

CITY OF BRENTWOOD
MUNICIPAL PLANNING COMMISSION
PLANNING DEPARTMENT STAFF REPORT
MONDAY, OCTOBER 2, 2017 -- 7:00 P.M.
PRELIMINARY

REGULAR AGENDA -- ITEM 3:

ORDINANCE 2017-19 - AN ORDINANCE REZONING THE MARYLAND FARMS GREENWAY PROPERTY TO AMEND THE SPECIAL RESTRICTIONS ESTABLISHED BY ORDINANCE 97-01

Ordinance 2017-19 requests the rezoning of the Maryland Farms Greenway Property to amend the Special Restrictions established by Ordinance 97-01.

The 20-acre property, generally known as the Maryland Farms Greenway, was zoned SI-3/SR by Ordinance 97-01, which was approved on final reading on June 9, 1997.

While the property is not fenced from the Maryland Farms side and therefore provides for some degree of public access for walkers, etc., special restriction #3 specifically provides that:

No facilities, structures or equipment shall be placed on site, including but not limited to picnic tables, walking paths, athletic fields or facilities, restrooms, etc.

The City only had limited experience with trails adjacent to neighborhoods in the mid-1990's when the special restrictions were put in place. The primary concern of adjacent residents in these situations has always been about safety, given that trails provide more public access and activity adjacent to their properties. Over the past 20 years, the City's trail network has expanded considerably, including many routes that run through or adjacent to neighborhoods. Obviously, no one can know for sure what might happen in the future, but experience to date has shown that proximity to the City's trail network has not created increased safety risks and, in most cases, is viewed as a neighborhood amenity that enhances property values.

The final report issued by the Ad Hoc Bike and Pedestrian Advisory Committee (BPAC) in 2016 included a recommendation to install a paved multi-use trail within the Greenway that would help to connect Powell Park on the western end of the office park to Maryland Way Park on the eastern end. Such a trail would also require additional connections across property owned by the Maryland Farms POA, the YMCA, and the former library property currently owned by Jordan Properties, Inc. This trail connection would provide greatly enhanced bike and pedestrian access to the northern Brentwood commercial area along Franklin Road for residents living adjacent to Granny White Pike and employees working within the office park. This supports the Brentwood 2030 goal of providing enhanced bike and pedestrian connectivity throughout the community, especially on the western side of I-65 where such connectivity is lacking.

Staff hosted two neighborhood meetings in the fall of 2016 to discuss the proposed trail route and get neighborhood input. A total of 29 residential tracts are adjacent to the proposed trail route, including several along Williamsburg Circle that are not directly adjacent to the Greenway but are adjacent to the proposed route of the trail across the YMCA and Jordan properties. Despite mailing two letters directly to the owners of these 29 properties, staff only received input (via the neighborhood meetings or e-mail) from 16 of the owners. Of these 16, nine expressed support for the proposed trail and seven expressed opposition. Opposition was based primarily on security concerns, with one owner near the Maryland Farms detention pond also expressing drainage concerns. There was near unanimous support for the trail from other residents of the neighborhood who did not live directly adjacent to the Greenway and trail route.

While staff has had positive conversations with the other three affected property owners (Maryland Farms POA, the YMCA, and Jordan Properties) about this proposed trail, no final design work or actual planning for construction of such a trail can begin unless the City Commission approves a rezoning of the Greenway property to amend the special restrictions to allow for construction of a paved multi-use trail within the Greenway property.

The attached ordinance, if approved, would amend the existing special restrictions as follows:

- Special restriction #2 would be amended to allow for tree removal only as necessary for construction of the trail. There are a few locations where the proposed trail route cuts through existing tree clusters.
- Special restriction #3 would be amended to provide an exception to the existing prohibition of any improvements in the Greenway.
- A new special restriction #4 would be added that allows for construction of a 10-foot wide multi-use trail to be located in the northern half of the Greenway property. This restriction would also allow for a trail connection to the adjacent neighborhood only with written approval of the affected property owner(s).
- Special restriction #5 (to be renumbered as #6) would be amended to exempt trail users from the prohibition of public access after dark. With this amendment, someone walking on the trail after sunset would not be in violation of the special restrictions, but anyone off the paved trail in the Greenway property would be in violation.

Amendments to special restrictions must be made through a full rezoning process.

The ordinance was approved by the Board of Commissioners on first Reading on September 11th. If this ordinance is approved on first reading at the September 11 meeting. The City will host the required community meeting on September 28, beginning at 6:30 p.m. in the City Commission chambers. The public hearing is scheduled for October 9th with second and final reading at the October 26, 2017 meeting.

RECOMMENDATION:

Staff requests that the Planning Commission forward a recommendation of Approval of Ordinance 2017-19 to the Board of Commissioners.