



Metropolitan Council

**PROPOSED SUBSTITUTE
ORDINANCES, SUBSTITUTE
RESOLUTION, AND
AMENDMENTS TO ORDINANCES
TO BE FILED WITH THE METRO
CLERK**

**FOR THE COUNCIL MEETING OF
TUESDAY, FEBRUARY 4, 2020**

SUBSTITUTE ORDINANCE NO. BL2019-61

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 ~~RM15-A~~ SP zoning for properties located at 2127 and 2129 Cliff Drive, approximately 570 feet southeast of Buena Vista Pike (0.40 acres), all of which is described herein (Proposal No. 2019Z-099PR-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 ~~RM15-A~~ SP zoning for properties located at 2127 and 2129 Cliff Drive, approximately 570 feet southeast of Buena Vista Pike (0.40 acres), being Property Parcel Nos. 092, 093 as designated on Map 070-13 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the 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 uses of this SP shall be limited to all uses permitted by the RM15-A zoning district with the exception that Short Term Rental Property – Not Owner Occupied, Short Term Rental Property – Owner Occupied, Boarding House, Monastery or Convent, Orphanage, Dormitory, Assisted-care Living, Hospice, Nursing Home, and Residence for Handicapped- More than 8 Individuals uses shall be prohibited.

Section 3. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. This property shall not be eligible for short-term rental property (STRP) permits under Chapter 17.16 of the Metropolitan Code of Laws. Short Term Rental Property (STRP) – Owner Occupied and Short Term Rental Property (STRP) – Non-Owner Occupied uses shall be prohibited.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Section 4. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

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

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

Section 2 7. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 070 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Councilmember Kyonzté Toombs

2019Z-099PR-001
Map 070-13, Parcel(s) 092-093
Subarea 03, Bordeaux - Whites Creek - Haynes Trinity District 02
(Toombs)
Application fee paid by: Robert E Hudson

A request to rezone from R8 to RM15-A SP zoning for properties located at 2127 and 2129 Cliff Drive, approximately 570 feet southeast of Buena Vista Pike (0.40 acres), requested by Robert Hudson, applicant; Robert Hudson, Arthur S. Yokley Sr. and Arthur S. Yokley Jr., owners.



SUBSTITUTE ORDINANCE NO. BL2019-69

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 RS10 to RM9-A SP zoning for property located at 3413 John Mallette Drive, at the southern corner of Ashton Avenue and John Mallette Drive (0.42 acres), all of which is described herein (Proposal No. 2019Z-131PR-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 RS10 to RM9-A SP zoning for property located at 3413 John Mallette Drive, at the southern corner of Ashton Avenue and John Mallette Drive (0.42 acres), being Property Parcel No. 143 as designated on Map 069-16 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 uses of this SP shall be limited to all uses permitted by the RM9-A zoning district with the exception that Short Term Rental Property – Not Owner Occupied, Short Term Rental Property – Owner Occupied, Boarding House, Monastery or Convent, Orphanage, Dormitory, Assisted-care Living, Hospice, Nursing Home, and Residence for Handicapped- More than 8 Individuals uses shall be prohibited.

Section 3. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. This property shall not be eligible for short-term rental property (STRP) permits under Chapter 17.16 of the Metropolitan Code of Laws. Short Term Rental Property (STRP) – Owner Occupied and Short Term Rental Property (STRP) – Non-Owner Occupied uses shall be prohibited.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Section 4. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

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

Section 6. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of RM9-A zoning districts as of the date of the applicable request or application. Uses are

limited as described in the Council ordinance.

Section 2 7. 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 069 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.

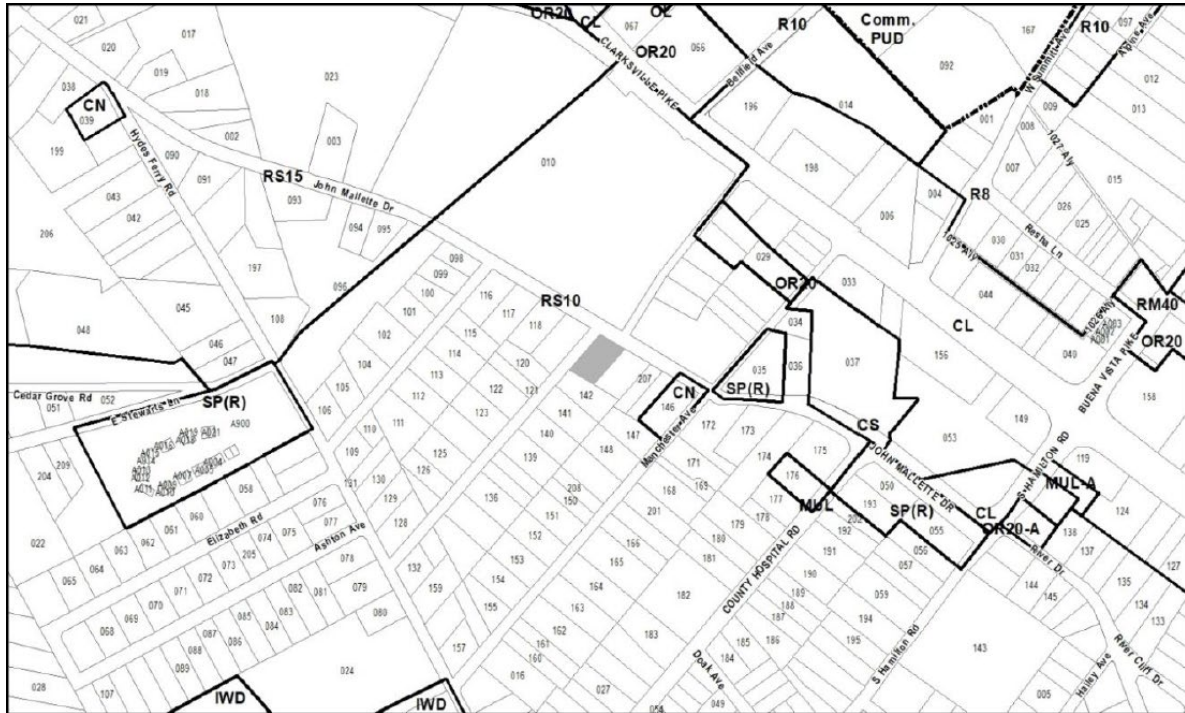
Section 3 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Councilmember Kyonzté Toombs

2019Z-131PR-001
Map 069-16, Parcel(s) 143
Subarea 03, Bordeaux - Whites Creek - Haynes Trinity District 02
(Toombs)
Application fee paid by: Robert or Jocelyn McDonald

A request to rezone from RS10 to ~~RM9-A~~ SP zoning for property located at 3413 John Mallette Drive, at the southern corner of Ashton Avenue and John Mallette Drive (0.42 acres), requested by Robert Brandon McDonald, applicant and owner.



SUBSTITUTE RESOLUTION NO. RS2020-194

A Resolution recognizing Anthony Viglietti for his service to the community of Nashville and Davidson County.

WHEREAS, Mr. Anthony Viglietti is a well-respected and beloved member of the District 7 community in Nashville, Tennessee; and

WHEREAS, Mr. Viglietti ~~is a long-time Inglewood resident~~ moved to Inglewood 36 years ago after living in Green Hills for seven years, and serves as the Beautification Commissioner for District 7 and Chair of Metro's Beautification and Environment Commission; and

WHEREAS, after his active role in the Green Hills community, Mr. Viglietti became an At-Large member of the Inglewood Neighborhood Association and later went on to become President of the group; and

WHEREAS, Mr. Viglietti was the visionary who designed the Inglewood-Madison Briley Parkway interchange streetscape project and led the effort to improve and beautify the median by the Inglewood Kroger near the CSX overpass; and

WHEREAS, Mr. Viglietti successfully spearheaded the community effort to restore Riverside Drive back to its beautiful original condition by planting cherry trees, poppies, and irises along the median, as well as repairing and rededicating the Riverside Drive Memorial plaque; and

WHEREAS, Anthony Viglietti also helped lead the Friends of Cooper Creek 2010 flood cleanup effort to remove large debris and clear waterways, and he continues to organize annual neighborhood creek cleanups to this day; and

WHEREAS, in 2015, Viglietti was nominated for East Nashvillian of the Year for his role in organizing highly effective efforts to remove waste and restore neighborhood waterways affected by the 2010 flood, as well as his work in arranging tree plantings around the city in addition to his local neighborhood; and

WHEREAS, in 2018, Viglietti received the Hands On Nashville Strobel Award, the Direct Service Volunteer Award for ages 50 plus, and was also a central activist in passing Metro Ordinance BL2018-1416, the "Tree Density Increase Bill", which amended the Metropolitan Code regarding tree density, removal, and replacement requirements; and

WHEREAS, in 2019, Viglietti received the Citizen Activist Award at the Tennessee Urban Forestry Council's Awards of Excellence Luncheon for his outstanding contributions to urban forestry in Tennessee, and was also honored for his outstanding volunteerism at the Governor's Volunteer Stars Awards; and

WHEREAS, Anthony Viglietti is a volunteer with the Nashville Cherry Blossom Festival and Friends of Riverside Drive, a Board Member on the Nashville Tree Foundation, and a retired Senior Energy Services Engineering Specialist for Nashville Electric Service; and

WHEREAS, for over 30 years, Mr. Viglietti has been involved in energy efficiency in many capacities such as administering the In-Home Energy Evaluation program, being a key coordinator of the geothermal project for the Governor's mansion renovation, becoming the lead energy adviser on the first energy star certified home in Tennessee, and assisting MDHA in obtaining four Federal Hope 6 grants to improve energy efficiency of existing housing stock and energy efficient building components to new housing projects in Nashville; and

WHEREAS, Anthony Viglietti is a genuine asset to the community and known as "that special person who gets things done and brings people of all kinds together"; and

WHEREAS, it is fitting and proper that the Metropolitan Council recognize and commend Mr. Viglietti's many years of hard work and dedicated service to the city of Nashville.

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

Section 1. The Metropolitan Council hereby goes on record as recognizing Anthony Viglietti for his service to the community of Nashville and Davidson County.

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

INTRODUCED BY:

Emily Benedict
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2020-116

Mr. President:

I hereby move to amend Ordinance No. BL2020-116 by renumbering Section 3 as Section 4 and by adding the following new Section 3:

Section 3. "Notwithstanding the requirements of Section 1 to the contrary, the department of general services and the department of public works shall not be required to comply with this ordinance until the existing supply of disabled person access signs at the time this ordinance is enacted has been exhausted."

Section ~~3~~4. This ordinance take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Larry Hagar
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2020-148

Mr. President:

I hereby move to amend Ordinance No. BL2020-148 by amending Section 1 by adding the following as subsection E. to Metropolitan Code Section 4.12.240:

"E. In the event additional funds are appropriated to a department for the operation of a Detention Facility as a result of the enactment of this section, said department shall provide the metropolitan council with a report not later than July 31 of each year detailing the use of such additional funds during the previous fiscal year. The report shall be subject to being audited upon the determination of the audit committee."

INTRODUCED BY:

Emily Benedict
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2020-150

Mr. President:

I hereby move to amend Ordinance No. BL2020-150 by amending Section 1 by adding the following provision:

- Construction inspections of stormwater facilities required under Chapter 15.64 of the Metropolitan Code.

INTRODUCED BY:

Burkley Allen
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2020-152

Mr. President –

I hereby move to amend Ordinance No. BL2020-152 by amending Section 1 by deleting the phrase "Reverend Sweat Way" and replacing it with "Rev. Ben Sweat Way".

SPONSORED BY:

Sharon Hurt
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2020-154

Mr. President –

I hereby move to amend Ordinance No. BL2020-154 by attaching "Exhibit B" and "Exhibit C", attached hereto, to Amendment 2, as referencing in that attachment.

SPONSORED BY:

Freddie O'Connell
Member of Council

Exhibit B - Library Garage, 4th Floor Layout

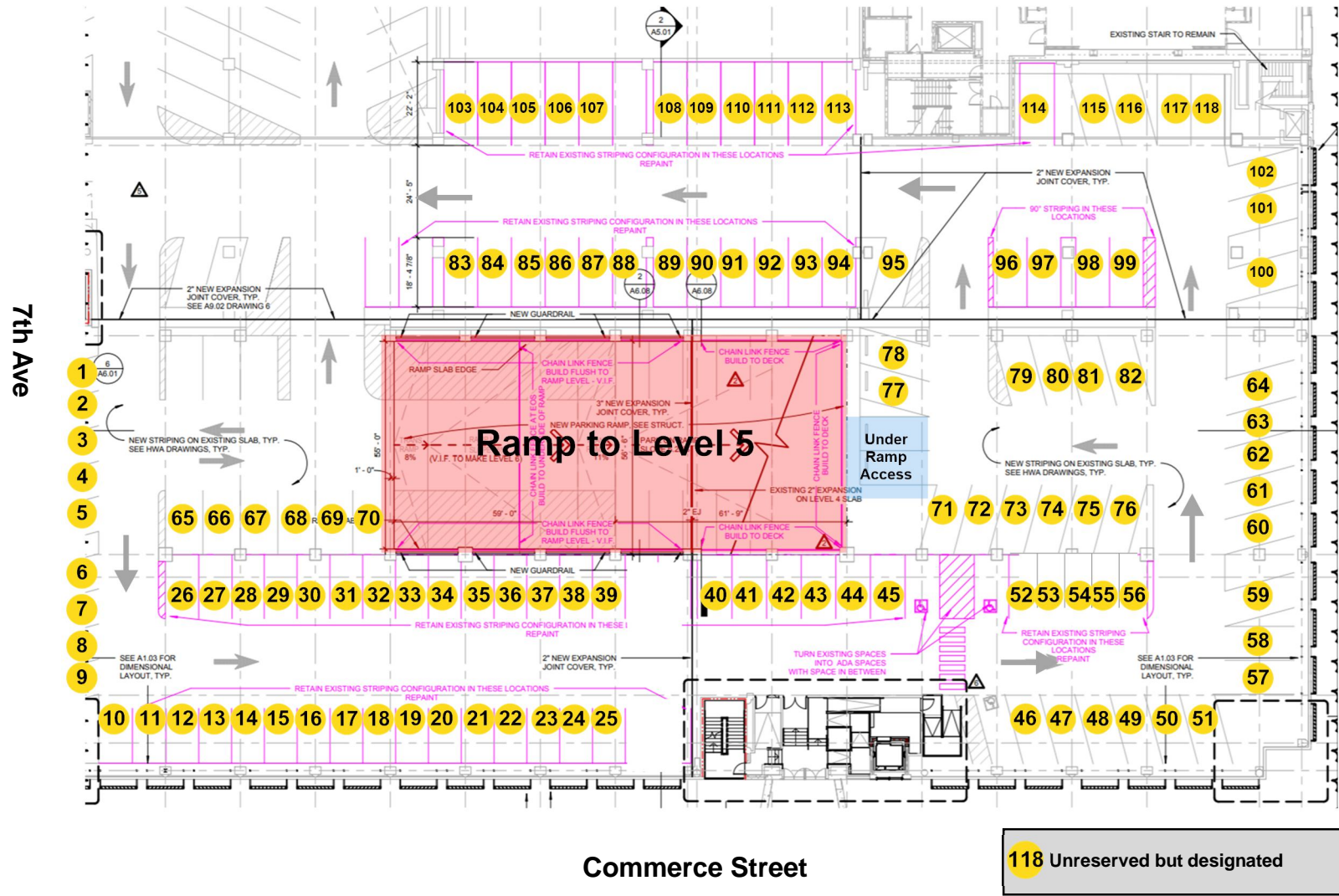


Exhibit C - Library Garage, 5th Floor Layout

