

ORDINANCE 11-12

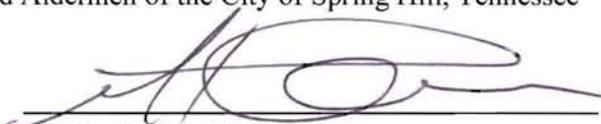
AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MUNICIPAL ZONING MAP BY THE RECLASSIFICATION OF THE LARRY ADAMS PROPERTY LOCATED SATURN PARKWAY AND MAIN STREET, SHOWN ON MAURY COUNTY TAX MAP 028 PARCEL 16, AND MAURY COUNTY TAX MAP 028 PARCEL 18, (PORTION NORTH OF SATURN PARKWAY) CONSISTING OF 174 ACRES MORE OR LESS, FROM M-1 (INDUSTRIAL LIGHT) TO B-4 (CENTRAL BUSINESS)

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE:

That the Spring Hill Municipal Zoning Ordinance, Ordinance 11-12, and the Municipal Zoning Map of the City of Spring Hill, as the same have been previously amended, are hereby further amended by the reclassification of the Larry Adams property located at Saturn Parkway and Main Street, and as shown on Maury County Tax Map 028, Parcel 16, and Maury County Tax Map 028 Parcel 18, (portion north of Saturn Parkway) consisting of 174 acres more or less from M-1 (Industrial Light) to B-4 (Central Business).

This Ordinance shall take effect from and after its adoption, the Public welfare requiring it.

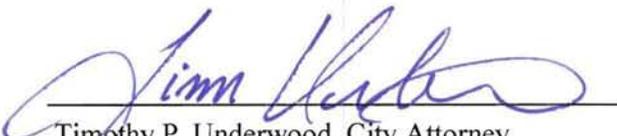
Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 15th day of August, 2011.


Michael Dinwiddie, Mayor

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Timothy P. Underwood, City Attorney

Passed on First Reading: July 18, 2011

Passed on Second Reading: August 15, 2011

Note to Ordinance 11-12, rezoning of property owned by Larry Adams to B-4.

Passed on Second Reading August 15, 2011.

Alderman, Jonathan Duda wanted it noted that a portion of this property on the far eastern edge is somewhat considered ground zero of the Spring Hill Civil War Battlefield and is adjacent to property owned by the Civil War Preservation Trust that the BOMA recognizes as a Historically significant property. This property is near a sensitive area and it should be noted that as the property develops, it should be done in a manner that compliments the Historic Site.

PLANNING COMMISSION & BOMA
REZONING APPLICATION
Applicant to Complete Sections A and B



A. Rezoning Information

Date 6/13/11 Planning Commission Meeting Date: 7-11-11

BOMA 1st Reading Date: 7-18-11 BOMA 2nd Reading Date: 8-15-11

Location SATURN PARKWAY + US31 Map/Parcel 28/16 Murray County
Acreage 174± Acres P/O 28/18 (North of Saturn Parkway Only)

Current Zoning M-1 Requested Zoning B-4

Zoning Map Amendment Fee \$200

Zoning Amendment Display Sign \$30

Preliminary Site Plan Approval

\$300 + \$25/acre

B. Contact Information

Property Owner(s) Name Larry Adams

Address 8255 Dalewood Ct. Brentwood TN 37027

Phone No. 615-347-3049 Fax No. 615-373-8987 (cell 1st)

Email: adams bldr @comcast.net

Applicant(s), Owner, or Owner's Representative (Engineer, Architect, Attorney), if applicable

Allen O'Leary

Company O'Leary and Associates LLC

Address 2558 Nashville Highway Columbia TN 38401

Phone No. 931-489-2088 Fax No. 931-489-2089

Email: allen@olearyac.com

If requesting R-4 or R-5 zoning, I have read the attached checklist and have complied with all requirements listed and understand that this application may be deemed incomplete if the plat misses any of the information listed. I also understand that other information may be requested by staff during review.



Property owner(s) signature: _____

Randy J. Adams

Applicant(s), Owner, or Owner's Representative signature: _____

Al BOJ...

C. For Staff Use Only

Fee Paid: Yes No Date: 6-13-11 Received By: SG

Consistent with Future Land Use Plan: Yes No

If No, Future Land Use Plan Amendment is required and has been added to PC agenda: Yes No

Notice Posted on Property: Yes No Date: 6-17-2011

Copy of Photo Included in Package: Yes No

Public Notice Affidavit from Newspaper Included in Package: Yes No

Letters Sent to Property Owners: Yes No

Planning Commission Action:

Tabled Date: _____

Deferred Date: _____

Approved Date: _____

Approved With Conditions Date: _____

Denied Date: _____

BOMA Action:

Tabled Date: _____

Deferred Date: _____

Approved (1st Reading) Date: _____

Approved (2nd Reading) Date: _____

Denied Date: _____

Notes:



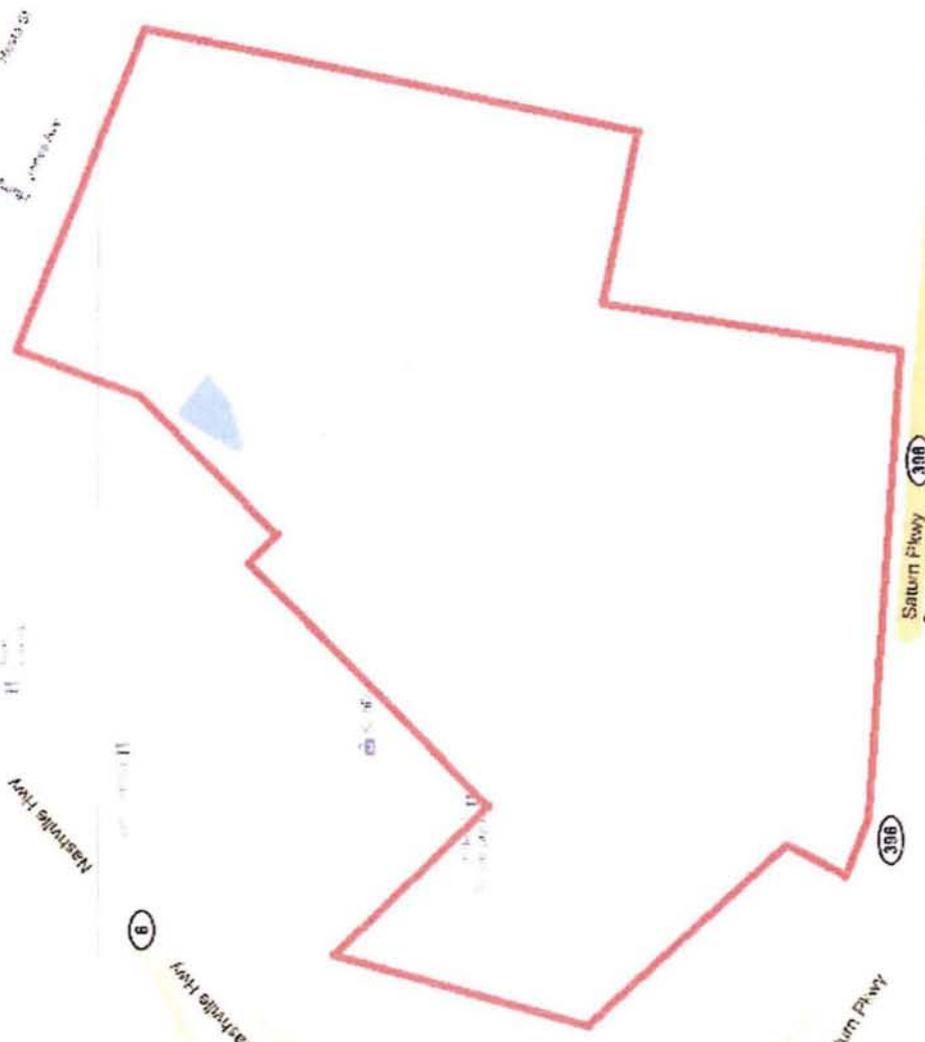
Traffic
Old Kedron Rd

Volusia's Home Lake
Kedron Rd

Kedron Rd

Kedron Rd

15th St
16th St
17th St
18th St
19th St



31

6

31

Nashville Hwy

6

Nashville Hwy

6

Main St

6

396

Nashville Hwy
Main St

6

Saturn Pkwy

Saturn Pkwy

396

Saturn Pkwy

396

396

Saturn Pkwy
Saturn Pkwy

396

Saturn Pkwy
Saturn Pkwy

396

Saturn Pkwy
Saturn Pkwy

396



**Public Hearing at
Spring Hill City Hall**

Planning Commission

11 July 11

5:30 p.m.

Board of Mayor & Alderman

15 AUG 11

7:00 p.m.

Proposal to be Considered

Rezone 174 Acres

From M-1 To B-4

(931) 486-2252 ext.

06/17/2011

**Public Hearing at
Spring Hill City Hall**

Planning Commission

5:30 p.m. **11 July 11**

Board of Mayor & Alderman

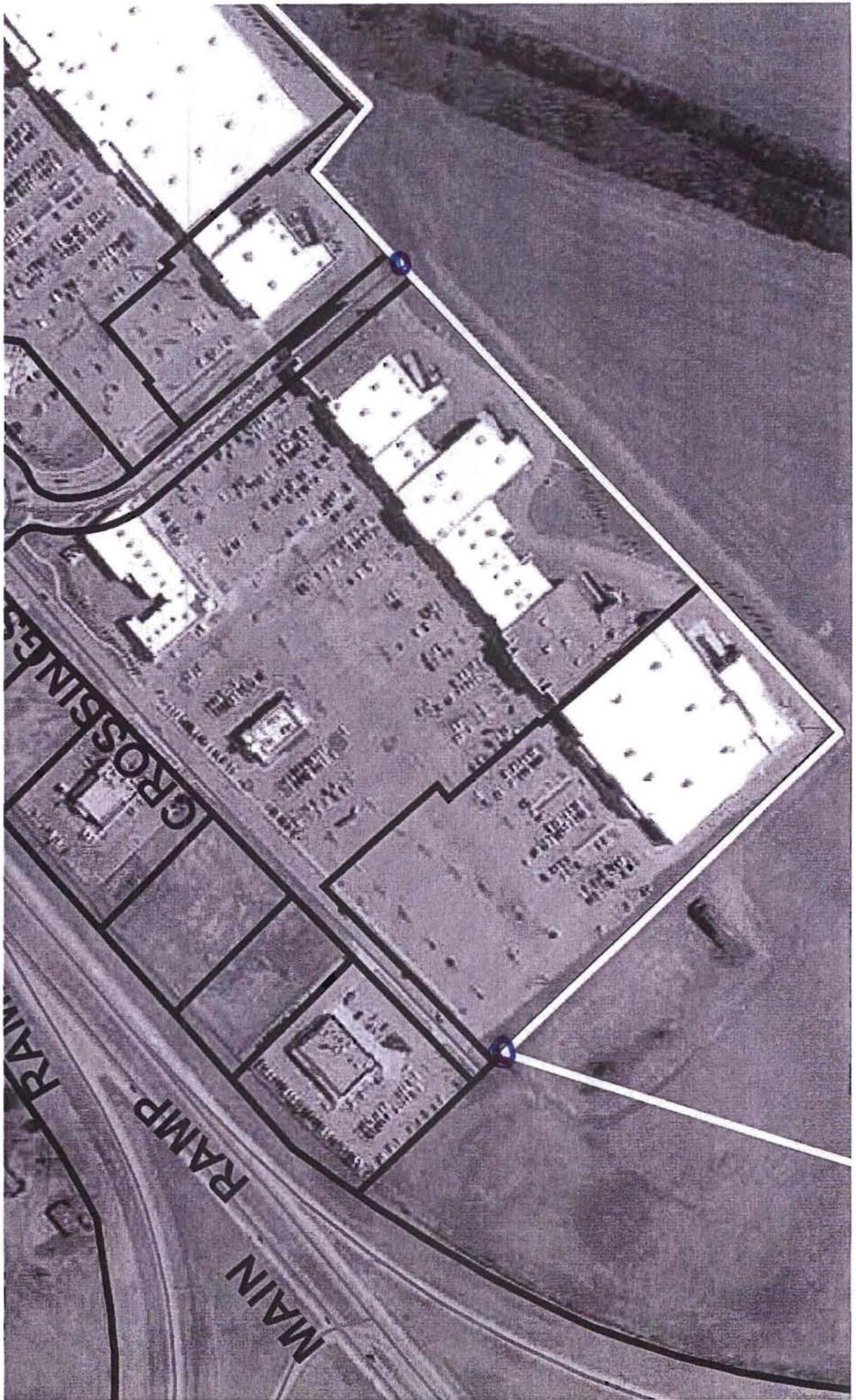
7:00 p.m. **15 AUG 11**

Proposal to be Considered

**Rezone 174 Acres
from M-1 to B 4**

(931) 486-2252 ext.

06/17/2011



AFFIDAVIT OF _____

STATE OF TENNESSEE

COUNTY OF MAURY

Affiant, after first being duly sworn according to law deposes and states as follows:

1. I am Allen B. O'Leary the applicant for a rezone request, Planned Unit Development (PUD) or Traditional Neighborhood Development and all statements in this Affidavit are made of my own personal knowledge.
2. I have reviewed the requirements of Article XIV of the Spring Hill Zoning Ordinance.
3. I have complied with all the requirements of Article XIV of the Spring Hill Zoning Ordinance including the notice requirements.
4. I have provided written notification by means of certified mail to property owners within five hundred (500) feet of the boundary line of the property being prepared for reclassification of use. The list of such property owners are listed as follows:

Provide list of property owners here
or as an attachment.

5. I further agree to retain the return receipt requests for a minimum of one year from the date of this affidavit and make such documentation available at the request of the Codes and Inspection Department.

FURTHER AFFIANT SAITH NOT.

Allen B. O'Leary
Signature

STATE OF Tenn.

COUNTY OF Maury

Personally appeared before me, Allen B. O'Leary, a Notary Public of said County and State, _____, with whom I am personally acquainted, and who acknowledged that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 22 day of June 2011.



Donna R. Witherow
Notary Public
My Commission Expires: July 26, 2013

Mr. Albert Brough
307 Jones Ave.
Spring Hill, TN 37174

Association for the Preservation of Civil War Sites
11 Public Square #200
Hagerstown, MD 21740

Mr. Andre Rondeau
202 Hesta St.
Spring Hill, TN 37174

Mr. Carl Nelson
401 Hump Cir.
Spring Hill, TN 37174

Mr. Billy Wright
311 Jones Ave
Spring Hill, TN 37174

Mrs. Donna Hensel
4001 Hump Cir.
Spring Hill, TN 37174

Mr. Charles Wolff
1409 Towson Dr.
Columbia, TN 38401

Mr. & Mrs. Douglas & Mary Foster
402 Hump Cir.
Spring Hill, TN 37174

Mrs. Doris Prince
116 Jackson St.
Spring Hill, TN 37174

Mr. James Williams
403 Hump Cir.
Spring Hill, TN 37174

Gallatin Management Assoc., LLC
201 Summit View Dr. Suite 110
Brentwood, TN 37027

Mr. & Mrs. John & Cheryl Primm
301 Murphy Cir.
Spring Hill, TN 37174

Mr. Jerry Rhea
118 Jackson St.
Spring Hill, TN 37174

Mrs. Kristin Thompson
303 Jones Ave
Spring Hill, TN 37174

Kohl's Department Stores
P.O. Box 2148
Milwaukee, WI 53201

Mr. & Mrs. Larry & Sandra Ragsdale
204 Hesta St.
Spring Hill, TN 37174

KTA Realty Company
43 Via Costa Verde
Rancho Palos Verd, CA 90275

Mr. & Mrs. Ronald & Sanora Woody
303 Murphy Cir.
Spring Hill, TN 37174

Mr. Preston Davis
300 Murphy Cir.
Spring Hill, TN 37174

Spring Hill Development Partners
201 Summit View Dr. Suite 110
Brentwood , TN 37027

Mr. & Mrs. Steve & Beverly Bowman
302 Murphy Cir.
Spring Hill , TN 37174

Target Corporation
P.O. Box 9456
Minneapolis, MN 55440-9456

Mr. Thomas Carr
800 N. Cedar St.
Searcy, AR 72143

Turnberry Land Company, LLC
1032 Neeley's Bend Rd.
Spring Hill, TN 37174

Mr. William Rainey
WR Properties, LLC
3563 Booker Ridge Rd.
Mt. Pleasant , TN 38474

June 21, 2011

RE: Proposed Rezone request

Dear Property Owner,

I am writing to you as required by Article XIV of the Spring Hill Zoning Ordinance. The Property is north of Saturn Parkway, east of Main Street (S.R. 31), Kohl's and Target Tax Map 28, Parcel 16, in Maury County, Spring Hill, Tennessee has an application pending to request a change in the land use. This property is within three hundred (300) feet of real property owned by you and therefore this proposed change directly affects your interests as a property owner.

The application for land use change is pending before the Spring Hill Planning Commission which will hold a work session on the 5TH day of July, 2011 at 5:30 p.m., a Public Hearing on the 11TH day of July, 2011 at 5:25 p.m., and will hold a subsequent meeting on the 11TH day of July, 2011 at 5:30 p.m. to vote on a recommendation to be forwarded to the Board of Mayor and Aldermen.

After the Spring Hill Planning Commission has given due consideration of the application for land use change, the recommendation will be forwarded to the Board of Mayor and Aldermen for final consideration. The Board of Mayor and Aldermen will hold its first work session on the 11TH day of July, 2011 at 7:00 p.m., with the first reading of this ordinance scheduled for the 18TH day of July, 2011 at 7:00 p.m. If passed, the Board of Mayor and Aldermen will have a second work session scheduled for the following month, the 8TH day of August, 2011 at 7:00 p.m. as well as a Public Hearing on the 15TH day of August, 2011 at 6:55 p.m., and Second and Final reading of the ordinance taking place on the 15TH day of August, 2011 at 7:00 p.m. All of these meetings will take place at City Hall in Spring Hill, Tennessee. The current zoning of the property is M-1, Industrial and the proposed zoning change will be to B-4, Central Business District. The proposed use of the property will be for commercial development.

You are invited to attend each of the above described meetings and are encouraged to voice your support for or against the proposed land use change. If for some reason the dates of the meetings are changed you will be notified by a separate letter the dates and times.

If you have any additional questions you should contact the Spring Hill Codes Department, the Spring Hill City Administrator, the Mayor and any of the elected Aldermen.

Sincerely yours,



Allen O'Leary, RLS

Adams Property

Rezone Request

A tract of land located in the 3rd Civil District of Maury County, Tennessee. Being all of parcel 16 and a portion of parcel 18 as shown on Tax Map 28, Tax Assessor's Office of Maury County, Tennessee. Being the Larry and Don Adams property as recorded in Deed Book R1902, page 965 in the Register's Office of Maury County, Tennessee, and being more particularly described as follows.

Beginning at an iron pin found at the north west corner of Turnberry Land Company, LLC, as recorded in Deed Book R2027, page 987, and shown of Plat of Record as Lot1, in Plat Book P18, page 27, said point lying on the eastern right of way of Saturn Parkway northbound exit ramp;

Thence with the easterly margin of Saturn Parkway and with a curve turning to the right with an arc length of 982.01', with a radius of 1,672.95', with a chord bearing of North 21°56'29" East, with a chord length of 967.97', to an iron pin found with Cherry Land Surveying cap;

Thence with the southerly line of Gallatin Management Association, LLC property, as recorded in Deed Book R1923, page 35, and being Lot 8 on the Crossings of Spring Hill Final Plat, recorded in Plat Book P17, page 113, South 43°35'00" East a distance of 268.41' to an iron pin found with Cherry Land Surveying cap;

Thence along the private road, South 43°35'12" East a distance of 50.05' to an iron pin found with Cherry Land Surveying cap;

Thence with the southerly line of Kohl's Department Store property, as recorded in Deed Book R1969, page 1361, South 43°33'37" East a distance of 828.75' to an iron pin found with Cherry Land Surveying cap;

Thence with the east line of Kohl's Department Store, North 46°04'36" East a distance of 357.14' to an iron pin found with Cherry Land Surveying cap;

Thence with the east line of Gallatin Management Association, LLC property, as recorded in Deed Book R1923, page 35, and being Lot 10 on the Crossings of Spring Hill Final Plat, recorded in Plat Book P17, page 113, North 46°05'38" East a distance of 761.28' to an iron pin found with Cherry Land Surveying cap;

Thence along the right of way of Crossing Boulevard, North 46°07'46" East a distance of 60.34' to an iron pin found with Cherry Land Surveying cap;

Thence along the east line of Spring Hill Development Partners, as recorded in Deed Book R2017, page 1320, and being Lot 11 on the Crossings of Spring Hill Final Plat, recorded in Plat Book P17, page 113, North 46°02'11" East a distance of 153.75' to an iron pin found with Cherry Land Surveying cap;

Thence with the same, South 43°36'22" East a distance of 143.79' to an iron pin found with Cherry Land Surveying cap;

Thence with the same, North 45°40'42" East a distance of 44.23' to an iron pin found with Cherry Land Surveying cap;

Thence with the east line of Target Corporation property, as recorded in Deed Book R2020, page 399, and being Lot 14 on the Crossings of Spring Hill Final Plat, recorded in Plat Book P17, page 113, North 45°39'39" East a distance of 719.65' to an iron pin found with Cherry Land Surveying cap;

Thence with the same, North 22°43'19" East a distance of 58.90' to an iron pin found with Cherry Land Surveying cap;

Thence with Spring Hill Development Partners, as recorded in Deed Book R2017, page 1320, and being Lot 13 on the Crossings of Spring Hill Final Plat, recorded in Plat Book P17, page 113, North 22°43'19" East a distance of 118.72' to an iron pin found with Cherry Land Surveying cap;

Thence with the same, and Lot 15 of the Crossings of Spring Hill Final Plat, North 22°44'01" East a distance of 291.61' to an iron pin found with Cherry Land Surveying cap;

Thence with the southerly line of KTA Realty Company, LLC property, as recorded in Deed Book R1827, page 710, South 69°02'34" East a distance of 375.56' to an iron pipe found;

Thence with the south line of Jackson and Johns Subdivision recorded in Plat Book 4, page 130, South 68°56'02" East a distance of 943.20' to an iron pipe found;

Thence with the west line of Association for the Preservation of Civil War Sites, Inc property, as recorded in Deed Book 1293, page 854, South 12°24'56" West a distance of 1945.40' to an iron pipe found;

Thence with the north line of Charles and Martha Wolff property, as recorded in Deed Book 827, page 79, North 78°20'51" West a distance of 700.77' to an iron pin found with no cap;

Thence with the west line of aforesaid Wolff, South 08°00'46" West a distance of 1096.78' to an iron pipe found;

Thence with the same, South 08°00'46" West a distance of 47.13' to an iron pin set;

O'LEARY AND ASSOCIATES, LLC

2558 Nashville Highway
Columbia, TN 38401
931-489-2088
Fax 931-489-2089

Thence with the north margin of Saturn Parkway, North 85°23'30" West a distance of 1606.28' to an iron pin set;

Thence with the same, North 80°09'40" West a distance of 427.64' to a concrete TDOT monument;

Thence with the east line of Turnberry Land Company, LLC, as recorded in Deed Book R2027, page 987, and shown of Plat of Record as Lot1, in Plat Book P18, page 27, North 21°49'47" East a distance of 295.78' to an iron pin found;

Thence with the same, North 21°29'51" West a distance of 16.02' to an iron pin found;

Thence North 44°05'22" West a distance of 1419.35' to the point of beginning, having an area of 7,650,586 square feet, 175.63 acres.

This parcel is subject to any and all easements, restrictions, and/or right of ways either by record and/or prescription that a complete and accurate title search may reveal.

Note: The above property description is based on information gathered during the course of an actual field survey conducted by O'Leary and Associates, LLC, under the direction of Allen B. O'Leary, Tennessee Registered Land Surveyor Number 1987. All iron pins set are ½" Rebar, with a plastic cap stamped "O'Leary, RLS 1987". All deeds referenced above are of record in the Register's Office of Maury County, Tennessee. The above property description was prepared under my direction on this the 12TH day of August 2011.

Allen B. O'Leary
TN R.L.S. No. 1987

