

ORDINANCE NO. 06-17

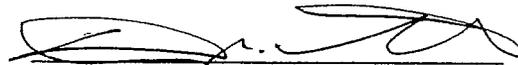
AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MUNICIPAL ZONING MAP BY THE RECLASSIFICATION OF THE PROPERTY OF GBT REALTY CORPORATION, AS SHOWN ON MAURY COUNTY TAX MAP 28, PARCEL 6, AND WILLIAMSON COUNTY TAX MAP 167, PARCEL 21, CONSISTING OF 11.5 ACRES MORE OR LESS, FROM AGRICULTURAL TO B-4 COMMERCIAL

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 No. 74.2, 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 property of GBT Realty Corporation, on Duplex Road, and as shown on Maury County Tax Map 28, Parcel 6 and Williamson County Tax Map 167, Parcel 21, consisting of 11.5 acres, more or less, from Agricultural to B-4, Commercial

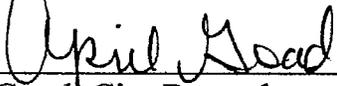
This Ordinance shall take effect from and after its adoption, the Public welfare requiring it.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee, on the 15th day of May, 2006.



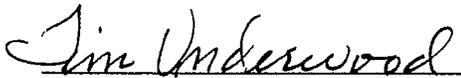
Danny M. Leverette, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Tim Underwood, City Attorney

Passed on 1st reading 4-17-06

Passed on 2nd reading 5-15-06

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GBT REALTY - DUPLEX AND PORT ROYAL

CONDITIONS PLACED ON ZONING B-4

- 1) Developer shall pay for and install roadway improvements to Port Royal and Duplex Roads, including a traffic signal, (subject to the city's receipt of approval of such from TDOT) and necessary turn lanes as identified in a traffic study to be submitted to and approved by Spring Hill City Engineer.
- 2) Developer shall install left-hand turn lane on Duplex Road into development with stacking depths to meet the recommendations of approved traffic study.
- 3) Developer shall install left-hand turn lane on Port Royal Road into the development with stacking depths to meet the recommendations of traffic study to be approved by Spring Hill City Engineer.
- 4) Developer shall dedicate ROW along Port Royal Frontage 25' from the centerline of Port Royal Road and shall dedicate ROW along Duplex Road Frontage 30' from centerline of Duplex Road.
- 5) Developer shall install and maintain 25' landscape strip along frontage of both Port Royal and Duplex Roads.
- 6) Developer shall limit site lighting to use only cut-off 'box-type' reduced luminary lighting.
- 7) Developer shall provide for connection of pedestrian access from the adjacent residential development (Brewer Property) into the development.
- 8) Developer shall provide for 40' of landscaped buffer area between adjacent residential property, with landscape and screening type and density to be approved by Planning Commission during site plan approval.
- 9) No use shall be permitted in the Shopping Center which is inconsistent with the operation of a first-class retail shopping center which without limiting the generality of the foregoing, the following uses shall not be permitted:
 - (A) Any use which emits an obnoxious odor, noise or sound which can be heard or smelled outside of any Building in the Shopping Center (which shall not include normal and customary emissions associated with good retail or good Restaurant operations).
 - (B) An operation primarily used as a storage warehouse operation and any assembling, manufacturing, distilling, refining, smelting, agricultural or mining operation.
 - (C) Any pawn shop.

- (D) Any mobile home park, trailer court, labor camp, junkyard, or stockyard; provided, however, this prohibition shall not be applicable to the temporary use of construction trailers during periods of construction, reconstruction or maintenance.
- (E) Any dumping, disposing, incineration or reduction of garbage; provided, however, this prohibition shall not be applicable to garbage compactors located near the rear of any Building.
- (F) Any fire sale, bankruptcy sale (unless pursuant to a court order) or auction house operation.
- (G) Any automobile, truck, trailer or recreational vehicle sales or leasing.
- (H) Any hotel, motel, short or long term residential use.
- (I) Any mortuary or funeral home.
- (J) Any establishment selling or exhibiting pornographic materials or which sells drug-related paraphernalia or which exhibits either live or by other means to any degree, nude or partially clothed dancers or wait staff and/or any massage parlors or similar establishments; provided, however, this shall not prohibit the operation of a Blockbuster Video, Hollywood Video or similar operation or a Barnes & Noble, Waldenbooks or a Book-A-Million or similar operation so long as such operations are family oriented and not adult oriented.
- (K) Any establishment selling or exhibiting drug-related paraphernalia or which exhibits either live or by other means to any degree, nude or partially clothed dancers or wait staff.
- (L) Any bar, tavern, or other establishment whose reasonably projected annual gross revenues from the sale of alcoholic beverages for on-premises consumption exceeds sixty percent (60%) of the gross revenues of such business.
- (M) Any massage parlors or similar establishments, however, such shall not prohibit a day spa.
- (N) Any flea market, video arcade, or dance hall.
- (O) Any training or educational facility, including but not limited to: beauty schools, barber colleges, reading rooms, places of instruction or other operations catering primarily to students or trainees rather than to customers; provided, however, this prohibition shall not be applicable to on-site employee training by

an Occupant incidental to the conduct of its business at the Shopping Center; provided, however, this prohibition shall not be applicable to any training or instruction by an Occupant incidental to the conduct of its business at the Shopping Center.

- (P) Any gambling facility or operation, including but not limited to: off-track or sports betting parlor; table games such as blackjack or poker; slot machines, video poker/blackjack/keno machines or similar devices; or bingo hall. Notwithstanding the foregoing, this prohibition shall not be applicable to government sponsored gambling activities or charitable gambling activities, so long as such activities are incidental to the business operation being conducted by the Occupant.