



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2022-1533 **Name:**

Type: Bill (Ordinance) **Status:** Passed

File created: 10/20/2022 **In control:** Metropolitan Council

On agenda: **Final action:** 1/3/2023

Title: An ordinance setting conditions for the closure of an encampment at Brookmeade Park and accepting an easement on certain property located at 7034 Charlotte Pike (Parcel No. 10200008600) owned by Lowes Home Centers, LLC (Proposal No. 2022M-036AG-001).

Sponsors: Dave Rosenberg, Kevin Rhoten, Brett Withers, Russ Pulley, Gloria Hausser, Thom Druffel

Indexes:

Code sections:

Attachments: 1. Exhibit, 2. Amendment No.1 to BL2022-1533, 3. Proposed Substitute - BL2022-1533 - Rosenberg

Date	Ver.	Action By	Action	Result
1/4/2023	2	Mayor	approved	
1/3/2023	2	Metropolitan Council	passed on third reading	
1/3/2023	1	Metropolitan Council	substituted	
12/20/2022	1	Metropolitan Council	passed on second reading as amended	
12/20/2022	1	Metropolitan Council	amended	
12/6/2022	1	Metropolitan Council	deferred	
12/6/2022	1	Transportation and Infrastructure Committee	approved with an amendment	
12/6/2022	1	Public Facilities, Arts, and Culture Committee	approved with an amendment	
12/5/2022	1	Planning and Zoning Committee	approved with an amendment	
12/5/2022	1	Budget and Finance Committee	approved with an amendment	
11/15/2022	1	Metropolitan Council	deferred	
11/1/2022	1	Metropolitan Council	passed on first reading	
10/25/2022	1	Metropolitan Council	filed	
10/4/2022	1	Planning Commission	approved	

An ordinance setting conditions for the closure of an encampment at Brookmeade Park and accepting an easement on certain property located at 7034 Charlotte Pike (Parcel No. 10200008600) owned by Lowes Home Centers, LLC (Proposal No. 2022M-036AG-001).

WHEREAS, Lowes Home Centers, LLC ("Grantor") is the sole owner in fee simple of certain real property located at 7034 Charlotte Pike (Parcel No. 10200008600); and

WHEREAS, pursuant to the terms of the easement agreement attached to this ordinance and incorporated herein, Grantor proposes to grant the Metropolitan Government of Nashville and Davidson County an easement to install and maintain a fence; and

WHEREAS, the purpose of the installation and maintenance of the fence is to secure a Metro Park and to end

the practice of individuals residing on the property; and

WHEREAS, the Metropolitan Government participates in a Coordinated Entry process to assist persons experiencing homelessness with finding housing and appropriate supportive services; and

WHEREAS, the Metropolitan Council desires that the Coordinated Entry process be implemented to assist the current residents of the Brookmeade Park encampment with locating permanent housing and appropriate supportive services; and

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that this agreement be approved.

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

Section 1. The easement agreement between The Metropolitan Government of Nashville and Davidson County and Lowe's Home Centers, LLC attached hereto and incorporated herein, is hereby approved, subject to the following conditions related to the closure of the encampment at Brookmeade Park:

a) Metro has entered into a contract or established a partnership with a service provider or service providers to provide the appropriate services described in the Keys to Hope, Help, and Housing support services program for individuals who resided at this location;

b) All individuals residing at the Brookmeade Park encampment as of December 6, 2022, have been engaged by partner organizations and/or Metro Homeless Impact Division staff or contractors, have been offered housing navigation services, and have been offered a clear path to permanent housing. This permanent housing shall be permanent supportive housing when appropriate. This path may include that shelter or temporary housing options if residents have stated a preference for those options and if they are obtained through the Coordinated Entry process; and

c) The Metropolitan Homeless Impact Division director and a representative of the Mayor's Office have confirmed to the Metropolitan Council in writing that at the time of the encampment closure that all conditions required by this ordinance have been met, and that all individuals residing at the Brookmeade Park encampment identified as of December 6, 2022, have been entered into the Coordinated Entry process, and have been offered permanent housing (permanent supportive housing when appropriate and are either living in such housing or have been offered temporary housing with housing navigation services in accordance with the principles of the Pathways Housing First model.

Section 2. The Metro Homeless Impact Division director is directed to ensure that Metro's outreach team and/or staff from contractors or partner entities continue to actively engage any residents of the Brookmeade Park encampment who were identified on as of December 6, 2022, wherever they reside within Davidson County after the closure of the encampment until such time that they are willing to accept permanent and/or temporary housing options.

Section 3. That once the conditions required in Section 1 are met, the Director of Public Property, or his designee, is authorized to accept and record the easement and to take such other reasonable actions as may be necessary to carry out the intent of this ordinance.

Section 4. That any amendment to this easement agreement shall be approved by resolution of the Metropolitan Council receiving at least twenty-one (21) affirmative votes.

Section 5. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance, as amended, accepts an easement on property located at 7034 Charlotte Pike owned by Lowes Home Centers, LLC. The Metropolitan Government proposes to install and maintain an 8-foot chain link fence on this easement.

Future amendments to this legislation may be approved by a resolution receiving at least 21 affirmative votes. This ordinance has been approved by the Planning Commission.

This ordinance would become effective upon the date, as determined by the director of the Metropolitan Homeless Impact Division, that all occupants of 7002 Charlotte Pike as of December 1, 2022, have been provided with more than one option of housing and in accordance with the Continuum-of-Care Homelessness Planning Council Shelter Committee Outdoor Housing Strategy and Metro Nashville's Coordinated Entry process. One option for housing must be permanent or semi-permanent housing.