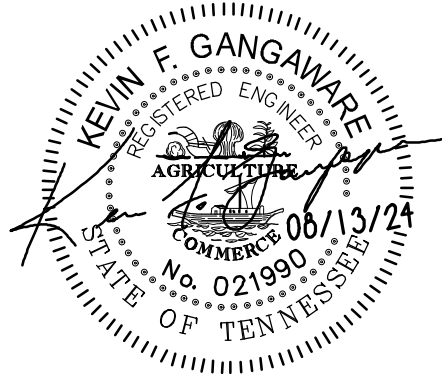
PLANNER | ENGINEER CSDG

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SEAL



BERKHAMSTED
PRELIMINARY SP
7088 Burkitt Road
Nashville, Davidson County, Tennessee
Map 186 - Parcel 6.00

ISSUE SET:

Preliminary SP

ISSUE DATE: 07.26.2023

REVISION HISTORY:

Rev.	Description	Date
1	Staff Comments	03/22/22
2	Staff Comments	05/04/22
3	Staff Comments	03/01/23
4	Owner Comments	04/05/23
5	Staff Comments	04/24/23
6	Staff Comments	05/12/23
7	Staff Comments	05/16/23
8	Preliminary SP Resubmittal	07/26/23
9	Added Amenity Layout	03/28/24
10	Planning Staff Comments	05/02/24
11	Community Comments	06/04/24
12	Additional Planning Comments	06/17/24
13	Planning Conditions	08/13/24

DRAWN BY:
CHECKED BY:

COVER SHEET

C0.00

PROJECT NO.: 21-137-01

SPECIFIC PLAN NOTES

PURPOSE & INTENT

- 1. The purpose of this specific plan it to permit the development of a maximum of 119 multifamily residential units. Short term rental property (owner occupied) and short term rental property (not owner occupied) shall be prohibited.
- 2. For 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 RM15 zoning district as of the date of the or application.

GENERAL PLAN CONSISTENCY

- 1. This specific plan proposal herein is located within the Southeast Community Plan. The specified land use is Neighborhood Evolving, Tractsect 3 or T3 NE.
- 2. This plan is consistent with the goals established throughout the policy and is consistent with several critical planning and community goals. This plan provides a diverse housing choice for the area and a high level of connectivity opportunities to neighboring properties. This plan provides a walkable/bikeable neighborhood with usable formal and informal open spaces.
- 3. 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 of the base zoning district (RM15) as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

ARCHITECTURAL STANDARDS

- 1. A minimum of 15% window glazing for the building facades that face the proposed public roads shown on the Preliminary Development Plan (sheet C2.00).
- 2. Windows shall be vertically oriented at a ratio of 2:1 or greater except for dormers.
- 3. 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.
- 4. All homes will be constructed using the latest Energy Efficiency standards set forth by Metro Codes Department.
- 5. Roof material will be limited to 30-year dimensional shingles and/or metal standing seam for entry porches.
- 6. Covered entries and side unit porches with expressed beams and square columns.
- 7. 20% glazing shall be provided on the building facades that face Burkitt Road.

DESIGN PLAN

Through this Specific Plan, the community will be ensured a level of quality and a sense of community. The intent of the Berkhamsted SP is to provide a safe residential community with the emphasis on pedestrian-oriented streetscapes, a diverse housing choice, adequate open space, amenities and quality architecture.

More specifically, this SP and supporting Design Guidelines are intended to:

- 1. To acknowledge the Cane Ridge Community Resource Declaration/Southeast Community Character Manual and incorporating applicable principles as noted in this Specific Plan/Notes.
- 2. Maintain a scale and form of development that emphasizes sensitivity to the pedestrian environment.
- 3. Achieve "traffic calming" through a curvilinear street network.
- 4. Provide road connectivity to adjoining properties for future connections.
- 5. The main north-south road which will transverse the property from Burkitt Road to the northern most property line will be designated as a local road with a 50' Right of Way.
- 6. All public roads will be designed with a 4' planting strip and 5' sidewalks.
- 7. All surface parking areas must meet the "parking area screening and landscaping" requirements specified in the Metro Zoning Code.
- 8. All public road signage shall meet metro standards. All signs shall be mounted on black decorative post. Entrance monument will be a single stone column with sculpted wood depicting community name.
- 9. Provide for a variety of strategically located and carefully designed public and/or common spaces, including streets, greens and formal open space.
- 10. All development within the boundary of this plan shall comply with the American with Disabilities Act and Fair Housing Act.
- 11. Minimum distance between buildings shall 15 feet.
- 12. All public utilities and services shall be located underground.
- 13. All dumpsters shall comply with 17.24.060 of the Metro Zoning Code.

TREE CONSERVATION/BUFFER

- 1. Where possible, large canopy trees of good health and established tree groves will be preserved. A 20-foot minimum open space buffer shall be provided around the edges of the property. This development shall comply with and meet the requirements of the metro zoning code 17.24 tree protection. This area will be planted with additional trees and shrubs.
- 2. Buffer shall not be disturbed except for minor grading and clearing of underbrush during installation of irrigation and landscaping.

LANDSCAPING STANDARDS

- 1. This development shall comply with the requirements of the SP.
- 2. Landscaping shall be per Metro Zoning Code unless specifically modified through the SP zoning.
- 3. A landscaping ordinance plan shall be submitted with the final SP
- 4. Native species street trees shall be provided along all public street frontages at a minimum spacing of 40 foot on center.
- 5. All landscaping shall be irrigated, if drought resistant plant material is used irrigation shall not be required.
- 6. Where trees are planted in rows they shall be of uniform in shape and size.
- 7. All plant material shall be freshly dug, sound, healthy, vigorous, well branched and free of disease and shall good root ball.

WATER QUALITY

- 1. Berkhamsted will meet or exceed the Metro Nashville Water Quality Standards.
- 2. The stormwater plan will seek to decentralize runoff and utilize various Low Impact Development Techniques to infiltrate run off into the ground near its source.
- 3. These techniques will include but not limited to Bio-Ponds, Water Quality Swales, Grass Channels and Overland Flow through vegetated areas.

LIGHTING

- 1. We will comply or exceed the following Lighting standards in private parking areas.
- 2. Article 410.10 of the 2017 Edition of the National Electrical Code is amended by adding the following Section G in the Metro Zoning Code.
- 3. Parking Lots - Open parking lots shall use luminaires with a "U" BUG rating (Backlight Up lighting Glare) of 0 without external shields. Luminaires shall have a Correlated Color Temperature (CCT) of 3000 Kelvin or below. Principal walkways and parking shall have a maintained minimum illuminance of 0.2 foot-candles at grade. The average light level is not to exceed the average lighting level of 1.5 foot-candles, as related to the Transect Category for the site as designated in the Community Plans of Nashville Next. Spill light at the property line shall not exceed 0.5 foot-candles measured at 3' above grade. Exception may be given for calculation points on the drive between the parking lot and roadway only. Occupancy sensors or timers may turn lights off or dim by at least 30% during periods of no occupancy. Prior to installation, a photometric plan shall be reviewed by a certifying engineer with calculation points on a 10' x 10' grid.
- 4. We will be utilizing a Autobahn ATBO & ATBE Amber LED light on a 25 foot black aluminum post in all parking areas.
- 5. All streetlights in public Rights of Way shall comply with the standards set forth by Nashville Electric Service Street Light Standards. It is our intent to utilize a Holophane Octagonal Lantern NES Stock Code: 303 295 010 high pressure sodium light on a 12 foot decorative post.

AMENITIES

- 1. A 6' wide paved pedestrian and bike path shall be constructed form Burkitt Road to the rear property line and will provide a connection to The Village United Methodist Church property. A pedestrian access easement shall be provided along the proposed path.
- 2. Bike parking shall be provided per the UZO standards.
- 3. Sidewalks along both side of all public roads.
- 4. Sidewalk paralleling Burkitt Road.
- 5. Covered pavilion with formal green space for Berkhamsted Residents gatherings.
- 6. 50 to 55 percent of the site area excluding right-of-way shall be set aside as open space.

OFF SITE INFRASTRUCTURE

- 1. Upon completion of a traffic impact study, Metro will determine what traffic mitigations will be required and which phase these mitigations will be required in.
- 2. Metro Water Service (MWS) has established a Development Area Participation Agreement Recovery Charge (DAPARC) for the Southeast Development Area. Funds generated through charge will be used exclusively by MWS for the recuperation of MWS expenditures for constructing water system improvements in the water service area. Berkhamsted agrees to reimburse MWS for its pro-rated share which is estimated to be \$1000 per home or until program is inactive.

PHASING

- 1. Berkhamsted will be constructed in two phases.
- 2. Development of Phase 1 will begin upon receiving all Metro Nashville and state approvals
- 3. Phase 2 development is anticipated to begin when 50% of Phase1 units are under contractor and/or 25% of Phase 1 homes have been closed.

CONDITIONS OF APPROVAL

- 1. Permitted uses shall be limited to a maximum of 119 multi-family units. Short term rental property (owner occupied) and short term rental property (not owner occupied) shall be prohibited.
- 2. Areas of surface parking which are visible from public right of ways shall be sufficiently screened with landscaping and reviewed with the final SP landscape plan.
- 3. Final Screening details for dumpster locations to be determined at final SP review. All screening shall meet the minimum standards of the Metro code and additional supplemental landscape screening may be required. No dumpsters are permitted with landscape buffer yards.
- 4. With the submittal of the final site plan, additional landscaping shall be provided between the northern most drive sails and the open space.
- 5. 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.
- 6. There shall be no permanent parking of food trucks within the bounds of the SP. Temporary food trucks shall meet all Metro requirements.
- 7. No master permit/HPR shall be recorded prior to final SP approval.
- 8. Final plat may be required prior to permitting.
- 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. 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.
- 11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior tot he issuance of any building permits.
- 12. Comply with all conditions and requirements of Metro reviewing agencies.
- 13. If a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject tot he standards, regulations, and requirements of the RM15 zoning district as of the date of the applicable request or application.
- 14. A corrected copy of the Preliminary SP Plan incorporating the conditions of approval by Metro Council shall be provided tot he Planning Department prior to or with final site plan application.
- 15. 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 objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increases 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.

METRO WATER & SEWER NOTES

All water and sewer construction shall be in accordance with specifications and standard details of the Metro Water Services.

- 1. The contractor is responsible for reimbursing the Metro Water Services the cost of inspection.
- 2. The contractor is to provide and maintain the construction identification sign for private development approved.
- 3. 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.
- 4. All connections to existing manholes shall be by coring and resilient connector method.
- 5. Reduced Pressure Backflow Prevention Devices (RBPB) 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. Upon completion of construction of water and/or sewer, the engineer shall provide the department with a complete set of as-built plans on moist erasable Mylar in reverse and in digital (*.dwg) format. Sewer plans shall be sealed by a licensed professional engineer or a registered land surveyor and shall include actual field angles between lines, all actual service lines and tee locations, the distance of the end of the service line to property corners and lines and/or station and offset from sewer centerline to end of service line, the depth to the top of the end of the service line, and shall reflect all alignment and grade changes. Water line plans shall be sealed by a licensed professional engineer or a registered land surveyor and shall include offset distance from the roadway centerline, or property line right of way, line depth, locations of hydrants, valves, reducers, tees and pressure reducing devices where applicable. All drawings must be completed and submitted prior to acceptance of the sewers or water mains into the public system and any connections being made.
- 8. Pressure regulating devices will be required on the customer side of the meter when pressures exceed 100 psi.
- 9. Pressure regulating devices will be required on the street side of the meter when pressures exceed 150 psi.
- 10. All water mains must be located within the paved area including all blow-off assemblies.
- 11. The contractor shall provide the record drawing information noted above to the engineer.
- 12. Double detector check valves shall be located within a conditioned fire room with exterior entrance.
- 13. Townhomes shall be able to utilize one 6-inch sewer service per two units.

MWS STANDARD PRIVATE UTILITY NOTES

- 1. All water and/or sewer services, along with appurtenances, shall be installed in accordance with specifications and standard details of the Metro Water Services.
- 2. All connection to existing manholes shall be by coring and resilient connector method.
- 3. Vertical Double Check Valve Assemblies, that are located in interior rooms, can only be used for fire services.
- 4. All water meters shall be a minimum of 24" not to exceed a maximum of 28" below finished grade.
- 5. Irrigation line shall be copper from the meter to the backflow preventer.
- 6. The minimum fees outlined in the capacity letter must be paid before commercial construction plans can be approved.
- 7. All sewer services shall be 6 inches in diameter, from the connection at the main until the first clean out assembly.
- 8. Backflow device to remain accessible at all times.
- 9. Plan size shall be 24"x36", and shall show contours around meter boxes.

PUBLIC WORKS CONSTRUCTION NOTES

- 1. Proof rolling of all public street sub-grades is required in the presence of the Public Works' inspector. This request is to be made 24 hours in advance.
- 2. Stop signs to be 30 inch x 30 inch.
- 3. Street signs to have six inch white letters on a nine inch green aluminum blade.
- 4. All signs to have 3M reflective coating.
- 5. All utility boxes located in the right of way or in the sidewalk shall be approved by the MPW inspector prior to installation.
- 6. All of the public sidewalk along the roadway shall follow the grade of the roadway and shall not be adjusted to meet private sidewalk connections. The adjustments shall be made out of the right of way.
- 7. Drainage shall not flow over the sidewalk.
- 8. Curb ramps shall have detectable warning strips.
- 9. Driveway width can be sight adjusted at the discretion of the MPW inspector.
- 10. Elevation of the curb and gutter is the responsibility of the contractor but once in place shall function as designed.
- 11. Curb and gutter installed may be tested to verify flow to the storm drain system. Drainage shall not pool in roadways.
- 12. Replace stormwater grates within public right of way with bike friendly grates.
- 13. Final plans and road grades shall comply with the design regulations established by the Department of Public Works. Slopes along roadways shall not exceed 3 to 1.

METRO STORMWATER NOTES

- 1. Any excavation, fill or disturbance of the existing ground elevation must be done in accordance with Stormwater Management Ordinance No. 78-840 and approved by The Metropolitan Department of Water Services.
- 2. Metro Water Services shall be provided sufficient and unencumbered ingress and egress at all times in order to maintain, repair, replace, and inspect any stormwater facilities within the property.
- 3. Size driveways culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" RCP).
- 4. 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.
- 5. Drawing indicates the basic premise of the development, as it pertains to Stormwater approval / comments only. The final details of the plan shall be governed by the appropriate stormwater regulations at the time of final application.

NES NOTES

- 1. NES can meet with the developer upon request to determine service options.
- 2. Construction plans shall show any existing utilities easements on the property, the utility poles on the property, and the poles along the right-of-way.
- 3. NES will need any road improvement plans to Burkitt Road.
- 4. Existing poles, anchors, and overhead conductors that need to be relocated due to improvements may come at an additional const to the developer.
- 5. This development will be served with underground distrubution and pad-mounted transformers.
- 6. The riser pole should be placed on the development property.
- 7. Additional underground infrastructure may be required in the form of switching cabinets, termination cabinets, and additional conduit in the event that the property is acquired in the future and for reliability.
- 8. Final quantity and location of NES equipment to be determined by the NES Engineer after receiving final plans and electrical load information. An Exhibit 'B' design will be sent to the developer or representatives of the development for review. Suggestions or requests to the design should be made during the review process. Any changes requiring re-design, after this document has been signed, will be at the developer's cost.
- 9. Multi-family portions of the development will be served with meter centers.
- 10. The developer's vegetation desing shall meet both Metro requirements and NES vegetation management requirements and clearances.
- 11. NES facilities will not be allowed to sit in or to pass through retention areas including rain gardens, bio-retention, bio swales and the like. The includes primary duct between pad-mounted equipment, as well as service ducts to a meter or meter senter.

GENERAL LINETYPES

[EX. = EXISTING]

EX. FORCEMAIN	---	FM	---
EX. GAS	---	G	---
EX. OVERHEAD ELECTRIC	---	OHE	---
EX. UNDERGROUND ELECTRIC	---	UGE	---
EX. SANITARY SEWER	---	SA	---
EX. STORM SEWER	---	ST	---
EX. FIRE	---	F	---
EX. WATER	---	W	---

BOUNDARY	---
LOT	---
EASEMENT	---
DITCH	---
FENCE	---
ROAD CENTERLINE	---
WATER FEATURES	---
FORCEMAIN	---
GAS	---
OVERHEAD ELECTRIC	---
UNDERGROUND ELECTRIC	---
SANITARY SEWER	---
STORM SEWER	---
FIRE LINE	---
WATER	---

GENERAL SYMBOLS

CLEANOUT (TYP.)	---
END OF SERVICE (TYP.)	---
FIRE HYDRANT	---
HANDICAP SPACE	---
LOT NUMBER	---
POWER POLE	---
RETAINING WALL	---
SANITARY MANHOLE	---
SIGN (TYP.)	---
STORM MANHOLE	---
STORM AREA DRAIN	---
STORM CURB INLET	---

GENERAL PATTERNS

EXISTING BUILDING	---
PROPOSED BUILDING	---
HEAVY DUTY CONCRETE	---
LIGHT DUTY CONCRETE	---
HEAVY DUTY PAVEMENT	---
LIGHT DUTY PAVEMENT	---

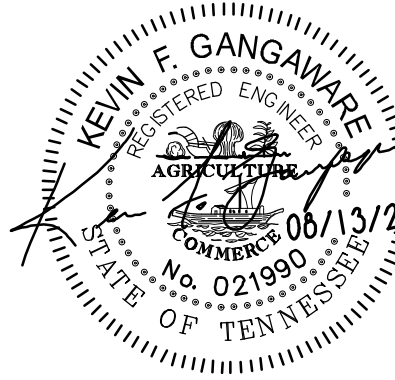
SHEET INDEX

C0.01	COVER SHEET
C1.00	GENERAL NOTES AND INDEX
C2.00	EXISTING CONDITIONS
C3.00	PRELIMINARY DEVELOPMENT PLAN
C5.00	GRADING AND DRAINAGE PLAN
C6.01	UTILITY PLAN
	CIVIL DETAILS



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SEAL



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Map 186 - Parcel 6.00

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DRAWN BY:
CHECKED BY:

GENERAL NOTES
AND INDEX

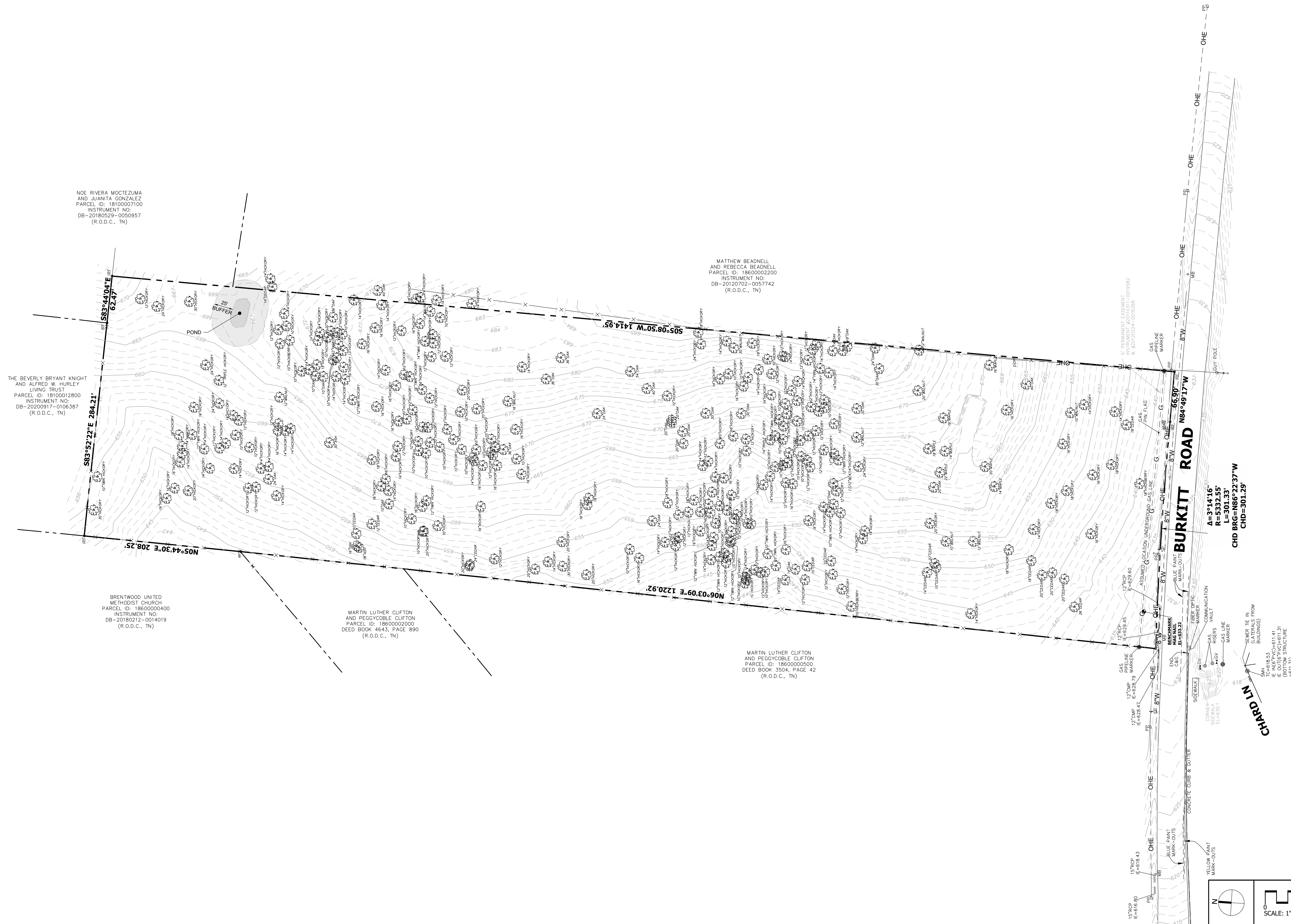
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PROJECT NO.: 21-137-01

EAL



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The image displays two typical townhome layouts, labeled 'TYPICAL TOWNHOME LAYOUT' at the bottom. Both layouts show a row of five townhome units, each with a '2 CAR GARAGE' and a 'DRIVEWAY'. The units are separated by 'ACCESS DRIVE' lanes. The overall dimensions and setbacks are indicated by dashed lines and arrows.

Left Layout Dimensions:

- Overall width: 20'
- Overall height: 53'
- Unit width (typical): 17.29'
- Unit height (typical): 3' (TYP.)
- Setback from R.O.W.: 10'
- Driveway width: 17'
- Access Drive width: 14' MIN.

Right Layout Dimensions:

- Overall width: 20'
- Overall height: 53'
- Unit width (typical): 17.29'
- Unit height (typical): 3' (TYP.)
- Setback from R.O.W.: 10'
- Driveway width: 17'
- Access Drive width: 14' MIN.

Burkitt Rd Setback: 25-foot
Landscape Buffer: Type B & C on sides and real property boundary
Required Parking: 1 space per Bedroom up to 2 bedrooms (see breakdown below)

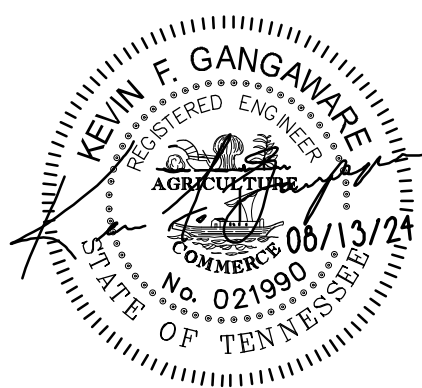
STACKED FLATS:	18 [2BR] x 4 Buildings = 72 [2BR] Units
TOWNHOMES:	47 [2BR] Units
TOTAL UNITS:	119 Total units
PARKING REQ'D:	119 [2BR] x 2sp = 238
PARKING PROPOSED	147 SURFACE

NOTE: DUMPSTERS ARE TO BE SERVICED BY A PRIVATE WASTE MANAGEMENT/RECYCLING COMPANY.



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SEA

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BERKHAMSTED
PRELIMINARY SP

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7088 Burkitt Road
Nashville, Davidson County, Tennessee
Map 186 - Parcel 6.00

ISSUE SET

Preliminary SP

ISSUE DATE: 07.26.2023

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6	Staff Comments	05/12/23
7	Staff Comments	05/16/23
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11	Community Comments	06/04/24
12	Additional Planning Comments	06/17/24
13	Planning Conditions	08/13/24

DRAWN BY:
CHECKED BY:

PRELIMINARY DEVELOPMENT PLAN

C2.00

PROJECT NO.: 21-137-01

Aug 13, 2024 - 1:21pm T:\CADD\2021\21-137-01\CAD\Civil\Prelim SP21-137-01 - C3.00 - Grading And Drainage Plan.dwg

NOE RIVERA MOCTEZUMA
AND JUANITA GONZALEZ
PARCEL ID: 18100007100
INSTRUMENT NO:
DB-20180529-0050957
(R.O.D.C., TN)

RYANT KNIGHT
W. HURLEY
TRUST
B100012800
INT NO:
7-0106387
(TN)

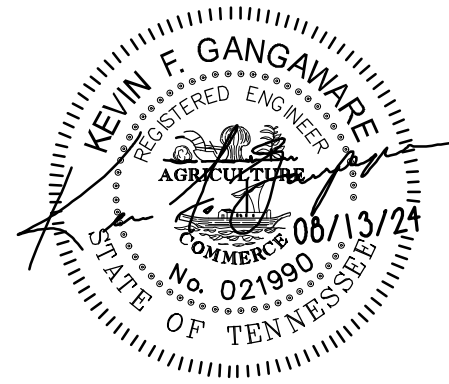
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(R.O.D.C., TN)

MARTIN LUTHER CLIFTON
AND PEGGYCOBLE CLIFTON
PARCEL ID: 18600002000
DEED BOOK 4643, PAGE 890
(R.O.D.C., TN)

MATTHEW BEADNELL
AND REBECCA BEADNELL
PARCEL ID: 18600002200
INSTRUMENT NO:
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(R.O.D.C., TN)

MARTIN LUTHER CLIFTON
AND PEGGYCOBLE CLIFTON
PARCEL ID: 18600000500
DEED BOOK 3504, PAGE 42
(R.O.D.C., TN)

SEAL



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Map 186 - Parcel 6.00

ISSUE SET:

Preliminary SP

ISSUE DATE: 07.26.2023

REVISION HISTORY:

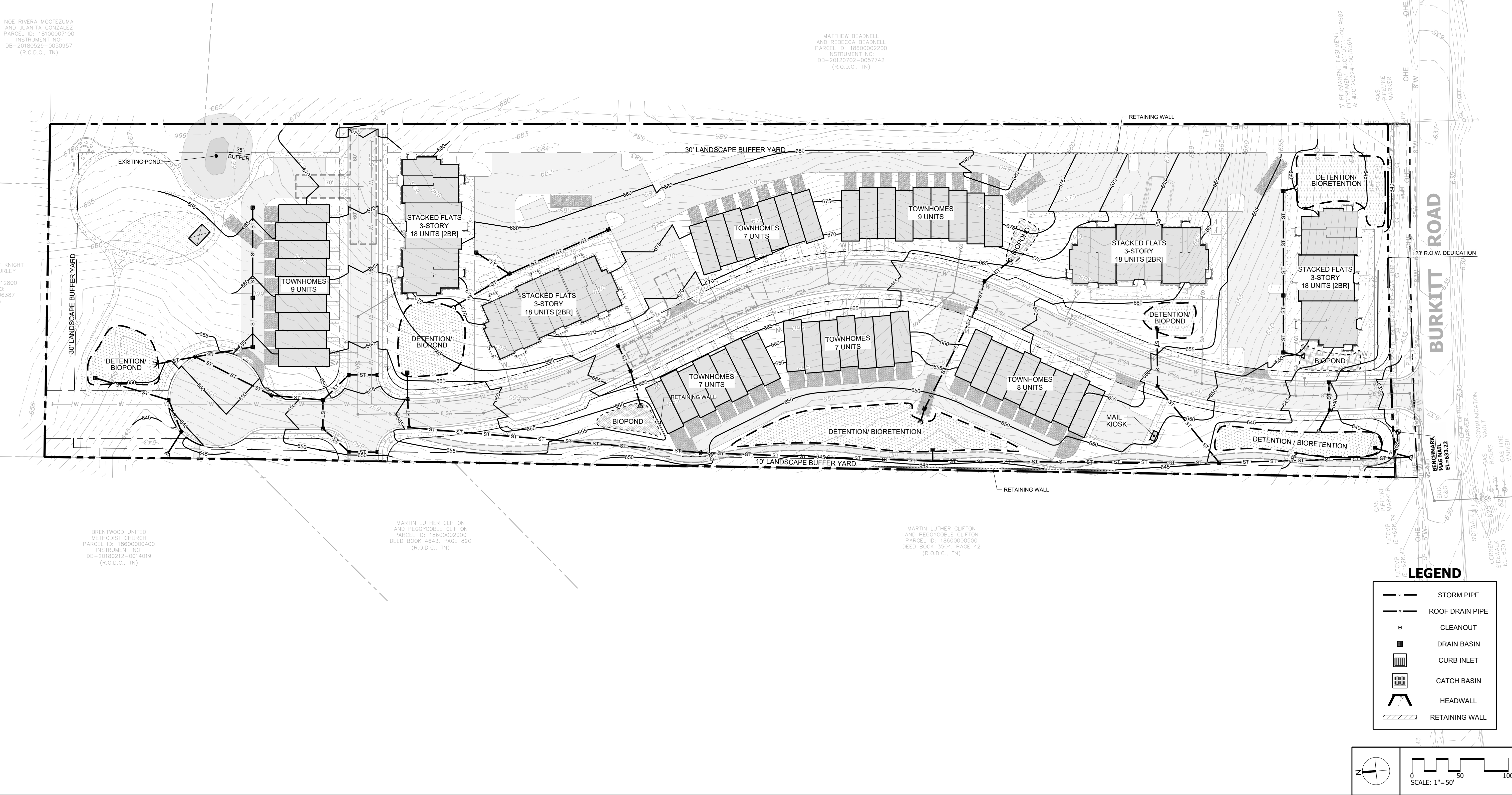
Rev.	Description	Date
1	Staff Comments	03/22/22
2	Staff Comments	05/04/22
3	Staff Comments	03/01/23
4	Owner Comments	04/05/23
5	Staff Comments	04/24/23
6	Staff Comments	05/12/23
7	Staff Comments	05/16/23
8	Preliminary SP Resubmittal	07/26/23
9	Added Amenity Layout	03/28/24
10	Planning Staff Comments	05/02/24
11	Community Comments	06/04/24
12	Additional Planning Comments	06/17/24
13	Planning Conditions	08/13/24

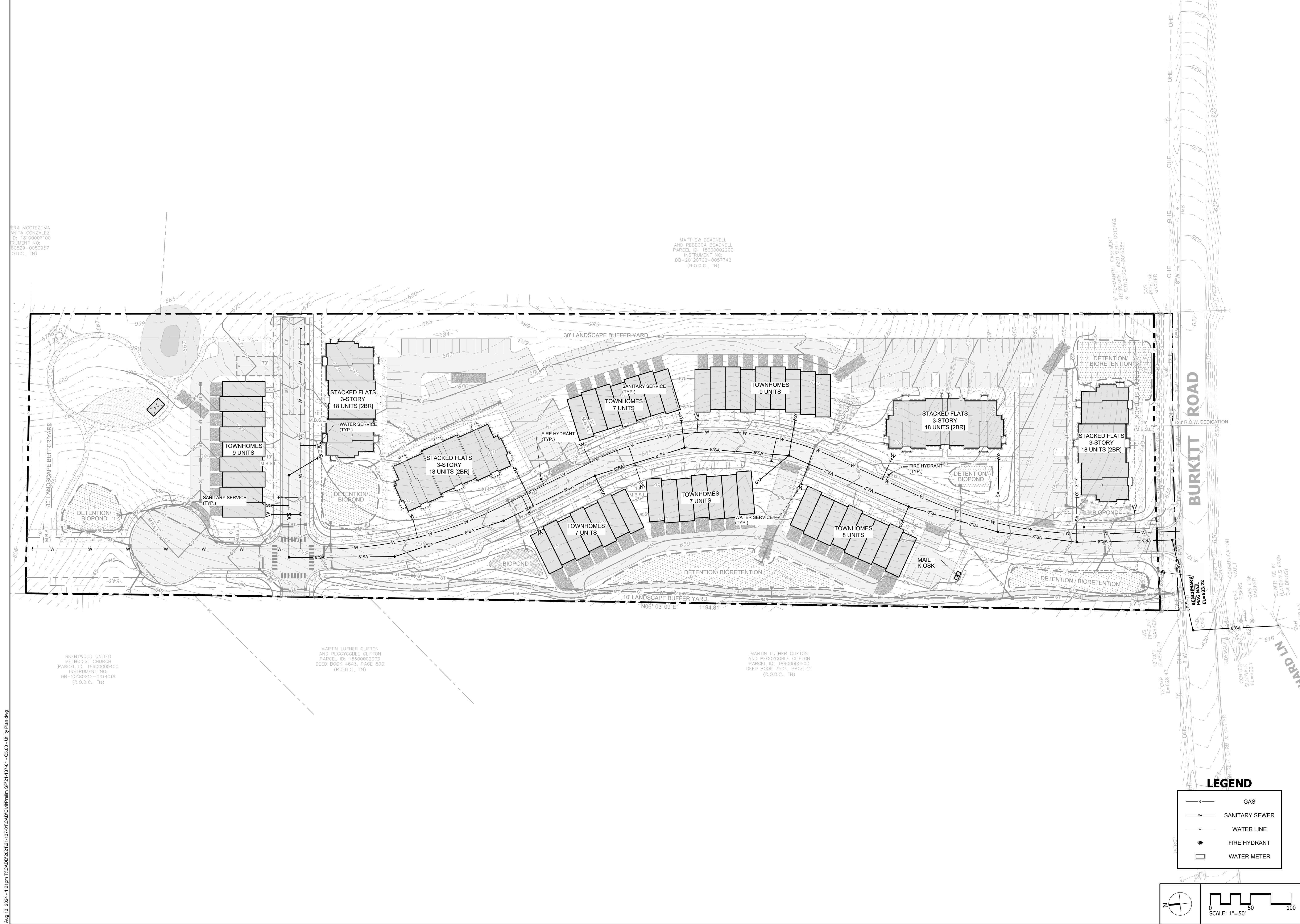
DRAWN BY:
CHECKED BY:

**GRADING AND
DRAINAGE PLAN**

C3.00

PROJECT NO.: 21-137-01





ERA MOCTEZUMA
ANITA GONZALEZ
ID: 18100007100
RUMENT NO:
80529-0056957
(R.O.D.C., TN)

MATTHEW BEADNELL
AND REBECCA BEADNELL
PARCEL ID: 18600002200
INSTRUMENT NO:
DB-20120702-0057742
(R.O.D.C., TN)

BRENTWOOD UNITED
METHODIST CHURCH
PARCEL ID: 18600000400
INSTRUMENT NO:
DB-20180212-0014019
(R.O.D.C., TN)

MARTIN LUTHER CLIFTON
AND PEGGYCOBLE CLIFTON
PARCEL ID: 18600002000
DEED BOOK 4643, PAGE 890
(R.O.D.C., TN)

MARTIN LUTHER CLIFTON
AND PEGGYCOBLE CLIFTON
PARCEL ID: 18600002003
DEED BOOK 3504, PAGE 42
(R.O.D.C., TN)

5' PERMANENT EASEMENT
INSTRUMENT #2016268
& #2016224

BURKITT ROAD

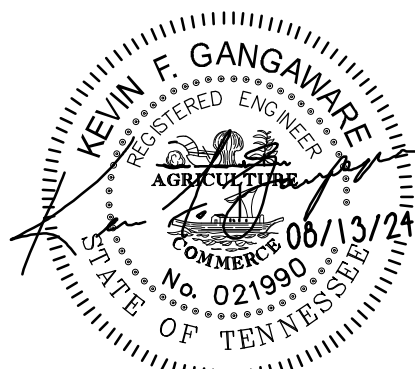
LEGEND

— G —	GAS
— SA —	SANITARY SEWER
— W —	WATER LINE
◆	FIRE HYDRANT
□	WATER METER



CSDG
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SEAL



BERKHAMSTED
PRELIMINARY SP
7088 Burkitt Road
Nashville, Davidson County, Tennessee
Map 186 - Parcel 6.00

ISSUE SET:
Preliminary SP

ISSUE DATE: 07.26.2023

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12	Additional Planning Comments	06/17/24
13	Planning Conditions	08/13/24

DRAWN BY:
CHECKED BY:

UTILITY PLAN

C5.00
PROJECT NO.: 21-137-01

SUBSTITUTE ORDINANCE NO. BL2024-469

An ordinance amending Chapters 2.44, 2.28; and 2.222 of the Metropolitan Code of Laws pertaining to criminal participation and related actions of employees of the Metropolitan Government ~~the operations of the Metropolitan Nashville Police Department.~~

WHEREAS, officers and emergency service workers who support or affiliate with hate groups and paramilitary gangs undermine the mission of their agency by allying themselves with lawbreakers and by undermining the department's efforts to ensure equitable policing and earn community trust; and

WHEREAS, several hate groups and paramilitary gangs actively seek to enlist current and former police officers and members of the military to benefit from their social credibility and firearms expertise; and

WHEREAS, when police officers join, support, or advocate for hate groups or paramilitary gangs, they raise questions not only about their own fairness, judgment, and commitment to lawful policing, but also impair the credibility and legitimacy of a department that aims to equitably serve all communities within its jurisdiction; and

WHEREAS, ~~Un~~unlawful political violence perpetuated by members of such hate groups and militia is the only type of violence and fundamentalism in our nation's history that has been state sanctioned and benefited from deep institutional penetration; and

WHEREAS, the Brennan Center for Justice has documented that since 2000, law enforcement officials with alleged connections to white supremacist groups or far-right militant activities have been exposed throughout the south including Alabama, Florida, Illinois, Louisiana, Oklahoma, Texas, Virginia, West Virginia, and elsewhere; and

WHEREAS, the FBI's 2015 Counterterrorism Policy Directive and Policy Guide warns that "domestic terrorism investigations focused on militia extremists, white supremacist extremists, and sovereign citizen extremists often have identified active links to law enforcement officers.";
and

WHEREAS, members of hate groups and paramilitary gangs will utilize the knowledge and expertise gained through trainings and employment within public safety institutions to plan and effectuate attacks; and

WHEREAS, the presence of hate groups and paramilitary gangs within our public safety institutions endangers the entire community and poses a significant national security risk; and

WHEREAS, water cannons and high pressure firehoses were first used for crowd control in the 1930's in Germany and, by the 1960's, were frequently used during Civil Rights protests in the United States; and

WHEREAS, the use of water cannons and high pressure firehouses against protesters and demonstrators is a practice known as “perp washing”; and

WHEREAS, perp washing has a high risk of causing hypothermia, direct trauma from the pressurized water, secondary injury from being knocked down or colliding with object; and

WHEREAS, perp washing has significant practical and human rights concerns including civil rights intimidation, indiscriminate and disproportionate use, and collective punishment; and

WHEREAS, the incitement of unlawful violence degrades the mission of government to function and serve the entirety of the community; and

WHEREAS, MNPd, NFD, and Metro agencies have a commitment to ensuring that appropriate policies and procedures are in place to prohibit biased and unlawful behavior that undermine their vital role in serving the community and this ordinance affirms that commitment and bolsters present policies and practices.

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

Section 1. Chapter 2.44 of the Metropolitan Code of Laws is hereby amended as follows:

2.44.105 – Prohibition against criminal ~~association~~ participation.

A. Purpose. The purpose of this section is to provide for the prohibition of ~~unlawful association~~ knowing participation with in criminal hate groups and paramilitary gangs, because such participation betrays public trust, degrades institutional cohesion, and frustrates the fundamental function and purpose of law enforcement and of service to the whole of Nashville and Davidson County.

B. Definitions. For the purposes of this section the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory.

“MNPd” means the Metropolitan Nashville Police Department.

“Hate Group” means any person or group that ~~advocates~~, incites, or provides material supports for criminal acts or criminal conspiracies ~~or that promote violence, hatred, or discrimination~~ toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals.

“Paramilitary Gang” means person or group that advocates the overthrow of the U.S. Government or any state, municipality, tribal, or other government by force or violence or any unlawful means including as defined under Tennessee Code Annotated § 39-17-314.

C. Prohibitions. No person employed by MNPB shall voluntarily associate with or be members of any knowingly participate in activities of a Hate Group or Paramilitary Gang as defined by this section. This provision shall not be construed as prohibiting the officers from engaging in political activity pursuant to Tenn. Code Ann. § 38-8-310.

D. Policies and Procedures. MNPB shall adopt policies to enforce this section to include, but not limited to, policies and procedures for investigating allegations of prohibited association participation, mandatory reporting of employees known to be partaking in prohibited association participation, prohibit the display of patches, tattoos, symbols, and insignia of hate groups or paramilitary gangs, whether the officer is on or off duty, and explicitly prohibit posts, “likes,” jokes, memes, retweets, and other statements that advocate racism, violence, misogyny, homophobia, or other kinds of hate or discrimination.

Section 2. Chapter 2.28 of the Metropolitan Code of Laws is hereby amended as follows:

2.28.025– Prohibition against criminal participation and prohibited practices

A. Purpose. The purpose of this section is to provide for the prohibition of knowing participation in criminal hate groups and paramilitary gangs, because such participation betrays public trust, degrades institutional cohesion, and frustrates the fundamental function and purpose of service to the whole of Nashville and Davidson County.

B. Definitions. For the purposes of this section the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory.

“NFD” means the Nashville Fire Department including the Division of Emergency Ambulance and Rescue Service.

“Hate Group” means any person or group that incites or provides material supports for criminal acts or criminal conspiracies that promote violence toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals.

“Paramilitary Gang” means person or group that advocates the overthrow of the U.S. Government or any state, municipality, tribal, or other government by force or violence or any unlawful means including as defined under Tennessee Code Annotated § 39-17-314.

“Perp Washing” means the use of high-pressured water cannons of fire houses as an anti-personnel and crowd control tactic.

C. Prohibitions. No person employed by NFD shall knowingly participate in activities of a Hate Group or Paramilitary Gang. This provision shall not be construed as prohibiting the officers from engaging in political activity pursuant to Tenn. Code Ann. § 38-8-310.

D. Policies and Procedures. NFD shall adopt policies to enforce this section to include, but not limited to, policies and procedures for investigating allegations of prohibited participation, mandatory reporting of employees known to be partaking in prohibited participation.

E. Prohibited Practices. No NFD personnel may engage in the practice of Perp Washing.

Section 3. Chapter 2.222 of the Metropolitan Code of Laws is hereby amended by adding the following section:

2.222.020 - Standards of conduct.

(t) No person employed by the Metropolitan Government shall incite violence or threaten to commit crimes of violence or participate in a group that incites violence or threatens to commit crimes of violence.

Section 5. If any section or provision of this ordinance is found to be invalid, unconstitutional, or unenforceable, that finding shall not affect or undermine the validity of any other section, subsection, or provision of this ordinance.

Section ~~2~~ 6. This ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Jeff Preptit
Member of Council

AMENDMENT NO. ____
TO
SUBSTITUTE ORDINANCE NO. BL2024-441

Madam President –

I move to amend Ordinance No. BL2024-441, as substituted, as follows:

I. By amending Section 1 as follows:

Section 1. That Section 16.24.340 of the Metropolitan Code of Laws is amended by deleting Subsections F and G in their ~~its~~ entirety and replacing ~~them~~ it with the following:

F. Exterior Walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials, and shall be maintained weatherproof and properly surface coated where required to prevent deterioration. ~~All exterior walls shall be free of~~ No more than twenty-five percent of any exterior wall shall be covered by algae, moss, ~~mold~~, mildew, lichen, and fungus, ~~and uncultivated plants listed as invasive by the Tennessee Invasive Plants Council.~~

~~G. Roofs and Drainage. The roof and flashing shall be sound, tight, and not have defects that admit rain. All roofs shall be free of algae, moss, mold, mildew, lichen, and fungus, and uncultivated plants listed as invasive by the Tennessee Invasive Plants Council. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the building or structure. Roof drains, gutters, and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.~~

SPONSORED BY:

Joy Styles
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-468

An ordinance amending Metropolitan Code of Laws § Sections 2.24.240 and 2.24.250, relative to the acquisition of property by the Metropolitan Government.

WHEREAS, Metropolitan Code of Laws § 2.24.250(F) permits approval by resolution of fixed-price option agreements for the purchase of certain types of real property; and,

WHEREAS, the application of Metropolitan Code of Laws § 2.24.250 to purchases of property to be used for school purposes is unclear; and,

WHEREAS, some property purchase option agreements must be exercised within a shorter time than approval by ordinance will allow, potentially jeopardizing the Metropolitan Government's ability to acquire properties that are necessary for governmental purposes; and,

WHEREAS, in addition, Metropolitan Code of Laws § 2.24.250(F) is located within a section pertaining to the disposition of surplus property, instead of § 2.24.240, which is the section pertaining to the acquisition of real estate; and,

WHEREAS, amending the provisions of the Metropolitan Code of Laws to authorize the purchase of property for schools purposes by option agreement, and relocating that provision in the Metropolitan Code of Laws, are to the benefit of the citizens of the Metropolitan Government of Nashville and Davidson County.

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

Section 1. Metropolitan Code of Laws § 2.24.240(I) is amended by replacing the existing text in its entirety with the following:

Prior to the adoption of an ordinance, on second reading, or a resolution, pursuant to Section 2.24.240.K of the Metropolitan Code, by the council authorizing the acquisition by purchase or condemnation of real estate to be utilized as a site for the construction of a new public school or relocation of existing public school, a public hearing shall be held on said legislation. The metropolitan clerk shall give notice in two newspapers of general circulation in the area of metropolitan government at least fifteen days but no more than thirty days prior to the public hearing and shall provide additional written notice of such hearing to the district member of council in whose district the property to be acquired is to be located and to all members of the metropolitan board of public education. In addition to such notice, the metropolitan planning commission shall cause signs to be posted on the site in the same manner and under the same conditions as provided in Article XV of Chapter 17.40 of the Metropolitan Code; provided, however, the wording shall clearly state the intended use rather than zoning provisions. Such public hearing shall be held in the council chambers; however, such hearing need not be held during a regular meeting of the council.

Section 2. Metropolitan Code of Laws § 2.24.250(F) is amended by deleting the section in its entirety and renumbering the subsequent subsections accordingly.

Section 3. Metropolitan Code of Laws § 2.24.240 is amended by adding the following as a new subsection (K) replacing the existing text in its entirety with the following:

Where land in fee simple is being purchased for purposes, including school purposes, other than rights-of-way for highways, streets, roads, alleys, and other places for vehicular traffic, the director of public property administration or other officer of the metropolitan

government shall negotiate for the purchase of such property and seek to obtain from the owner an option to sell to the metropolitan government at a fixed price, subject to the approval of the metropolitan council by resolution, and no purchase shall be consummated until it has been so approved by the metropolitan council. No such resolution relating to an option for property to be used for school purposes shall be approved until a public hearing has been conducted as provided in Metropolitan Code of Laws § 2.24.240(I).

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

SPONSORED BY:

Delishia Porterfield
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-476

An ordinance to amend Chapter 2.112 of the Metropolitan Code of Laws regarding the membership of the Metropolitan Nashville Arts Commission and the process for approving the criteria for awarding funds.

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

Section 1. That Section 2.112.020 of the Metropolitan Code of Laws is hereby amended by deleting the section in its entirety and replacing it with the following:

2.112.020 - Membership and term of office.

The commission shall be composed of ~~fifteen~~ sixteen members. Fifteen members are to be appointed by the mayor and to serve without compensation. All members of the commission appointed by the mayor shall be confirmed by the metropolitan county council. One member shall be a member of the council who serves on the arts, parks, libraries, and entertainment committee of the council, or a successor committee to which arts-related legislation is referred, nominated by that committee and elected by a majority vote of the whole membership of the council who shall serve in a nonvoting capacity. The members appointed by the mayor shall serve staggered terms of four years. The term of the member of council shall be two years. In no event shall the term of the council member extend beyond the council term in which they were elected. All vacancies of any commission member shall be filled for the balance of the unexpired term in the same manner as original appointments.

Section 2. That Section 2.112.040 of the Metropolitan Code of Laws is further amended by deleting Subsection H in its entirety and replacing it with the following:

H. Award funds appropriated to it by the metropolitan council to deserving nonprofit civic and nonprofit charitable organizations. Criteria for the awarding of such funds shall be established by the Metropolitan Nashville Arts Commission and approved by ~~resolution of~~ the metropolitan council each year before funds are awarded. If there is a change in the award criteria from the previous year, the council must approve the criteria by ordinance. If there is no change in the award criteria from the previous year, the council may approve the criteria by resolution. The criteria for the awarding of funds must be presented to the arts, parks, libraries, and entertainment committee, or a successor committee to which arts-related legislation is referred, of the metropolitan council prior to the filing of the ordinance.

1. A "nonprofit charitable organization" is defined as one in which no part of the net earnings benefit any private shareholder or individual and which provides year-round services benefiting the general welfare of the residents of the municipality.

2. A "nonprofit civic organization" is defined as a civic organization exempt from taxation pursuant to Section 501(c) of the IRS Code. A nonprofit civic organization must operate primarily for the purpose of bringing about civic betterment and social improvements through efforts to maintain and increase employment opportunities in the municipality.

3. For purposes of this code section, both nonprofit charitable organizations and nonprofit civic organizations shall be involved in the study, participation in and appreciation of the visual, performing and literary arts for the Metropolitan Nashville and Davidson County area.

Section 3. 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
Jordan Huffman
Jacob Kupin
Zulfat Suara
Burkley Allen
Jennifer Webb
Mike Cortese
Tasha Ellis
Members of Council