

**2009SP-021-001**

Blakemore Primitive Baptist Church  
Map: 104-07 Parcel: 391  
Green Hills/Midtown Community Plan  
Council District 18 – Kristine LaLonde  
Staff Reviewer: Brian Sexton

A request to rezone from RM40 to SP-MU zoning property located at 2411 B Blakemore Avenue, approximately 330 feet west of 24th Avenue South (0.2 acres), to permit an existing religious institution to be converted to an events hall or used as multi-family residential at a maximum of RM40 density (as currently zoned) plus all other uses permitted in RM40, requested by Cook-Land LLC, and Polifio, applicants, for Blakemore Primitive Baptist Church, owner.

**Staff Recommendation: Approve with conditions. Disapprove if the Metro Facilities Use Agreements for parking are not in place prior to third reading at Council.**

**APPLICANT REQUEST Preliminary SP Permit an event hall and other uses permitted by RM40.**

A request to rezone from Multi-Family Residential (RM40) to Specific Plan-Mixed Use (SP-MU) zoning property located at 2411 B Blakemore Avenue, approximately 330 feet west of 24th Avenue South (0.2 acres), to permit an existing religious institution to be converted to an events hall or used as multi-family residential at a maximum of RM40 density (as currently zoned) plus all other uses permitted in RM40.

**Existing Zoning**

RM40 District - RM40 is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre. *Under the existing RM40 zoning the 0.2 acres would permit a maximum of 8 residential dwelling units.*

**Proposed Zoning**

SP-MU - Specific Plan-Mixed Use is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan includes an event hall and multi-family residential uses.*

**CRITICAL PLANNING GOALS**

- Preserves Historic Resources
- Creates Walkable Neighborhoods

This SP preserves an historic resource and adds to the creation of a walkable neighborhood. The site proposed for this SP is home to the Blakemore Primitive Baptist Church. The church is located south of Vanderbilt’s Blair School of Music and just east of Harris-Hillman Elementary School. While the property is not listed on Metro’s National Register of Historic Places, the property is considered to be worthy of conservation. The reuse of the existing structure will help to maintain and preserve the buildings historical context while adding to the neighborhoods cultural identity. The SP also adds to the creation of a walkable neighborhood environment by integrating community services into the existing neighborhood. The surrounding community will be able to enjoy the convenience of walking to events held in this building.

**GREEN HILLS/MIDTOWN COMMUNITY PLAN**

**Existing Policy**

Open Space (OS) OS policy is intended to encompass public, private not-for-profit, and membership-based open space and recreational activities.

**Consistent with Policy?** Although the policy is OS, because the subject site is in private ownership, the applicable policy is deemed to be Major Institutional. Usually, though not in this case, sites under private ownership that are envisioned to become public open space are designated Potential Open Space (POS), (rather than OS) and the plan specifies an alternate policy for the site to guide development as long as it remains in private ownership. In the absence of a specified alternate policy, an abutting policy, if deemed appropriate for the site in question, is used to guide development. In this case, the only abutting policy different than OS is the Major Institutional (MI) that abuts the site on the north side. MI policy is considered appropriate for the site.

Uses envisioned in the MI policy areas include mainly large institutions (i.e. colleges and universities) and hospitals; and ancillary activities such as housing, public benefit uses and convenience services. Major institutions commonly include facilities for hosting social events—the type of activity envisioned in the requested zone change proposal. Although an event center on the site would not be an integral element of the institution to the north, it is complementary to its neighbor and is an appropriate activity for the site.

**PLAN DETAILS** The intent of this SP is to allow for the residentially zoned property to also be used for an event hall for weddings, corporate, charitable, and similar events. The property zoned for multi-family residential and proposed for a Specific Plan – Mixed Use, is approximately 0.2 acres in size. It is located on the south side of Blakemore Avenue, and east of Natchez Trace Road. The property is developed and consists of a 2,000 square foot, one-story church that is vacant. The church is set back approximately 84 feet from Blakemore Avenue. The proposed SP plan is divided into two phases.

**Phase I** In Phase I the SP calls for the inside of the existing church to be converted into an event hall, permit the development of two restroom facilities, and a new patio area with permeable pavers in the front of the church. The height and building footprint of the existing church, with the exception of the two new restroom facilities, will not change. The proposed restroom facilities will be attached to the front of the church on the northeast and northwest corners of the building. Each restroom is approximately 209 square feet in size. A set of adequate elevations was not submitted for the restroom facilities and will be required prior to Final Site Plan approval for the first phase of this proposed development.

A list of building materials was submitted by the applicant for the restrooms which includes brick, stone, and metal railings. Building materials such as vinyl siding, exposed plywood and concrete blocks are prohibited by this SP plan. Primary access to the church is currently located on the north side of the building fronting Blakemore Avenue. The entry-way will be relocated from the north to the northeast and northwest sides of the building when the patio is completed. A five foot retaining wall is proposed below the north, and west sides of the new patio area. A public bench will also be provided in front of the retaining wall fronting Blakemore Avenue.

**Phase II** Phase II of this proposed SP calls for the future development of a 525 square foot service room in the rear of the church. It is the applicant's intention to use the service room for food and beverage preparation. A patio area outside of the service room containing permeable pavers is also proposed in the rear of the church. A set of adequate elevations and building materials was not submitted for the service room and will be required prior to Final Site Plan approval for Phase II of this proposed development.

**Access / Parking** Access to the site is provided from an existing drive along the eastern property line. The site contains existing sidewalks along Blakemore Avenue. The site currently contains seven on-site parking spaces which does not meet the zoning code requirements for event hall parking. The applicant has indicated that a Facilities Use Agreement for parking will be in place with three surrounding Metro Schools once the property is purchased by the applicant. The Facilities Use Agreement between Metro Schools and the applicant will allow event parking at Harris Hillman Elementary, Eakin Elementary and Martin Professional Development Center. Parking at Fannie Mae Dees Park is prohibited. No events shall be held when parking is not available at Harris Hillman Elementary, Eakin Elementary, or Martin Professional Development Center as specified in the Facilities Use Agreement. The Facilities Use Agreement for parking must be in place prior to third reading at Council. If the agreement is not in place at that time, staff recommends that the Planning Commission recommendation be disapproval.

**Signs** Sign details were included in this SP. The SP proposes one 24 square foot wall mounted sign that will replace an existing monument sign on the property. The sign will be placed on the proposed retaining wall fronting Blakemore Avenue. The sign will be externally illuminated with soft lighting. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs.

## **FIRE MARSHAL RECOMMENDATION**

- All applicable fire codes shall be adhered to.
- The building is required to be sprinklered.
- A fire hydrant shall be provided within 100' of the fire department connection.
- This project is approved as a sprinklered project.

#### **HISTORICAL COMMISSION RECOMMENDATION**

The Historical Commission reviewed the plans and considers the building Worthy of Conservation. There were no additional comments on this proposal.

#### **PUBLIC WORKS RECOMMENDATION**

- No event parking including guest and service vehicles shall occur within the public right-of-way.
- Events should be supervised by the applicant or a designated management company to ensure that no parking occurs within the public right-of-way.
- All guest parking shall be off-site at the locations designated in the application submitted to the Metro Planning Department.
- Agreements between the applicant and the off-site parking providers shall be in writing and should be bound to this rezoning.
- Parking at all off-site locations shall be coordinated with the owners of those facilities for each event unless contractual agreements with a parking provider is in place and addresses the specific days and times the parking will be made available for use.
- Adequate off-site parking shall be provided for all events.
- No valet parking shall be allowed unless a valet parking plan is submitted to and approved by the Department of Public Works.
- No loading and unloading of guests shall occur within the public right-of-way.
- If shuttle service is provided for any event, the following conditions shall apply:
- Shuttles shall not park or idle within the public right-of-way.
- No loading and unloading of guests from shuttles shall occur within the public right-of-way.

*No traffic table were generated for this case as this use is not listed in the ITE Manuals that Public Works and Planning use to determine possible traffic counts.*

**STAFF RECOMMENDATION** Staff recommends approval with conditions of the zone change request. While the proposed use is not entirely consistent with the OS policy, the rezoning and site plan are consistent with the MI land use policy north of the property.

If the Facilities Use Agreement for parking is not in place prior to third reading at Council, the staff recommendation is be changed to disapproval.

#### **CONDITIONS**

1. Prior to final site plan approval, the SP plan shall include an adequate set of elevations for the first and second phases of this proposed development.
2. Prior to final site plan approval, the SP plan shall include a set of building materials for phase two.
3. Prior to third reading at Council, the applicant shall provide staff with an approved Metro Facilities Use Agreement for parking.
4. Parking at Fannie Mae Dees Park for events shall be prohibited. No events shall be held when parking is not available at Harris Hillman Elementary, Eakin Elementary, or Martin Professional Development Center as specified in the Facilities Use Agreement.
5. All Public Works requirements related to parking, loading and unloading, and shuttle services shall be met.

6. This SP is limited to events hall and residential at a maximum of RM40 density, and all other uses permitted in the RM40 zoning district.
7. 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 RM40 zoning district as of the date of the applicable request or application.
8. A corrected copy of the preliminary SP plan preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
9. 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.
10. 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.
11. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act and the Fair Housing Act.

Approved with conditions. Disapprove if the Metro Facilities Use Agreements for parking are not in place prior to third reading at Council, (7-0) *Consent Agenda*

**Resolution No. RS2009-141**

**“BE IT RESOLVED** by The Metropolitan Planning Commission that 2009SP-021-001 is **APPROVED WITH CONDITIONS. DISAPPROVE IF THE METRO FACILITIES USE AGREEMENTS FOR PARKING ARE NOT IN PLACE PRIOR TO THIRD READING AT COUNCIL. (7-0)**

**Conditions of Approval:**

1. Prior to final site plan approval, the SP plan shall include an adequate set of elevations for the first and second phases of this proposed development.
2. Prior to final site plan approval, the SP plan shall include a set of building materials for phase two.
3. Prior to third reading at Council, the applicant shall provide staff with an approved Metro Facilities Use Agreement for parking.
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10. 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.
11. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act and the Fair Housing Act.

**The proposed SP-MU is consistent with the Green Hills/Midtown Community Plan's Major Institutional policy. While the property is actually in an Open Space policy, since it is under private ownership then the adjacent Institutional policy is the alternate policy of reference."**