

ORDINANCE NO. BL2020-489

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 properties located at 6001 and 6003 Obrien Avenue, at the southwest corner of Obrien Avenue and Lellyett Street (0.48 acres), to permit seven multi-family residential units, all of which is described herein (Proposal No. 2020SP-039-001).

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 properties located at 6001 and 6003 Obrien Avenue, at the southwest corner of Obrien Avenue and Lellyett Street (0.48 acres), to permit seven multi-family residential units, being Property Parcel Nos. 285, 364 as designated on Map 091-13 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 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 091 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 seven multi-family residential units. Short term rental property – owner occupied, and short-term rental property – not-owner occupied shall not be permitted.

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

1. 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.

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.
3. Comply with all conditions and requirements of Stormwater, Water Services, and Public Works.

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. 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:

*MaryCarolynRoberts*

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Councilmember Mary Carolyn Roberts

2020SP-039-001  
6001 AND 6003 OBRLEN AVENUE  
Map 091-13, Parcel(s) 285, 364  
Subarea 07, West Nashville  
District 20 (Roberts)  
Application fee paid by: Potter Brother Construction

A request to rezone from R8 to SP zoning for properties located at 6001 and 6003 O'Brien Avenue, at the southwest corner of O'Brien Avenue and Lellyett Street (0.48 acres), to permit seven multi-family residential units, requested by Dale and Associates, applicant; Potter Brothers Construction LLC, owner.



## Erosion Control and Grading Notes

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

## Public Works Notes

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

## Landscape Notes

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

## Water and Sewer Notes

- All water and sewer construction shall be in accordance with specifications and standard details of the Metro Water Services.
- The contractor is responsible for reimbursing the metro water services the cost of inspection.
- The contractor is to provide and maintain the construction identification sign for private development approved.
- All connections to existing manholes shall be by coring and resilient connector method.
- Reduced pressure backflow prevention devices (rpbp) or dual check valve will be required on all test and fill lines (jumper) needed for water main construction and must be approved by the metro water services.
- All water meters shall be a minimum of 24" not to exceed a maximum of 28" below finished grade.
- Pressure regulating devices will be required on the customer side of the meter when pressures exceed 100 psi.
- Pressure regulating devices will be required on the street side of the meter when pressures exceed 150 psi.
- After completion of the sanitary sewer, the developer is responsible for the televising of the lines prior to final acceptance. The televising must be coordinated with the Metro Water Services inspection section. All costs will be borne by the developer.

## Standard SP Notes

- The purpose of this SP is to receive preliminary approval to permit the development of a 7 Unit Multifamily Development as shown.
- Any excavation, fill or disturbance of the existing ground elevation must be done in accordance with Storm Water Management Ordinance No. 78-840 & Approved by the Metropolitan Department of Water Services.
- This property does not lie within a flood hazard area as identified by FEMA ON MAP 47037C0238H, Dated: April 5, 2017.
- All public sidewalks are to be constructed in conformance with metro public works sidewalk design standards.
- Wheel chair accessible curb ramps, complying with applicable metro public works standards, shall be constructed at street crossings.
- The required fire flow shall be determined by the metropolitan fire marshal's office, prior to the issuance of a building permit.
- Size driveway culverts per the design criteria set forth by the Metro Stormwater Manual (minimum driveway culvert in Metro right of way is 15" CMP).
- 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.
- Individual water and/or sanitary sewer service lines are required for each unit.
- Solid waste pickup to be provided by private hauler. Solid Waste Contract with Hauler to be provided to MPW prior to Building Permit Approval.
- Landscape and tree density requirements per 2020SP-039-001.
- Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
- For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of commission or council approval, the property shall be subject to the standards, regulations and requirements of the RM9-A zoning district as of the date of the applicable request or application.
- 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 facades shall be provided with the final site plan. The following standards shall be met:

- Building facades fronting a street and courtyard shall provide a minimum of one principal entrance (doorway) and a minimum of 15% glazing.
- Windows shall be vertically oriented at a ration of 1.5:1 or greater.
- EIFS, vinyl siding, and untreated wood shall be prohibited.
- A raised foundation of 18"-36" is required for all residential structures.
- Porches shall provide a minimum of six feet of depth.

# Preliminary SP

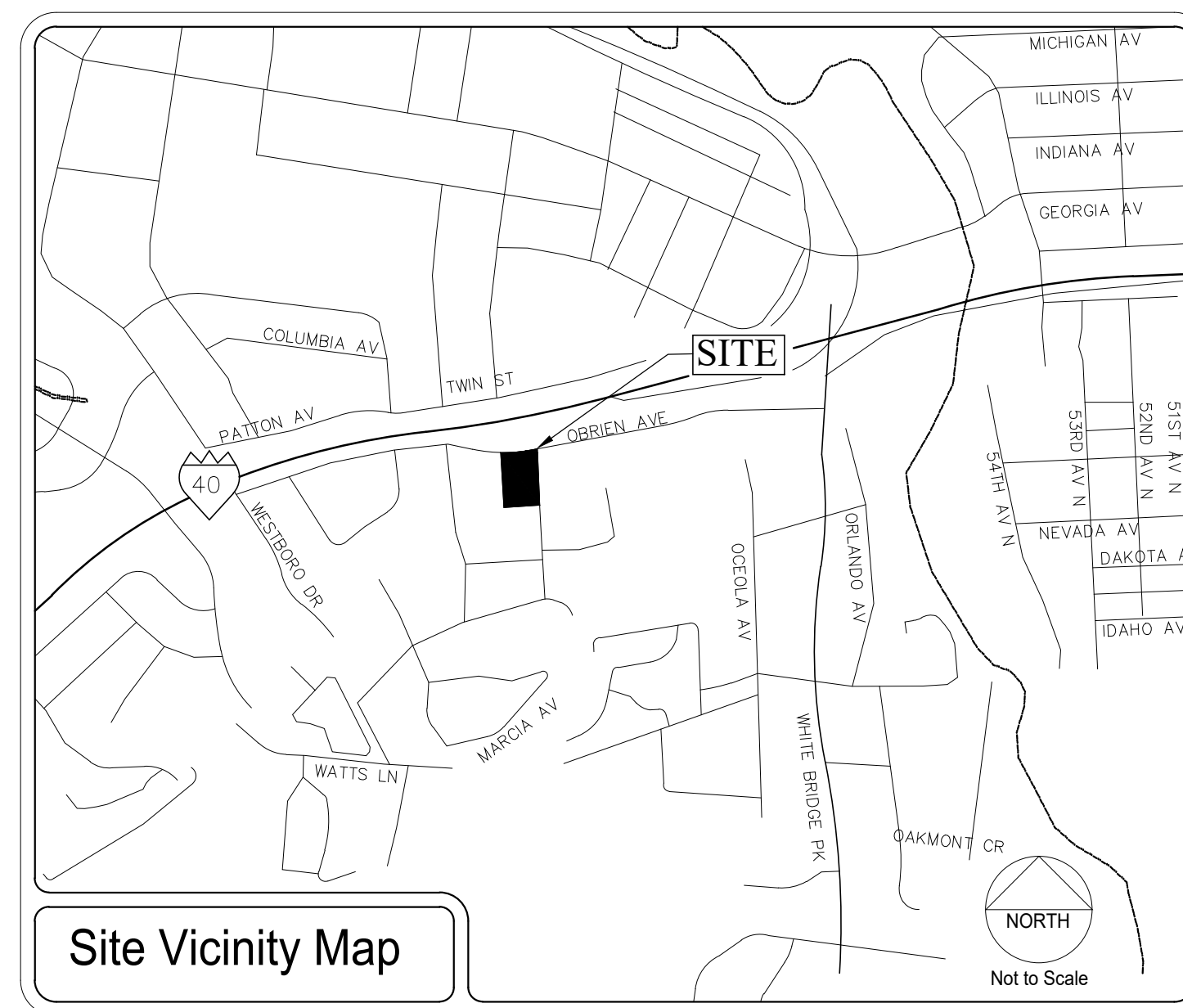
# 6001 & 6003 O'Brien Ave.

## Residential Development

## Being Parcels 285, 364 on Tax Map 91-13

## Nashville, Davidson County, Tennessee

## Case No. 2020SP-039-001



## SPECIFIC PLAN DEVELOPMENT SUMMARY

USE	MULTIFAMILY UNITS (7 UNITS)
TOTAL SITE AREA: 0.48 AC	
PROPERTY ZONING R8	SURROUNDING ZONING R8, OR20, CS
MINIMUM LOT SIZE	NOT APPLICABLE
NUMBER OF RESIDENTIAL UNITS/DENSITY	7 TOTAL UNITS
FAR	0.50 MAXIMUM
ISR	0.70 MAXIMUM
STREET YARD SETBACK:	15' FRONT S/B (EAST) & 15' FRONT S/B (NORTH) FROM EXISTING ROW
ALLOWABLE ENCROACHMENTS:	COVERED PORCH FOR UNIT 1 ALONG OBRIEN AVENUE
SIDE YARD	5'
REAR YARD	20'
HEIGHT STANDARDS	3 STORIES MAX. IN 35 FEET (MEASURED TO ROOFLINE)
<b>PARKING AND ACCESS</b>	
RAMP LOCATION AND NUMBER	UNIT ACCESS VIA ALLEY #1520 & OBRIEN AVENUE
DISTANCE TO NEAREST EXISTING RAMP (MINIMUM 30')	+/- 35' TO THE NORTH ON LELLYETT STREET
DISTANCE TO INTERSECTION	SITE IS LOCATED AT AN INTERSECTION
REQUIRED PARKING	2 STALLS / UNIT @ 7 UNITS = 14 STALLS
PARKING PROVIDED	3 STALLS / UNIT = 21 STALLS AT 90° / 3 EXTRA STALLS = 24 TOTAL

## Property Information

6001 & 6003 O'Brien Avenue  
 (Map 91-13, Parcels 285, 364)  
 Nashville, Tennessee 37209  
 0.48 Total Acres  
 Council District 20 (Mary Carolyn Roberts)

## Owner of Record

Potter Brothers Construction, LLC  
 2321 Winford Avenue  
 Nashville, Tennessee 37211  
 Contact: Roger Potter

## Civil Engineer

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

## Surveyor

Dale and Associates  
 516 Heather Place  
 Nashville, Tennessee 37204  
 Phone: 615.297.5166  
 Fax: 615.269.7905

## Floodnote

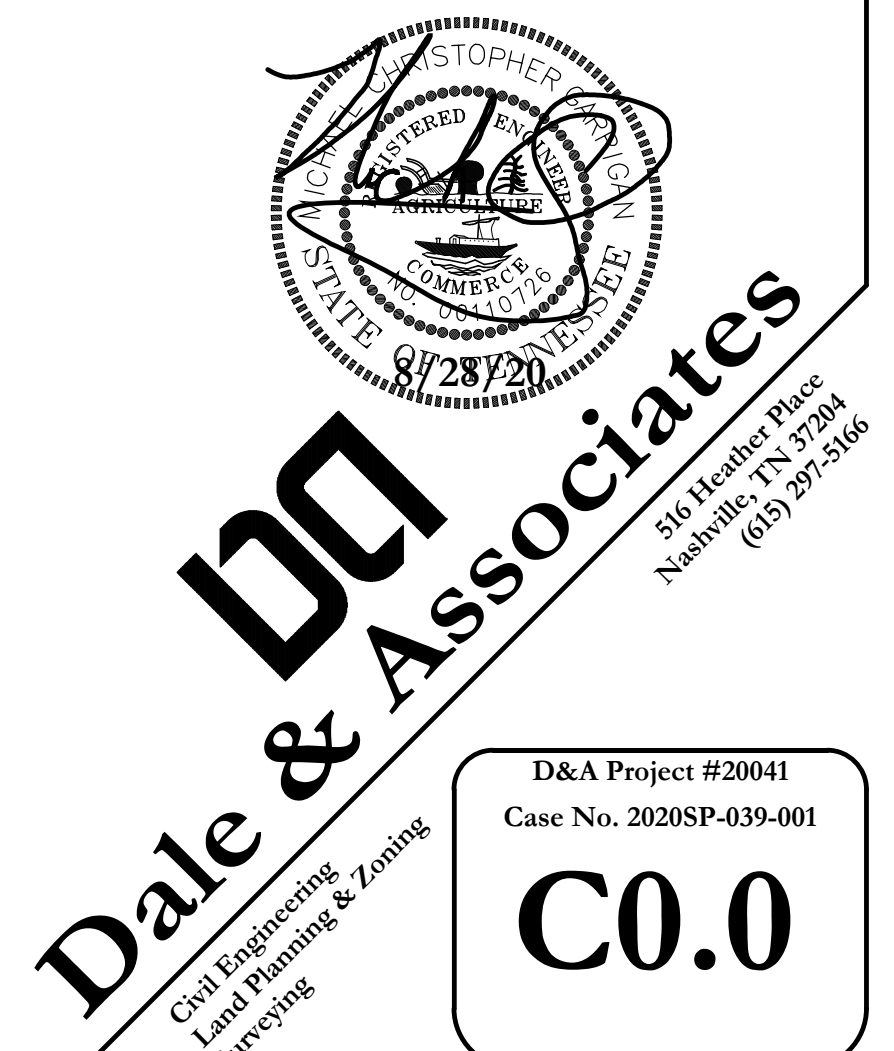
This property is partially located within a Flood Hazard Area as depicted on the current Flood Insurance Rate Map (FIRM) Number 47037C0238H dated April 4, 2017.

## SHEET SCHEDULE

- |      |                                     |
|------|-------------------------------------|
| C0.0 | Cover Sheet                         |
| C1.0 | Existing Conditions and SP Plan     |
| C2.0 | Utility and Grading & Drainage Plan |

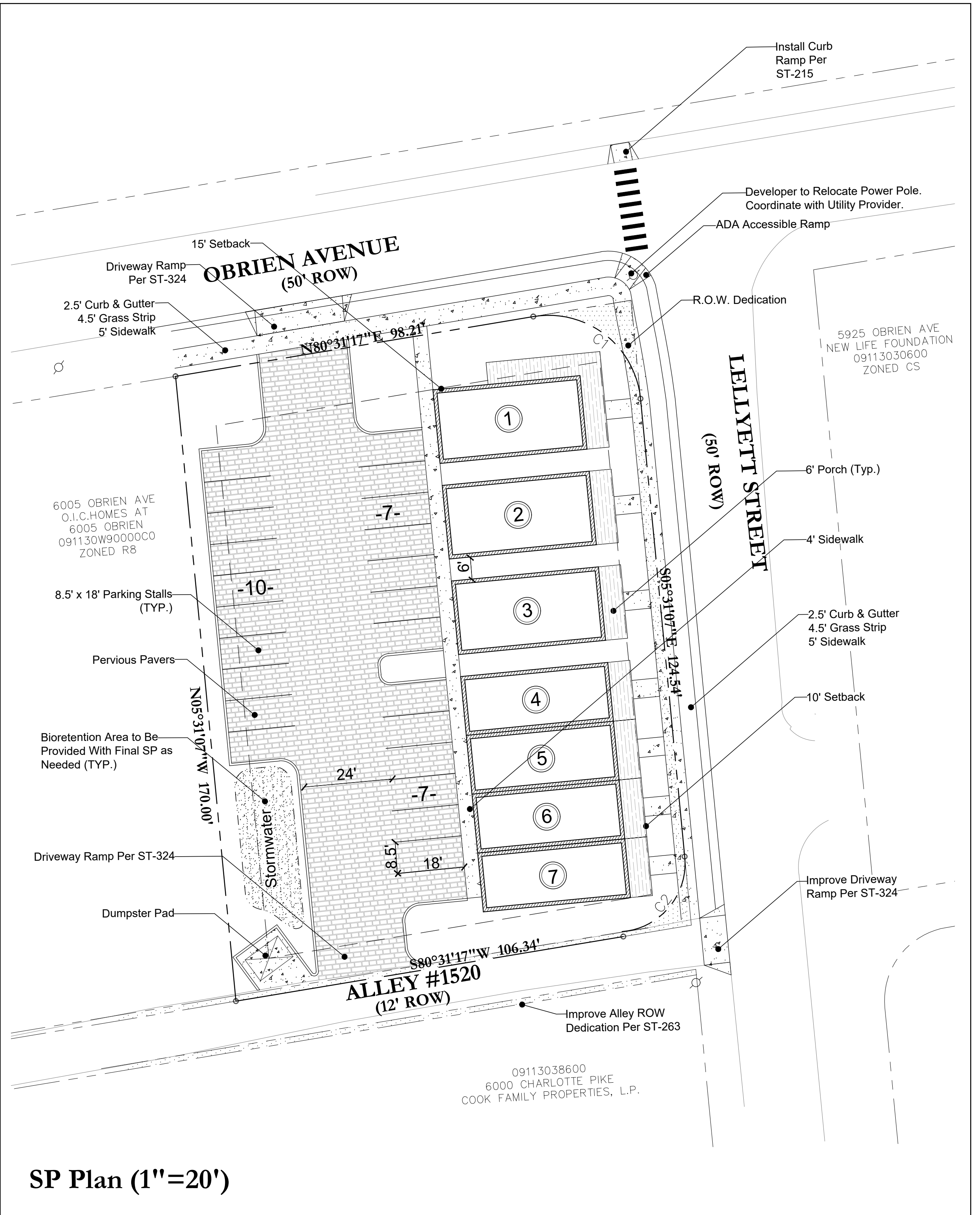
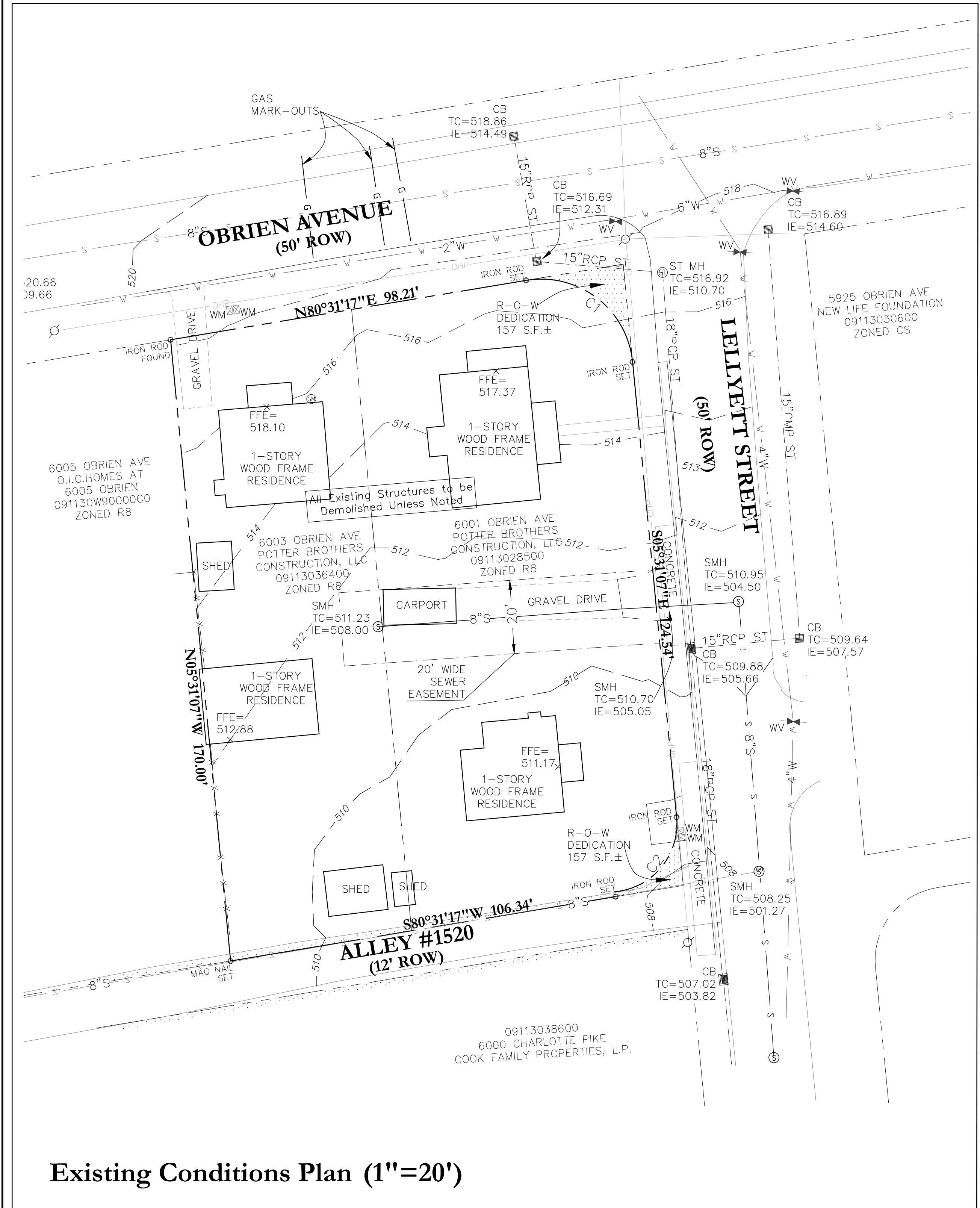


Case Number:  
**2020SP-039-001**



D&A Project #20041  
 Case No. 2020SP-039-001

# C0.0



**Development Summary**

**Property Information**  
 6001 & 6003 Obrien Avenue  
 Nashville, Tennessee 37209  
 0.48 Total Acres

**Council District 20: Mary Carolyn Roberts**

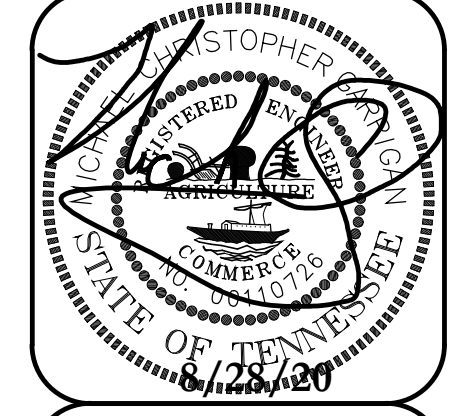
**Owner of Record**  
 Potter Brothers Construction, LLC  
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**Civil Engineer**  
 Dale and Associates  
 516 Heather Place  
 Nashville, Tennessee 37204  
 Contact: Michael Garrigan, PE  
 Phone: 615-297-5166  
 Email: michael@daleandassociates.net

**Drawing Date:**  
 March 31, 2020

**Revisions**

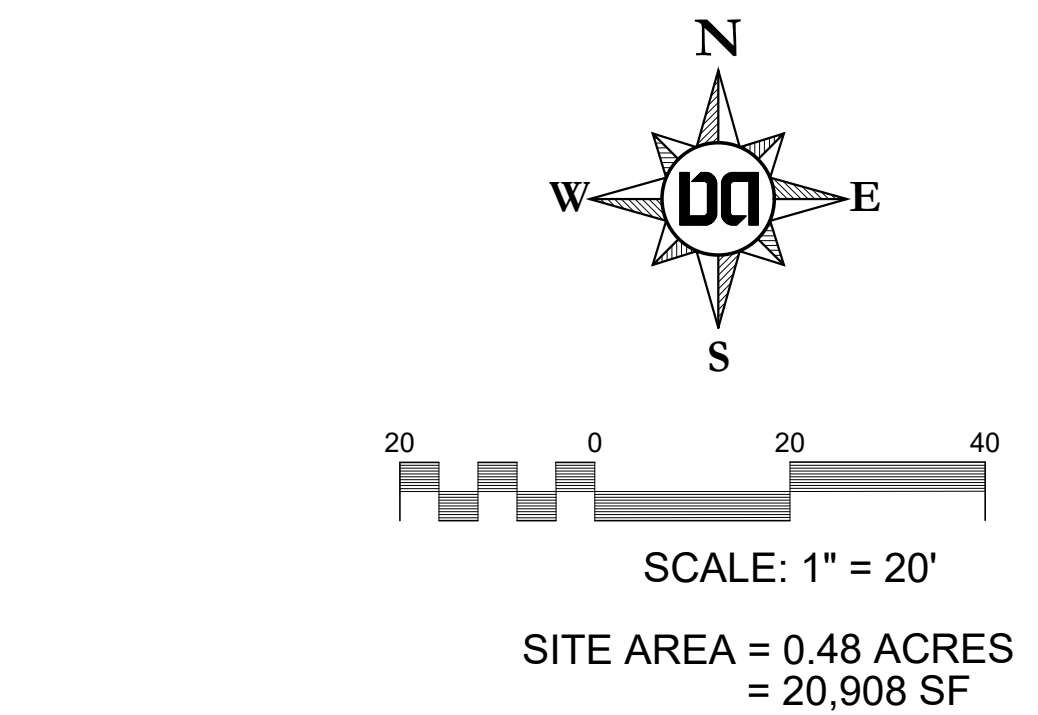
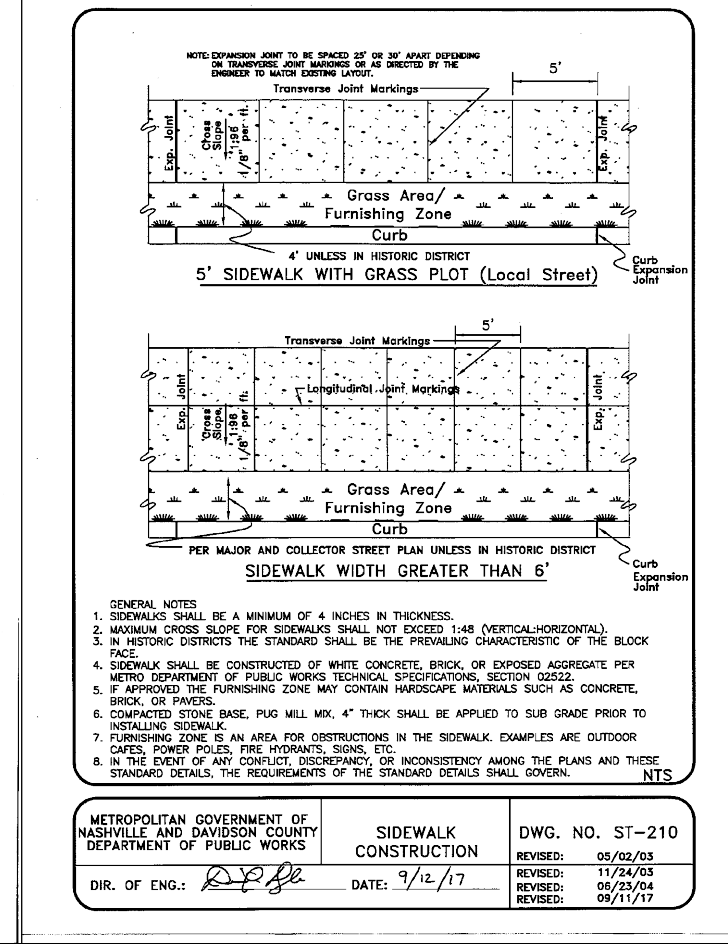
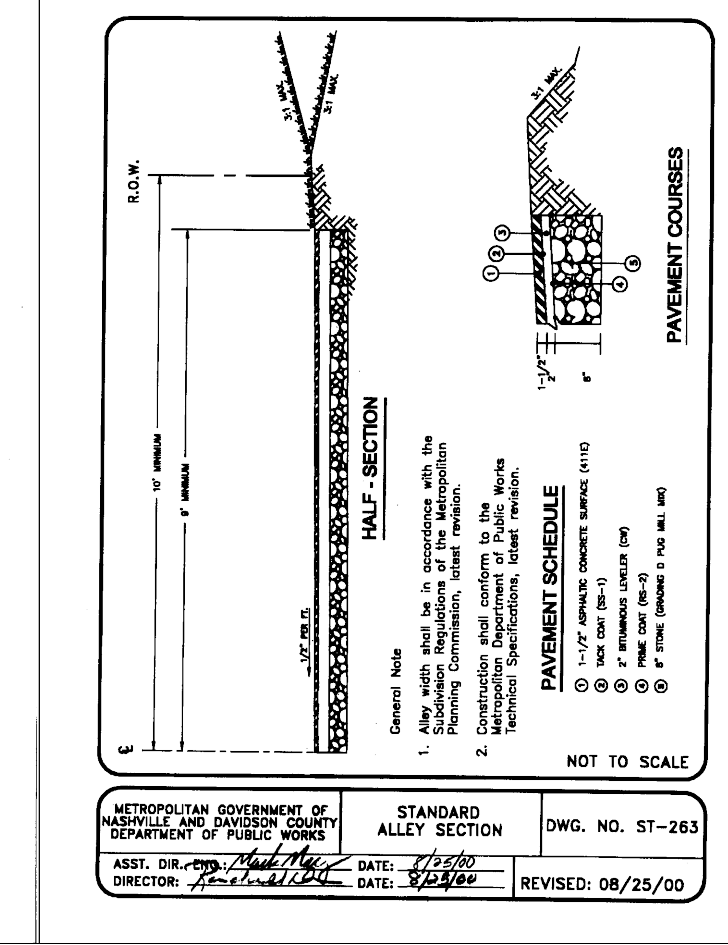
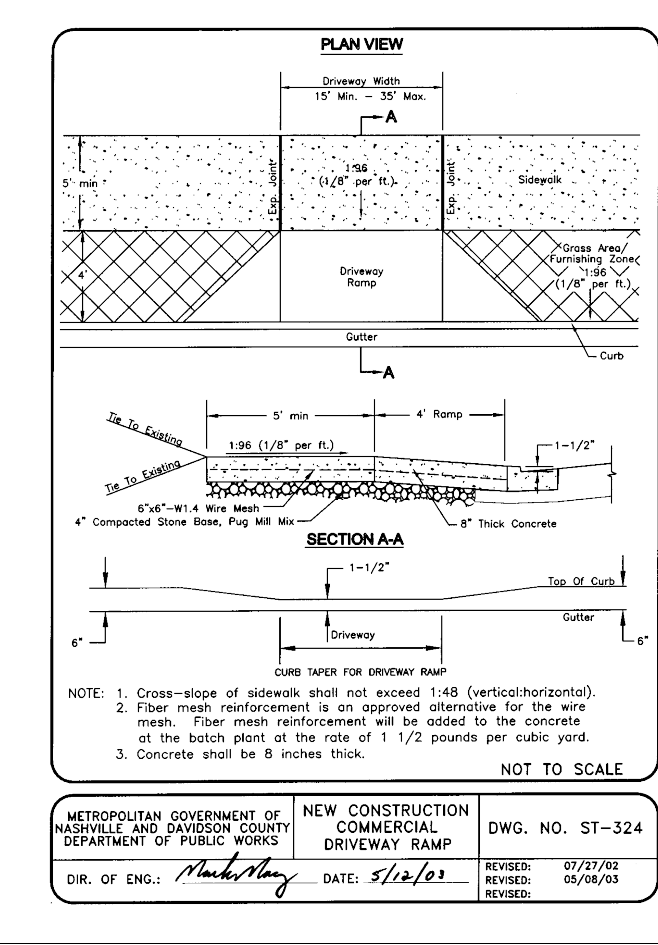
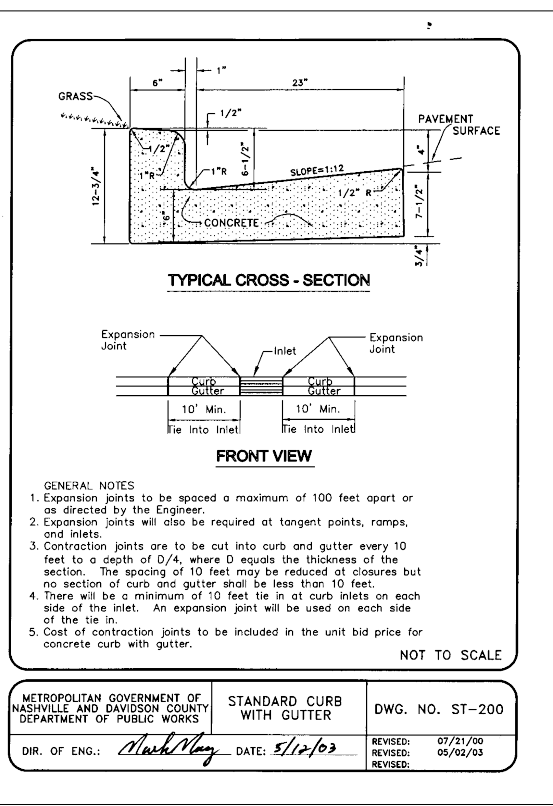
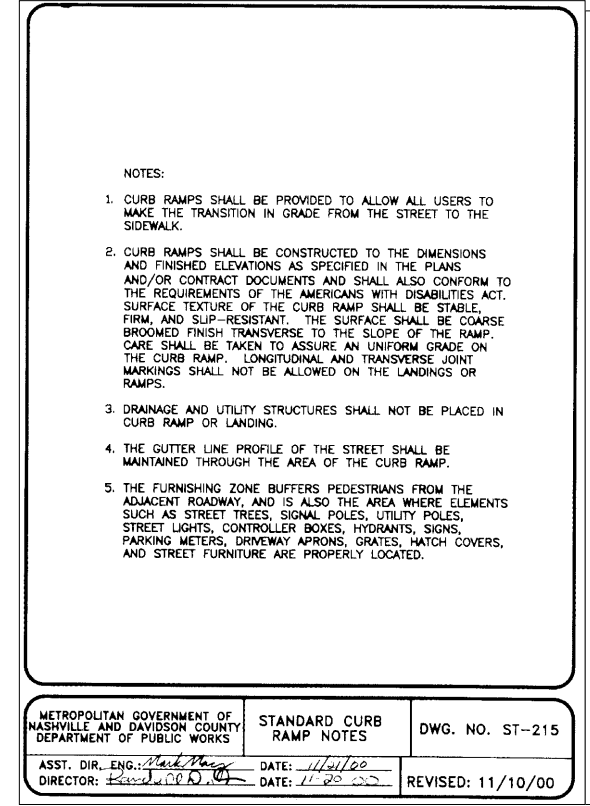
**6001 & 6003 Obrien Avenue**  
 Preliminary SP  
 Being Parcels 285, 364 on Tax Map 91-13  
 Nashville, Davidson County, Tennessee



**Existing Conditions and SP Plan**

**CURVE TABLE**

CURVE	DELTA	ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	93°57'36"		25.00'	41.00'	36.56'	S52°29'55"E
C2	86°02'24"		20.00'	30.03'	27.29'	S37°30'05"W

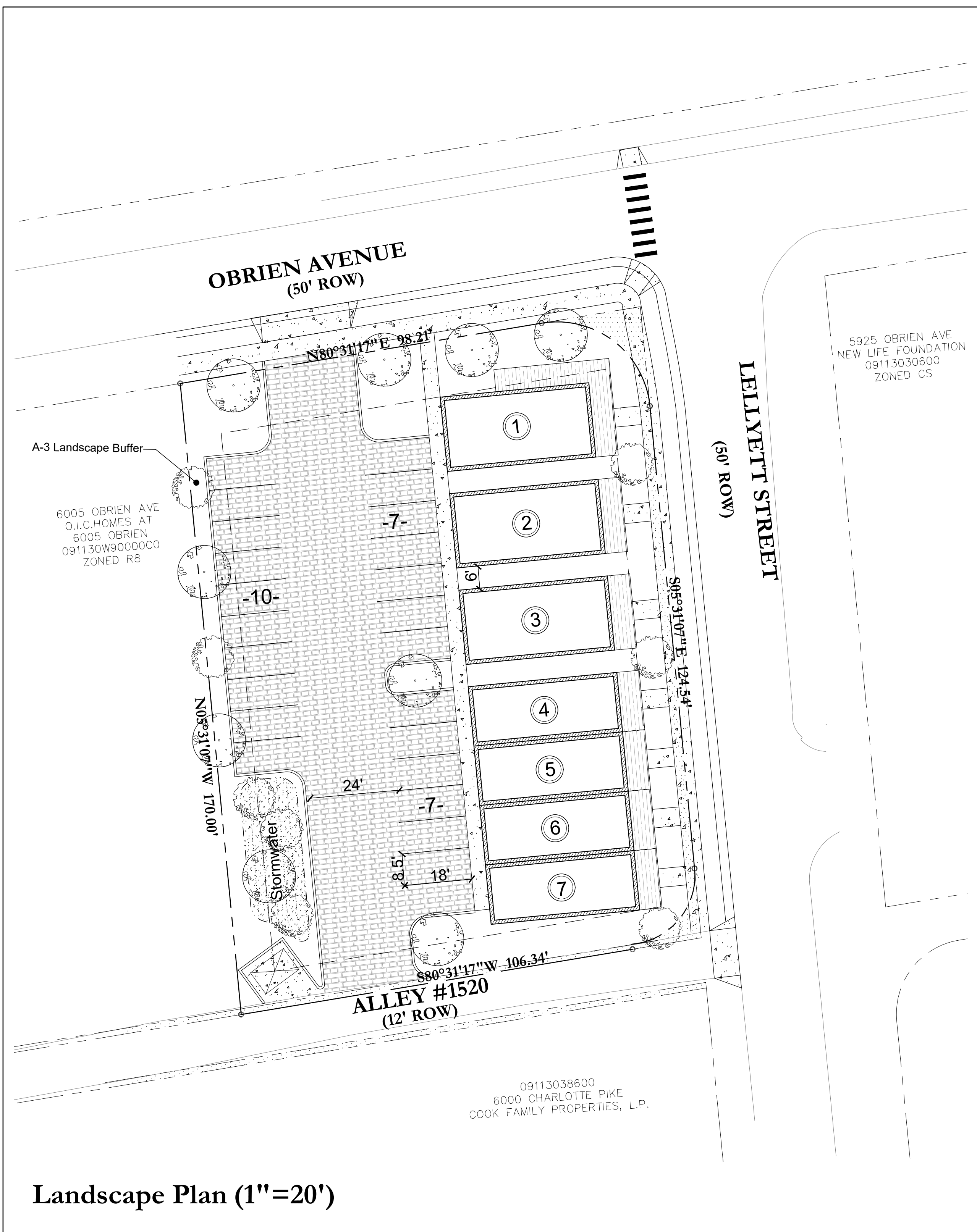
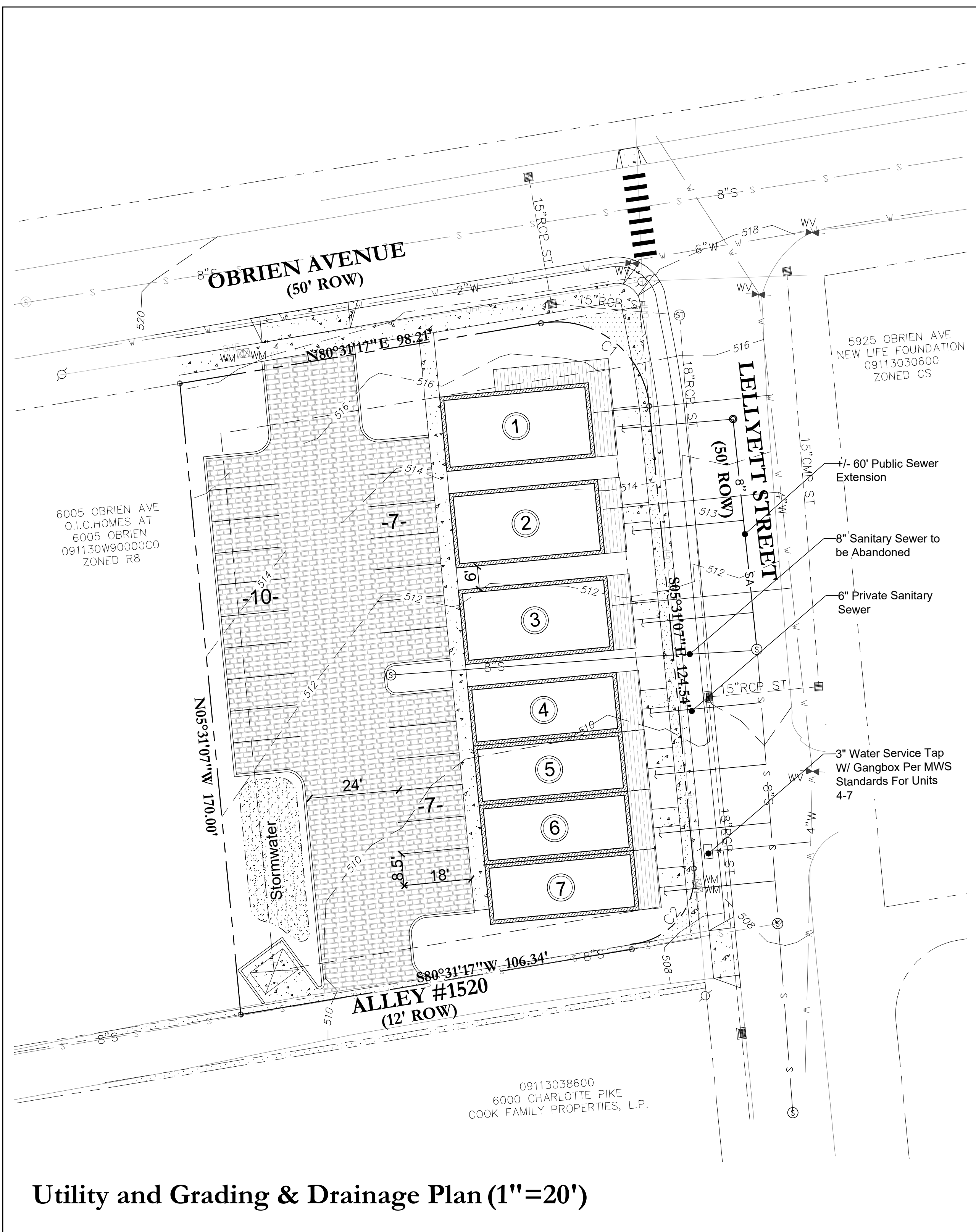


**Case Number:**  
 2020SP-039-001

**Dale & Associates**  
 Civil Engineering & Zoning  
 Land Planning & Zoning

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

D&A Project #20041  
 Case No. 2020SP-039-001  
**C1.0**



**STORMWATER NOTES**

- 1) THE SOIL TYPE FOR THIS SITE IS MIMOSA-URBAN LAND COMPLEX, 2 TO 15 PERCENT SLOPES WHICH FALLS WITHIN THE "C" HYDROLOGICAL SOIL GROUP.
- 2) THIS SITE IS RESPONSIBLE FOR WATER QUALITY AND WATER QUANTITY. FINAL SP SHALL DEPICT COMPLIANCE WITH VOLUME 5 OF THE STORM WATER MANAGEMENT (LID MANUAL).
- 3) 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.

**UTILITY NOTES**

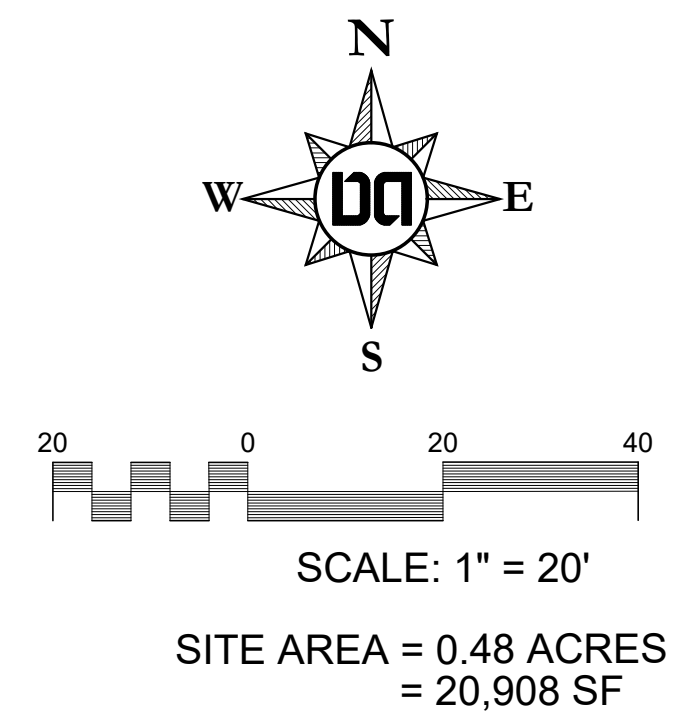
- 1) WATER AND SEWER SERVICE TO BE PROVIDED BY METRO WATER SERVICES.
- 2) WATER AND SEWER SERVICES ARE SCHEMATICALLY SHOWN. FINAL WATER AND SEWER SERVICE LOCATIONS WILL BE PROVIDED DURING FINAL SP PROCESS.

**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:**

0.48 AC-0.11 AC = 0.37 AC x 14 = 5.18 TDU'S REQ'D  
 17 PROPOSED 2" CALIPER TREES = 8.5 TDU PROV.  
 (NOTE: DOES NOT INCLUDE EX. TREES TO BE PRESERVED)  
 \*TDU EXCEEDED



**Development Summary**

**Property Information**  
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 Nashville, Tennessee 37209  
 0.48 Total Acres

**Council District 20:** Mary Carolyn Roberts

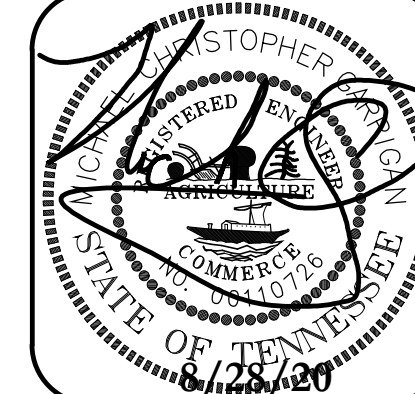
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**Drawing Date:**  
 March 31, 2020

**Revisions**

**6001 & 6003 Obrien Avenue**  
 Preliminary SP  
 Being Parcels 285, 364 on Tax Map 91-13  
 Nashville, Davidson County, Tennessee



**Utility and Grading & Drainage and Landscape Plan**



**Case Number:**  
 2020SP-039-001

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

D&A Project #20041  
 Case No. 2020SP-039-001  
**C2.0**