

**ORDINANCE 18-01**

**AN ORDINANCE TO AMEND ORDINANCE NO. 86-47, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRING HILL, BY REZONING 3.0 ACRES OF PROPERTY, BEING 4957 AND 4965 LOVELL LANE, MAURY COUNTY TAX MAP 027, PARCELS 002.02 AND 002.05, FROM AG, AGRICULTURAL, TO B-1, OFFICE AND LIMITED RETAIL COMMERCIAL DISTRICT.**

**(RZN 332-2017 4957 AND 4965 LOVELL LANE REZONING)**

**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 3.0 acres of property, being 4957 and 4965 Lovell Lane, Maury County Tax Map 027, Parcels 002.02 and 002.05, from AG, Agricultural, to B-1, Office and Limited Retail Commercial District; and

**WHEREAS**, said portion of property to be rezoned from AG to B-1 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 without 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**WHEREAS**, that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 3.0 acres of property, being 4957 and 4965 Lovell Lane, Maury County Tax Map 027, Parcels 002.02 and 002.05, from AG, Agricultural, to B-1, Office and Limited Retail Commercial District, the public welfare requiring it.

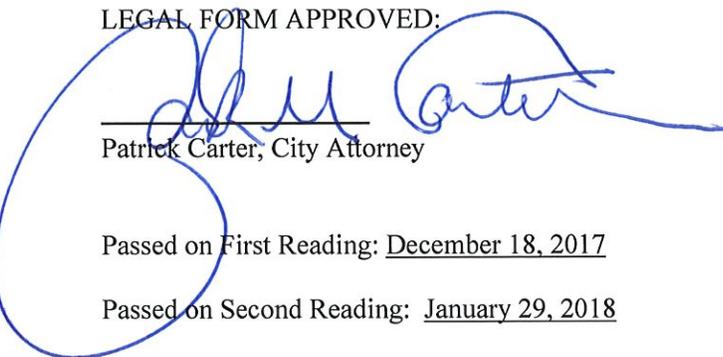
The rezoning of this site shall be subject to all City ordinances and regulations.

  
\_\_\_\_\_  
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 18-01 (4957 & 4965 Lovell Lane Rezoning Request)

**RZN 332-2017:** Submitted by Anderson, Delk and Epps, Inc. for property located at 4957 and 4965 Lovell Lane. The property is zoned AG and contains approximately 3.0 acres. The applicant requests rezoning from AG to B-1, to develop the site with self-storage units.

**Property Description and History:** This property is located on the north side of Lovell Lane, near its eastern terminus. The property was annexed into the City in 2016 and is currently zoned AG, Agricultural. Lovell Lane, in this area, functions as a single lane, unimproved private access driveway. The current status of Lovell Lane, whether it is a private or public roadway, has not been resolved. This will be addressed by the Planning Commission at site plan review. The applicant has provided public notice letters to the surrounding property owners. The City has placed public notice signs on the property and at the intersection of Lovell Lane and Port Royal Road.

The applicant came to the Planning Commission, initially, with a request to rezone to B-4 and a request to amend the Spring Hill Rising: 2040 comprehensive plan. At the Planning Commission work session on March 27, 2017 it was requested that a Commercial PUD be explored instead. The site does not meet the requirements of a commercial PUD with regards to minimum site area (5 acres) and required access onto arterial or collector streets.

On October 9, 2017 the applicant submitted a request to rezone the area to PZD (Planned Zoning District). At the October 23, 2017 Planning Commission work session meeting, it was requested that the applicant request a B-1 zoning district in lieu of a PZD and, subsequently, to request a use on appeal from the Board of Zoning Appeals. This request was considered by the Planning Commission during their voting meeting of November 13, 2017. The minutes from which are excerpted below:

**RZN 332-2017:** Submitted by Anderson, Delk, Epps & Associates, Inc. for property located at 4957 and 4965 Lovell Lane. The property is zoned AG, Agricultural District and contains approximately 3.0 acres. The applicant requests rezoning from AG, Agricultural District to B-1, Office and Limited Retail District.

Alderman Fitterer made a motion to forward **RZN 332-2017** to the Board of Mayor and Alderman for approval without staff recommended conditions of approval. The motion was seconded by Mayor Rick Graham. Motion passed 6/0.

**Analysis:** The requested B-1 zoning is adjacent to single family residential uses on the north. While the planned use of mini-storage is permitted through the use on appeal process, other uses permitted in B-1 include:

1.1 Uses Permitted.

- 1.1(1) Residential uses, subject to the provisions of the R-4 District.
- 1.1(2) Professional office and public office buildings.
- 1.1(3) General office space.
- 1.1(4) Funeral homes.
- 1.1(5) Churches.
- 1.1(6) Accessory uses or structures customarily incidental to the above permitted uses.

City of Spring Hill, Tenn.

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

1.2 Uses Permitted on Appeal to the Board of Zoning Appeals.

- 1.2(1) Commercial activities and uses subject to Section 1.8 (below).
- 1.2(2) Schools offering general education or specialized instruction.
- 1.2(3) Other uses determined not to be detrimental to the district. Such uses shall be limited to the low density character of the district and shall be limited in area to traffic generation potential.
- 1.2(4) Off-site parking lots

The upcoming adoption of the UDC will assign a new zoning district to this property that could alter the permitted uses on the site. The B-1 zoning district also permits buildings up to 50 feet in height.

**Spring Hill Rising: 2040:** This location is identified as a Residential Neighborhood Area in the comprehensive plan and represents a transition between natural and rural settings and more intense environments such as mixed use, city neighborhoods and community commerce areas. The subject property lies between property zoned M-1, Light Industrial, and R-2, Medium Density Residential.

**Access:** The subject site will be accessed by Lovell Lane. The status of Lovell Lane, in this vicinity, has not been fully determined. Additional research is needed to determine whether it is a public right-of-way or whether a public access easement exists for the subject site. The applicant shall ensure continued access to the cemetery. The applicant understands that any private road maintenance will be the owner's responsibility. As recommended by the BOMA these questions will be addressed at site plan review by the Planning Commission.

**Recommendation:** The Planning Commission recommends approval of this request.



# ANDERSON, DELK, EPPS & ASSOCIATES, INC.

*Engineering • Land Planning • Surveying*

618 GRASSMERE PARK DRIVE • SUITE 4  
NASHVILLE, TENNESSEE 37211  
Telephone (615) 331-0809  
Fax (615) 331-0110

November 2, 2017

Mr. Steve Foote  
Planning Director  
City of Spring Hill  
P. O. Box 789  
Spring Hill, TN 37174

**Re; 4957 and 4965 Lovell Lane  
RZN 332-2017**

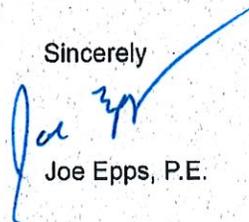
Dear Mr. Foote,

At the October 23, 2017 Planning Commission Work Session, the above referenced item was discussed and the following suggestion was made:

- Change the Rezoning Request from PZD to B-1
- After Rezoning go to the Board of Zoning Appeals for Approvals and Variances

Therefore we are requesting, on behalf of our Client, the above referenced Property be rezoned from AG to B-1. If you should have any questions, please call.

Sincerely



Joe Epps, P.E.

JE/lw

Attachments



**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: 10/30/17 Project Name: 4957 E 4965 Lovell Lane

Property Address/Location: 4957 E 4965 Lovell Lane

Current Zoning District(s): AG Property Size: 3.0 ± ac.  
REZONE TO B-1

Type of request being made —	Materials required to be submitted with application
<input type="checkbox"/> Annexation	<input checked="" type="checkbox"/> Letter of request
<input checked="" type="checkbox"/> Rezoning	<input checked="" type="checkbox"/> Proof of ownership <u>ON FILE</u>
<input type="checkbox"/> Major Modification	<input checked="" type="checkbox"/> Two (2) <u>folded</u> hard copies of the proposal, Three (2) copies of Construction Drawings and Two (1) sets of 11 x 17 drawings including all required information as outlined in the applicable checklist.
<input type="checkbox"/> Minor Modification	<u>ON FILE</u> 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.
<input type="checkbox"/> Easement/Right-of-way Vacation	<input checked="" type="checkbox"/> A CD containing a copy of all required submittal items in PDF format.
<input type="checkbox"/> Sketch Plan	<b>Note to the applicant:</b>
<input type="checkbox"/> Neighborhood Concept Plan	* Applications and all required submittals must be filed with the Planning Department by the established deadline.
<input type="checkbox"/> Lot Split	* Both the applicant/representative and property owner must sign the application. <b>Applications not signed by the property owner will not be accepted.</b>
<input type="checkbox"/> Property Line Adjustment	* All applications must be accompanied by completed checklist.
<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 _____	

RECEIVED

NOV 03 2017

CITY OF SPRING HILL  
PLANNING DEPARTMENT