

ORDINANCE 18-03

AN ORDINANCE TO AMEND ORDINANCE NO. 86-47, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRING HILL, BY REZONING 5.28 ACRES OF PROPERTY, BEING 4455 TOM LUNN ROAD, MAURY COUNTY TAX MAP 043, PARCEL 009.00, FROM AG, AGRICULTURAL, TO R-2, PLANNED UNIT DEVELOPMENT AND INCORPORATING SAID PROPERTY INTO THE TOM LUNN ROAD PUD, (ORDINANCE NO. 17.04), BENTLEY PLACE SUBDIVISION, EXPANDING THE PUD TO 49.4 ACRES AND ADOPTING A NEW MASTER PLAN FOR THE PUD CONSISTING OF TOM LUNN ROAD, MAURY COUNTY TAX MAP 043, PARCEL 014.00 AND 4455 TOM LUNN ROAD, MAURY COUNTY TAX MAP 043, PARCEL 009.00

PUD 414-2017 (TOM LUNN ROAD PUD, MAJOR AMENDMENT)

WHEREAS, the City of Spring Hill Zoning Ordinance, the same being Ordinance No. 86-47, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as 5.28 acres of property, being 4455 Tom Lunn Road, Maury County Tax Map 043, Parcels 009.00, from AG, Agricultural, to R-2, Planned Unit Development; and

WHEREAS, said portion of property to be rezoned from AG to R-2, PUD, is located within the corporate limits of the City of Spring Hill; and

WHEREAS, Ordinance No. 17.04, rezoning and establishing an R-2, Planned Unit Development District (Tom Lunn Road PUD) for property herein described as 44.12 acres, Maury County Tax Map 043, Parcel 014.00, Tom Lunn Road, is, hereby, amended to comply with attached Exhibit A; and

WHEREAS, said R-2, Planned Unit Development (Tom Lunn Road PUD), property is located within the corporate limits of the City of Spring Hill; and

WHEREAS, the Spring Hill Municipal Planning Commission forwarded the request to the Board of Mayor and Aldermen on November 13, 2017 with a recommendation for approval with conditions; and

WHEREAS, that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SPRING HILL, TENNESSEE, BOARD OF MAYOR AND ALDERMEN, to amend Ordinance No. 86-47, the same being the zoning ordinance of the City of Spring Hill, by rezoning 5.28 acres of property, being 4455 Tom Lunn Road, Maury County Tax Map 043, Parcel 009.00, from AG, Agricultural, to R-2, Planned Unit Development and to amend Ordinance 17-04, an Ordinance rezoning 44.12 acres of property, being Tom Lunn Road, Maury County Tax Map 043, Parcel 014.00, from R-2, Medium Density Residential, to R-2, Planned Unit Development, the public welfare requiring it.

SECTION 1 - The development of the site shall be substantially consistent with the attached Exhibit A consisting of three pages.

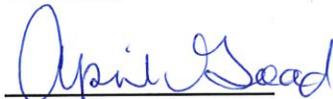
Exhibit A – consisting of three sheets entitled Major Revision to Master Development Plan,
Tom Lunn Road P.U.D. dated 9-25-17

The rezoning of this site shall be subject to all City ordinances and regulations.



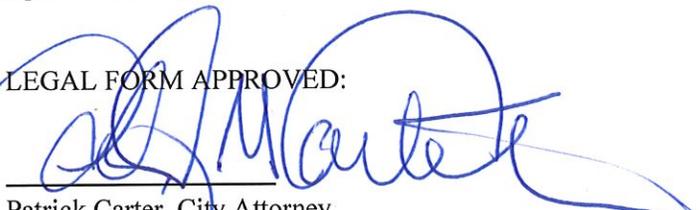
Rick Graham, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

Passed on First Reading: December 18, 2017

Passed on Second Reading: January 29, 2018

MEMORANDUM



DATE: January 2, 2018
TO: Board of Mayor and Aldermen (BOMA)
FROM: Steve Foote, Planning Director
Jon Baughman, Associate Planner
SUBJECT: ORD 18-03 (Rezoning & Major Modification Request,
Tom Lunn Road PUD)

PUD 414-2017: Submitted by Anderson, Delk, Epps & Associates, Inc. for property located on Tom Lunn Rd. The applicant requests approval for a major modification to a previously approved PUD containing 44.12 acres. The modification will add additional area (5.28 acres), 28 lots, and a slight increase in density to the PUD. It will also modify the previous access, approved street and lot layout.

Property Description and History: This request is for a rezoning and major modification to an existing PUD. The BOMA denied a request, in September, 2016, (RZN 239-2016) to rezone the property (Maury County tax map 043, parcel 014.00) to R-4, High Density Residential, with 174 single family residential lots (approval was recommended by the Planning Commission). The current zoning designation of the subject property is R-2, PUD; a PUD request was favorably recommended by the Planning Commission to the Board of Mayor and Aldermen in February, 2017 (PUD 300-2017) and subsequently approved.

In addition to the modification to the existing PUD, this request includes the rezoning and addition of a 5.28 acre parcel, located to the north, to the PUD (Maury County tax map 43, parcel 9.00, 4455 Tom Lunn Road). This parcel is currently zoned Agriculture and will be incorporated into the PUD development. The details of other revisions to this PUD are included in this report. On November 13, 2017, the Planning Commission voted to forward this major modification request to the Board of Mayor and Aldermen with a recommendation for approval, with conditions. The minutes from this meeting are excerpted below:

PUD 414-2017: Submitted by Anderson, Delk, Epps & Associates, Inc. for property located at 4455 Tom Lunn Rd. The property is zoned R-2, Medium Density Residential, PUD and contains approximately 5.28 acres. The applicant requests approval for a modification to a previously approved PUD.

Alderman Fitterer made a motion to approve PUD 414-2017 with staff conditions. Motion Seconded by Commissioner Hepp. Motion pass 6/0.

Commissioner Hepp made a motion to amend motion to add a condition #4. Motion seconded by Alderman Fitterer. Motion passed 6/0.

Commissioner Hepp made a motion to amend motion to add a condition #5. Motion seconded by Mayor Rick Graham. Motion passed 6/0.

Conditions:

1. Developer to provide a water and sewer capacity study and plans to the City Engineer.
2. The developer shall be responsible for construction of the privacy fence along the northern property line, behind lots 11 through 23 and the activity/play space.
3. The developer shall pay a fee in lieu of bike lane improvements along the project frontage on Tom Lunn Road.
4. A walking path shall be added between Lots 8 and 9 to access open space.
5. Lot 179 shall be eliminated.

City of Spring Hill, Tenn.

199 Town Center Parkway | Spring Hill, TN 37174 | (931) 486-2252

New PUD plans have been submitted to the city that reflect incorporation of the above conditions. Lot 179 has been reoriented rather than eliminated.

Streets and Sidewalks: Sidewalk construction along the west side of Tom Lunn Road for the length of the project's frontage is proposed. Sidewalk is proposed on both sides of all internal streets. The previously approved plan did not include sidewalks on both sides of the two entrances into the subdivision. This revision is favorable. Internal streets are shown with a 50' R/W. Tom Lunn is shown with a 50' R/W and is classified as a collector road in the Major Thoroughfare Plan. Right-of-way dedication is shown and is sufficient for collector road standards. The southernmost street connection with Tom Lunn Road, on the previous plan, will be removed with the amendment. The area of the PUD containing this roadway will become lot 198. Further, the proposed amendment will include two street stubs to connect with any potential development to the west.

Bulk and Area Requirements: The minimum lot area remains 6,000 square feet and all setbacks remain the same in the proposed amendment. The previous PUD included 170 at 3.85 units per acre. The proposed amendment will increase the number of lots to 198 at 4.03 units per acre. Total open space will go from 9.9 acres to 8.0 acres. This PUD amendment will eliminate lot 170, which is isolated from the rest of the development and has frontage on Tom Lunn. This is a favorable revision.

Bicycle and Greenway Plan: Tom Lunn Road is designated as a bike lane route in the Bicycle and Greenway Plan. A note has been added to the plans stating that the developer will provide a fee in lieu of constructing the bike lanes. Internal multiuse trails are shown in the southwestern corner.

Spring Hill Rising 2040: The future land use designation of this property is Residential Neighborhood Area, which represents a transition between natural and rural settings and more intense environments. The intent of this area is to preserve natural features in the built environment, enhance access to housing options, and to create new opportunities to enhance quality of life. The development pattern of this area varies from a low to moderate density with clusters of similar dwelling types. New development should integrate different housing types of appropriate scale and context and increase the connections between neighborhoods and other areas.

Summary: Staff supports the Planning Commission recommendation to the Board of Mayor and Aldermen for approval of this PUD amendment with the conditions noted below. All conditions recommended by the Planning Commission have been met or resolved by adding notes on the plans. Number five from the Planning Commission has been deleted due to the redesign.

City of Spring Hill, Tennessee
Planning Commission Agenda Application

199 Town Center Parkway, Spring Hill TN 37174
 (931) 486-2252 Fax: (931) 486-3596

FOR STAFF USE ONLY	
Date Application submitted: _____	Fee: _____
Date Accepted as complete: _____	Case number: _____
Map/Parcel: _____	Public hearing date: _____

Date: 10/02/17 Project Name: TOM LUNN ROAD

Property Address/Location: TOM LUNN ROAD
MAP 43, PARCEL 14

Current Zoning District(s): R-2 PUD Property Size: 44.12 AC ±

Type of request being made —	Materials required to be submitted with application
<input type="checkbox"/> Annexation	<input checked="" type="checkbox"/> Letter of request
<input type="checkbox"/> Rezoning	<input checked="" type="checkbox"/> Proof of ownership
<input checked="" type="checkbox"/> Major Modification <i>of PUD MASTER PLAN</i>	<input checked="" type="checkbox"/> Two (2) folded hard copies of the proposal, Three (3) copies of Construction Drawings and Two (2) sets of 11 x 17 drawings including all required information as outlined in the applicable checklist. <i>Including a vicinity map with an aerial image, the project boundaries outlined in yellow, names of all adjacent streets. Must show a minimum of 1/2 mile radius.</i>
<input type="checkbox"/> Minor Modification	<input checked="" type="checkbox"/> A CD containing a copy of all required submittal items in PDF format.
<input type="checkbox"/> Easement/Right-of-way Vacation	Note to the applicant:
<input type="checkbox"/> Sketch Plan	* Applications and all required submittals must be filed with the Planning Department by the established deadline.
<input type="checkbox"/> Neighborhood Concept Plan	* Both the applicant/representative and property owner must sign the application. Applications not signed by the property owner will not be accepted.
<input type="checkbox"/> Lot Split	* All applications must be accompanied by completed checklist.
<input type="checkbox"/> Property Line Adjustment	
<input type="checkbox"/> Preliminary Plat	
<input type="checkbox"/> Concurrent Plat	
<input type="checkbox"/> Final Plat	
<input type="checkbox"/> Site Plan	
<input type="checkbox"/> Master Development Plan (PUD) Preliminary/Final	
<input type="checkbox"/> Traditional Neighborhood Development	
<input type="checkbox"/> Other _____	

APPLICANT OR REPRESENTATIVE:

I have read the attached checklist and have complied with all requirements listed and understand that this application may be deemed incomplete if the submittal misses any of the information listed. I also understand that other information may be requested by staff, Planning Commission and Aldermen during review relevant to the request.

Name (printed): _____
Address: _____
Phone number: _____
Email: _____
Signature: _____

Date: _____

PROPERTY OWNER(S) OR AUTHORIZED AGENT:

I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on her/his behalf.)

Name (printed): PAUL VARNEY
Address: 124 CEDRON PARKWAY
SPRING HILL, TN 37174
Phone number: (931) 286-1513
Email: VARNEY@GMAIL.COM
Signature: [Signature]

Date: 8/31/17

Name (printed): _____
Address: _____
Phone number: _____
Email: _____
Signature: _____

Date: _____

City of Spring Hill, Tennessee
Planning Commission Agenda Application

199 Town Center Parkway, Spring Hill TN 37174
 (931) 486-2252 Fax: (931) 486-3596

FOR STAFF USE ONLY	
Date Application submitted: _____	Fee: _____
Date Accepted as complete: _____	Case number: _____
Map/Parcel: _____	Public hearing date: _____

Date: 10/02/17 Project Name: 4455 Tom Lunn Rd.

Property Address/Location: 4455 Tom Lunn Rd
MAP 43, PARCEL 9

Current Zoning District(s): AG Property Size: 5.28 ac ±
REQUESTED REZONING TO R-2 W/ PUD OVERLAY

Type of request being made —

- Annexation
- Rezoning
- Major Modification
- Minor Modification
- Easement/Right-of-way Vacation
- Sketch Plan
- Neighborhood Concept Plan
- Lot Split
- Property Line Adjustment
- Preliminary Plat
- Concurrent Plat
- Final Plat
- Site Plan
- Master Development Plan (PUD) Preliminary/Final
- Traditional Neighborhood Development
- Other _____

RECEIVED

OCT 06 2017

CITY OF SPRING HILL
PLANNING DEPARTMENT

Materials required to be submitted with application

- Letter of request
- Proof of ownership
- Two (2) **folded** hard copies of the proposal, ~~Three (3) copies of Construction Drawings and Two (2) sets of 11 x 17 drawings including all required information as outlined in the applicable checklist~~
Including a vicinity map with an aerial image, the project boundaries outlined in yellow, names of all adjacent streets. Must show a minimum of 1/2 mile radius.
- A CD containing a copy of all required submittal items in PDF format.

Note to the applicant:

- * Applications and all required submittals must be filed with the Planning Department by the established deadline.
- * Both the applicant/representative and property owner must sign the application. **Applications not signed by the property owner will not be accepted.**
- * All applications must be accompanied by completed checklist.

APPLICANT OR REPRESENTATIVE:

I have read the attached checklist and have complied with all requirements listed and understand that this application may be deemed incomplete if the submittal misses any of the information listed. I also understand that other information may be requested by staff, Planning Commission and Aldermen during review relevant to the request.

Name (printed): Joe Epps For
ANDERSON DELK EPPS & ASSOC., LLC.
Address: 616 GRASSMERE PARK DRIVE SUITE 4
NASHVILLE, TN 37211
Phone number: (615) 331-0809
Email: ANDERSONDELK@BELL.SOUTH.NET
Signature: Joe Epps

Date: 5/31/17

PROPERTY OWNER(S) OR AUTHORIZED AGENT:

I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on her/his behalf.)

Name (printed): Scott & Lori Fishkind
Address: 4455 Tom Linn Rd.
Spring Hill TN 37174
Phone number: 615-495-9218
Email: LBFSTUFFER@gmail.com
Signature: Scott & Lori Fishkind

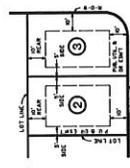
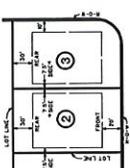
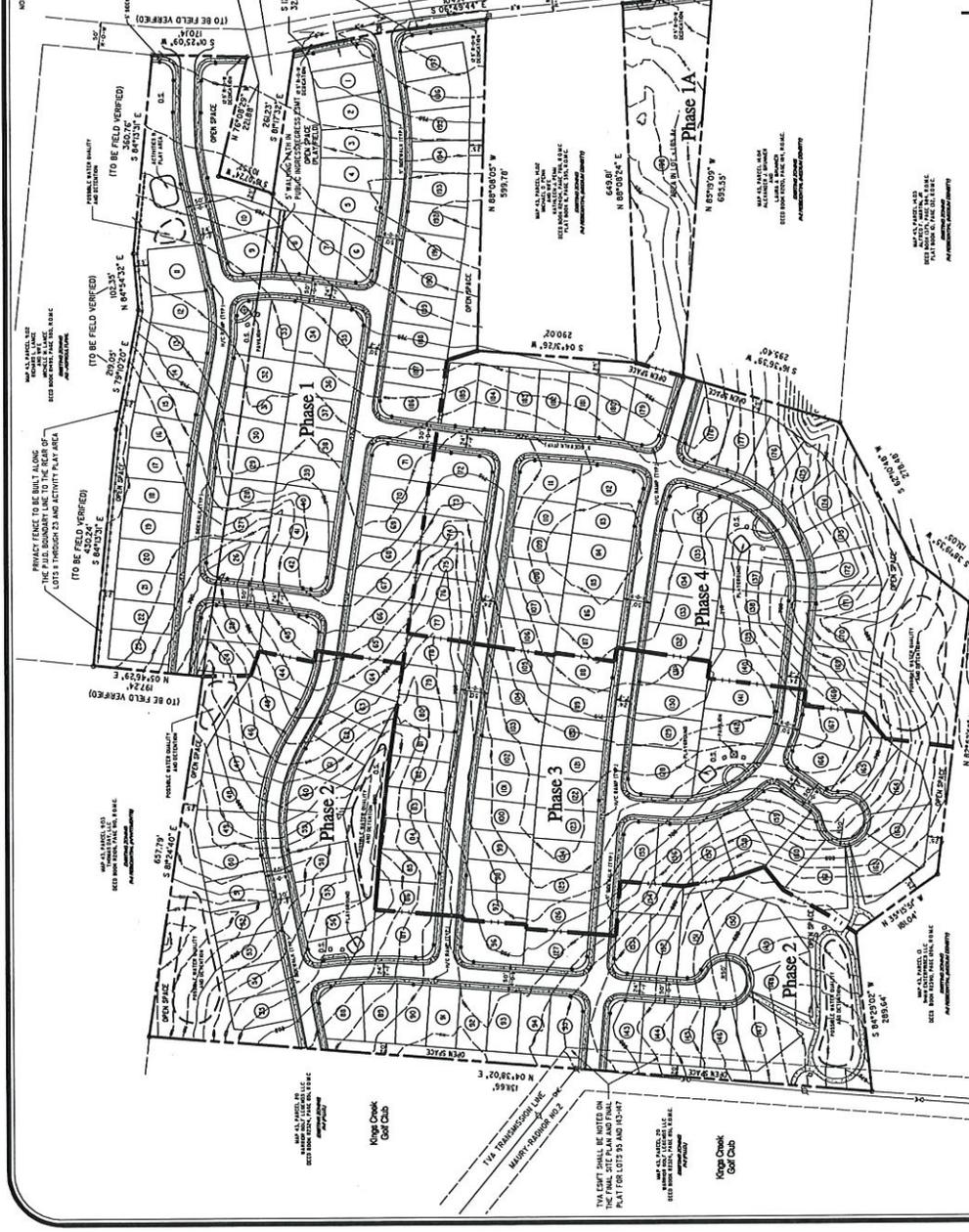
Date: 5/31/17

Name (printed): BEN & LAURA HAYES
Address: 4504 CHRISTY LN
SPRING HILL TN 37174
Phone number: 615-419-1526
Email: benbhayes@hotmail.com
Signature: Ben Hayes

Date: 5/31/17



GENERAL NOTES
 1. SITE IS LOCATED ON PROPERTY MAP 43, PARCELS 9 AND 14 B0MC
 3RD CIVIL DISTRICT OF MAURY COUNTY, TENNESSEE.
 APPROVED P.U.D. PLAN - PUD 300-2017 TOM LUMM ROAD - ORDINANCE 17-04
 APPROVED P.U.D. PLAN - PUD 300-2017 TOM LUMM ROAD - ORDINANCE 17-04
 MAJOR REVISION TO P.U.D. PLAN - PUD 300-2017 TOM LUMM ROAD - ORDINANCE 17-04
 MAJOR REVISION TO P.U.D. PLAN - PUD 300-2017 TOM LUMM ROAD - ORDINANCE 17-04
 REZONING TO R-2 (P.U.D.) - 3RD CIVIL DISTRICT OF MAURY COUNTY, TENNESSEE.
 2. SEE OWNER REC.
 3. DEVELOPER:
 MAURY COUNTY, TENNESSEE
 4. PLANNER/DIRECTOR:
 ANDERSON, DEK, EPPE & ASSOCIATES, INC
 500 CHAMBERLAIN PARK DRIVE, SUITE 4
 (615) 331-0809
 5. TOTAL ACRES IN SITE: APPROVED P.U.D. PLAN - 46.27 ACRES (MAP 43, PARCEL 9, B0MC)
 MAJOR REVISION TO P.U.D. PLAN - 44.91 ACRES (MAP 43, PARCEL 9, B0MC)
 REZONING TO R-2, P.U.D. AND ADDITION - 5.28 ACRES (MAP 43, PARCEL 9, B0MC)
 TO TOTAL ACRES TOTAL
 47.46 ACRES TOTAL



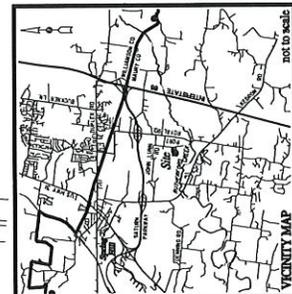
Site Data

APPROVED P.U.D. (P.U.D. 300-2017; ORDINANCE 17-04)	MAJOR REVISION AND ADDITION OF 5.28 AC.
Total Site Area: 46.27 AC.	46.27 AC.
Total Open Space: 8.9 AC.	8.9 AC.
Developed Land Area: 37.37 AC.	37.37 AC.
Proposed Open Space: 5.87 Units / Ac.	5.87 Units / Ac.
Total Open Space: 5.87 AC.	5.87 AC.
Net Open Space: 3.10 AC.	3.10 AC.
Net Open Space: 3.10 AC.	3.10 AC.

MAJOR REVISION AND ADDITION OF 5.28 AC.

BLANK ITEM	PHASE ONE	PHASE TWO	PHASE THREE	PHASE FOUR	PHASE FIVE	PHASE SIX	PHASE SEVEN	PHASE EIGHT
NUMBER OF UNITS	10	10	10	10	10	10	10	10
MINIMUM PER YEAR RELEASE	10	10	10	10	10	10	10	10
MINIMUM PER YEAR RELEASE	10	10	10	10	10	10	10	10
MINIMUM PER YEAR RELEASE	10	10	10	10	10	10	10	10

REVISED 10/27/17 AS PER SPRING HILL PLANNING COMMISSION
 11/27/17 AS PER SPRING HILL PLANNING COMMISSION



Major Revision to Master Development Plan Tom Lumm Road P.U.D.

(P.U.D. 300-2017; ORDINANCE 17-04)
 SHEET 2 OF 2
 R2 Residential P.U.D.
 3rd Civil District - Maury Co.
 Spring Hill, Tennessee

Developer
 Paul Varney Construction, LLC
 DATE: 09-28-17
 Anderson, Deak, Eppe & Associates, Inc.
 500 CHAMBERLAIN PARK DRIVE, SUITE 4
 NASHVILLE, TENNESSEE 37212
 (615) 331-0809

(e) In estimating the peak particle velocity at a particular position, the following formula shall be used:

$$V = V_0 \left(\frac{D_0}{D} \right)^{1.5}$$

where V_0 is the maximum ground particle velocity at the seismograph, D_0 is the distance of the seismograph from the blasting, and D is the distance from the blast to the position in question and in the same general direction. The distance D_0 may not be greater than D , and D cannot be more than five (5) times D_0 .

(f) Blasting operations at permanent sites shall be considered as being within the limits set forth in this section if at specified locations, on at least five (5) blasts, instrumentation has shown the peak particle velocity and frequency to be within the limits of Figure A. Periodic seismic monitoring shall be employed to ensure compliance with applicable law.

[Acts 1975, ch. 93, § 4; T.C.A., §§ 53-6104, 68-44-104; 2007, ch. 231, § 4.]

68-105-105. SEISMOGRAPH MEASUREMENTS.

At any dwelling house, public building, school, church, commercial or institutional building normally occupied within three hundred feet (300') of any blast hole, the responsible blasting firm shall offer the owner or occupant a pre-blast survey at no charge. This requirement shall apply only in cases where the standard table of distance is exceeded. The offer shall be made in writing by the blasting firm at least seventy-two (72) hours prior to commencement of the blasting operation. All surveys requested during the offer period shall be completed prior to the commencement of the blasting operation. Complete documentation of surveys, including all photographs, may be requested from the blasting firm by each owner or occupant in writing. Documentation shall be provided by the blasting firm in a timely manner. Each survey shall document all structural and cosmetic flaws noted at that time. Nothing contained in this section shall apply to permanent blasting operations.

[Acts 1975, ch. 93, § 5; T.C.A., §§ 53-6105, 68-44-105; 2007, ch. 231, § 5.]

68-105-106. REGISTRATION OF EXPLOSIVES USERS - REQUIREMENTS FOR REGISTRATION - REGISTRATION CLASSIFICATIONS - RENEWAL - FEES.

- (a) Unless otherwise exempted by this chapter, no person shall detonate explosives in any blasting operation, unless the person is registered with the department.
- (b) The minimum requirements for registration are the following:
- (1) Previous practical experience, obtained under the supervision of a registered, experienced blaster, the adequacy of which is at the discretion of the commissioner;
 - (2) A Tennessee handler's or blaster's registration, or a blaster's license issued by another state or jurisdiction; provided, the applicant for registration based on possession of a blaster's license issued by another state or jurisdiction has possessed the licensure for at least one (1) year prior to applying for licensure in this state; and
 - (3) Proof of having passed an examination prescribed by the department. The examination shall test the applicants' knowledge of blasting operations, including the storage,