

ORDINANCE 19-23

AN ORDINANCE TO AMEND ORDINANCE NO. 18-21, THE SAME BEING THE ZONING ORDINANCE AND OFFICIAL ZONING MAP OF THE CITY OF SPRING HILL, BY REZONING APPROXIMATELY 16.5 ACRES OF PROPERTY, BEING COMPRISED OF, MAURY COUNTY TAX MAP 050, PARCELS 011.00 AND 11.04, FROM C-2 AND C-4 TO C-4 COMMERCIAL AND R-5, RESIDENTIAL.

(RZN 686-2019 VILLAS OF PORT ROYAL)

WHEREAS, the City of Spring Hill Zoning Ordinance No. 18-21, the same being the Official Zoning Map of Spring Hill, is hereby amended by rezoning the property herein described and as shown on the attached Exhibit A, consisting of Maury County Tax Map 50, Parcels 011.00 and 11.04 from C-2 and C-4, to C-4 and R-5, Residential; and

WHEREAS, said properties proposed to be rezoned are located within the corporate limits of the City of Spring Hill; and

WHEREAS, the request has been found to meet the Approval Standards of Section 13.2.E.1 of the Unified Development Code; and

WHEREAS, the Spring Hill Municipal Planning Commission forwarded the request to the Board of Mayor and Aldermen on June 10, 2019 with a recommendation for approval; and

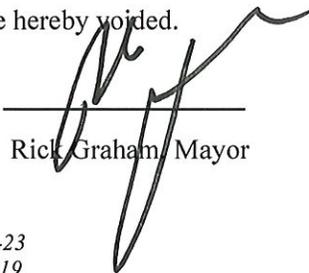
NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SPRING HILL, TENNESSEE, BOARD OF MAYOR AND ALDERMEN, WHILE IN REGULAR SESSION ON August 19, 2019, to amend ordinance No. 18-21, the same being the Official Zoning Map of the City of Spring Hill, adopted August 20, 2018 as amended, by rezoning 16.5 acres of property, being Maury County Tax Map 050, Parcels 011.00 and 011.04 from C-2 and C-4, to C-4 and R-5, Residential, the public welfare requiring it.

NOW, THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SPRING HILL, TENNESSEE, BOARD OF MAYOR AND ALDERMEN, that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 1: The rezoning of the referenced tax parcels shall be as displayed on Exhibit A.

SECTION 2: The rezoning of these parcels shall be subject to all City ordinances and regulations and the following conditions:

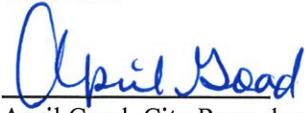
1. The property owner shall subdivide the two properties consistent with the approved zoning boundaries within 6 months of the adoption of this ordinance. No development plans shall be submitted to the City of Spring Hill until the plat has been approved and recorded.
2. All former approved site plan requests are hereby voided.



Rick Graham Mayor

*Ordinance 19-23
August 19, 2019
Page 1 of 2*

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

Passed on First Reading:

Passed on Second Reading:

MEMORANDUM



DATE: August 5, 2019
TO: Board of Mayor and Aldermen (BOMA)
FROM: Steve Foote, Planning Director, AICP
SUBJECT: RZN 686-2019 (Rice Road) 2nd Reading Ordinance No. 19-23

RZN 686-2019: Submitted by Crunk Engineering for the rezoning of two properties located between Rice Rd., Lincoln Rd. and east of Port Royal. The properties are zoned C-4 (west side), C-2 (east side) and contain approximately 16.8 acres. The applicant requests to rezone the eastern parcel from C-2 to R-5 and rezone a portion of western parcel from C-4 to R-5, keeping 4.6 acres as C-4 Zoning along the frontage of Port Royal Road. The rezoning is requested to provide for a townhome development. Requested by Adam Crunk.

Planning Commission Recommendation: The Planning Commission considered this request at their meeting of June 10, 2019 and recommended approval of the rezoning to the BOMA.

Property Description and History: This property is located northeast of the intersection of Port Royal and Kedron Roads, between Rice Road and Lincoln Road. It is currently vacant, unimproved land, except for a TVA easement across the northwest corner of the lot. The property was the subject of a rezoning application (RZN 290-2016) in 2017 (152 TH units/no commercial) and was initially recommended for denial based on the applicants submitted concept plan. The applicant withdrew the application and resubmitted (RZN 321-2017) with a new concept plan (122 TH units/ 20,000 sq. ft. commercial) and received a recommendation for approval from the Planning Commission. The Board of Mayor and Alderman denied the rezoning request at the April 2017 Voting Meeting with concerns regarding the high-density.

Under the previous zoning designations, the B-4 (Port Royal Road frontage) permitted residential. The B-2 zoning on the east side did not. In 2017, the property submitted a neighborhood concept plan (NCP 355-2017) for the existing B-4 portion of the property (now C-4). This plan received approval at the July 2017 Planning Commission Voting meeting. The applicant then submitted a site plan application (394-2017) and received approval at the September 2017 Planning Commission voting meeting for a 56-unit townhome development. This approval grants vested rights until September 2020.

Spring Hill Rising: 2040: The subject property of this application is classified in the future land use plan as City Neighborhood Area. This area is characterized by compact, walkable urban development. Development emphasizes connectivity and housing diversity by accommodating a mix of housing types and sizes with redevelopment. Primary future land uses include multi-family dwellings (not complexes), professional offices (healthcare, insurance, studios, and professional and personal services), eating places, retail, places of worship, schools, municipal services, community centers, and entertainment. The proposed rezoning is consistent with these uses.

Concept Plan: The applicant has provided a concept plan, showing a possible townhouse development. The concept has 85 units in total and two different unit types. The smaller and more dense units are closer to the commercial property to the west. There is an open green space interior to the development and pedestrian connection shown from the townhouse development to the commercial development. If approved, the vested site plan approval will become null and void and revert to commercial uses for the remaining B-4 site. The narrow lots/units appear to fall short of the minimum width requirement in the R-5 district and would have to comply with zoning regulations at the time of site plan submittal. The concept plan is not binding on the development of the site unless the BOMA chooses to make it a condition and exhibit of the rezoning approval.

City of Spring Hill, Tenn.

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

Zoning Map Amendments: Staff has placed public notification signs on the property as required by the Unified Development Code. The applicant has mailed notification letters to surrounding land owners.

Approval standards for zoning map amendments, as found in the Unified Development Code, Article 13, are below:

E. Approval Standards

The Board of Mayor and Aldermen decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Planning Commission and the Board of Mayor and Aldermen must consider the following standards. The approval of amendments is based on a balancing of these standards.

1. Approval Standards for Map Amendments

- a. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.*
- b. The compatibility with the existing use and zoning of nearby property.*
- c. The extent to which the proposed amendment creates nonconformities.*
- d. The trend of development, if any, in the general area of the property in question.*
- e. That there are no adverse impacts on public health, safety, and welfare.*
- f. Whether adequate public facilities are available including, but not limited to, schools, parks, police and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are reasonably capable of being provided prior to or concurrent with the development of the site, which would be permitted on the subject property if the amendment were adopted.*

Staffs responses to the approval standards are as follows:

- a. The proposed rezoning would split the property into two zoning districts, with the larger (R-5) portion allowing for a townhouse development and the small portion allowing for commercial development. A mixture of uses on the property is consistent with the City Neighborhood Area designation. The close proximity of the moderate density residential to the commercial would also be consistent with the pedestrian-oriented nature of the City Neighborhood Area. The applicant has provided a concept plan showing an intention of developing townhomes on the eastern, residential property. The Townhomes have a mixture of product types and this diversity in housing type would be consistent with the comprehensive plan. Also, the higher residential density, accompanied with a designated pedestrian connection to the commercial development, would be consistent with the comprehensive plan and the City Neighborhood Area.
- b. The adjoining uses and zoning designations are primarily single-family residential. The proposal provides for the commercial development to front on the arterial roadway and the residential zoning to act as a buffer between the existing residential. This is a compatible arrangement of uses. Approval of the rezoning would eliminate the possibility of commercial uses abutting the existing Royalton Woods neighborhood.
- c. The land is currently undeveloped and the rezoning would create no nonconformities.
- d. The requested rezoning would be in consistent with the development trend of the area. The area has moderate density development and is building demand for small neighborhood commercial development.
- e. The proposed rezoning has no foreseeable adverse impacts on public health, safety, or welfare.
- f. The property has adequate public facilities readily available or can be made available through improvements to the existing utility system. The specifics of providing public services to the site will be discussed and verified at time the site is developed.

Recommendation: Staff recommends approval of this request as forwarded by the Planning Commission.

City of Spring Hill, Tenn.

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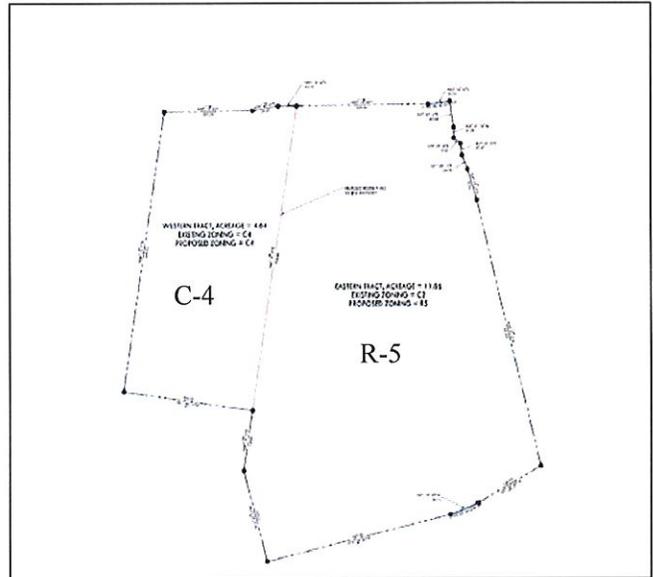
EXHIBIT A
RZN 686-2019

REZONE OF PROPERTY CONSISTING OF APPROXIMATELY
16.5 ACRES AND CURRENTLY KNOWN AS MAURY
COUNTY TAX MAP 050, PARCELS 011.04 AND 011.00

This sheet is an Exhibit to Ordinance No. 19-23 adopted by the Board of Mayor and Aldermen of the City of Spring Hill, TN on the ____ of _____, 2019. The following described property is hereby rezoned by the Board of Mayor and Aldermen of the City of Spring Hill according to Ordinance 19-23 and as listed and shown below.

Property Description: Said land consists of the following property, also shown graphically below:

1. Approximately 16.5 acres of Maury County Tax Map 050, Parcels 011.04 & 011.00
2. Parcel 011.04 is to be rezoned from C-4 to R-5 and C-4 (4.6 acres).
3. Parcel 011.00 is to be rezoned from C-2 to R-5.



April Goad
City Recorder
City of Spring Hill

Resolution No. _____

**RESOLUTION 19-53
OF THE PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE**

**A RESOLUTION TO RECOMMEND APPROVAL OF APPLICATION
RZN 686-2019 (C-2 & C-4 to R-5) TO THE BOARD OF MAYOR AND
ALDERMAN**

WHEREAS, pursuant to TCA 13-4-103, authority is granted to the Municipal Planning Commission to make recommendations relating to the plan and development of the municipality to public officials; and

WHEREAS, the Planning Commission had a regular meeting on the 10th day of June, 2019 and heard public testimony and input regarding application RZN 686-2019; and

WHEREAS, the Planning Commission considered the materials submitted by the applicant and the reports written by City Staff;

NOW, THEREFORE BE IT RESOLVED, that the Spring Hill Planning Commission forwards a recommendation of approval for application RZN 686-2019 to the Board of Mayor and Alderman with the acknowledgment in Section 1 below.

SECTION 1: The rezoning of this property by the Board of Mayor and Alderman rescinds prior approvals and vesting for townhomes granted to the residual C-4 portion of the property approved by STP 394-2017.

Passed and adopted this 10th day of June, 2019.



Paul Downing, Chairman



Steve Foote, Secretary

MARTIN ENGINEERING & SURVEYING, LLC
 5226 Elisha Street, Suite C-3
 Spring Hill, TN 37174
 615.813.2147
 gen@martineng.com



SITE PLAN
 MAP 60 PARCEL 14.00
 SPRING HILL, TN
THE VILLAS AT PORT ROYAL
 UPSCALE PREFERRED SENIOR HOUSING

No.	Revision/Issue	Date
1	Final Plan/Permitting Comments 1/17/17	REVIEW

8/20/17 T = 60
C-1.0



RESUBMIT TO OBTAIN CONCEPT PLAN APPROVAL OF THE PLANNING COMMISSION AND THE CITY OF SPRING HILL. THE PLANNING COMMISSION WILL REVIEW THE SITE PLAN AND THE CITY OF SPRING HILL WILL REVIEW THE CONCEPT PLAN. UPSCALE PREFERRED SENIOR HOUSING DEVELOPMENT WITH

SITE USE SUMMARY SECTION 1

USE	AREA (SQ. FT.)	SECT.
RESIDENTIAL	133	13.0
COMMERCIAL	133	13.0
INDUSTRIAL	133	13.0
AGRICULTURAL	133	13.0
RECREATION	133	13.0
UTILITY	133	13.0
OTHER	133	13.0
TOTAL PROPERTY	133	13.0

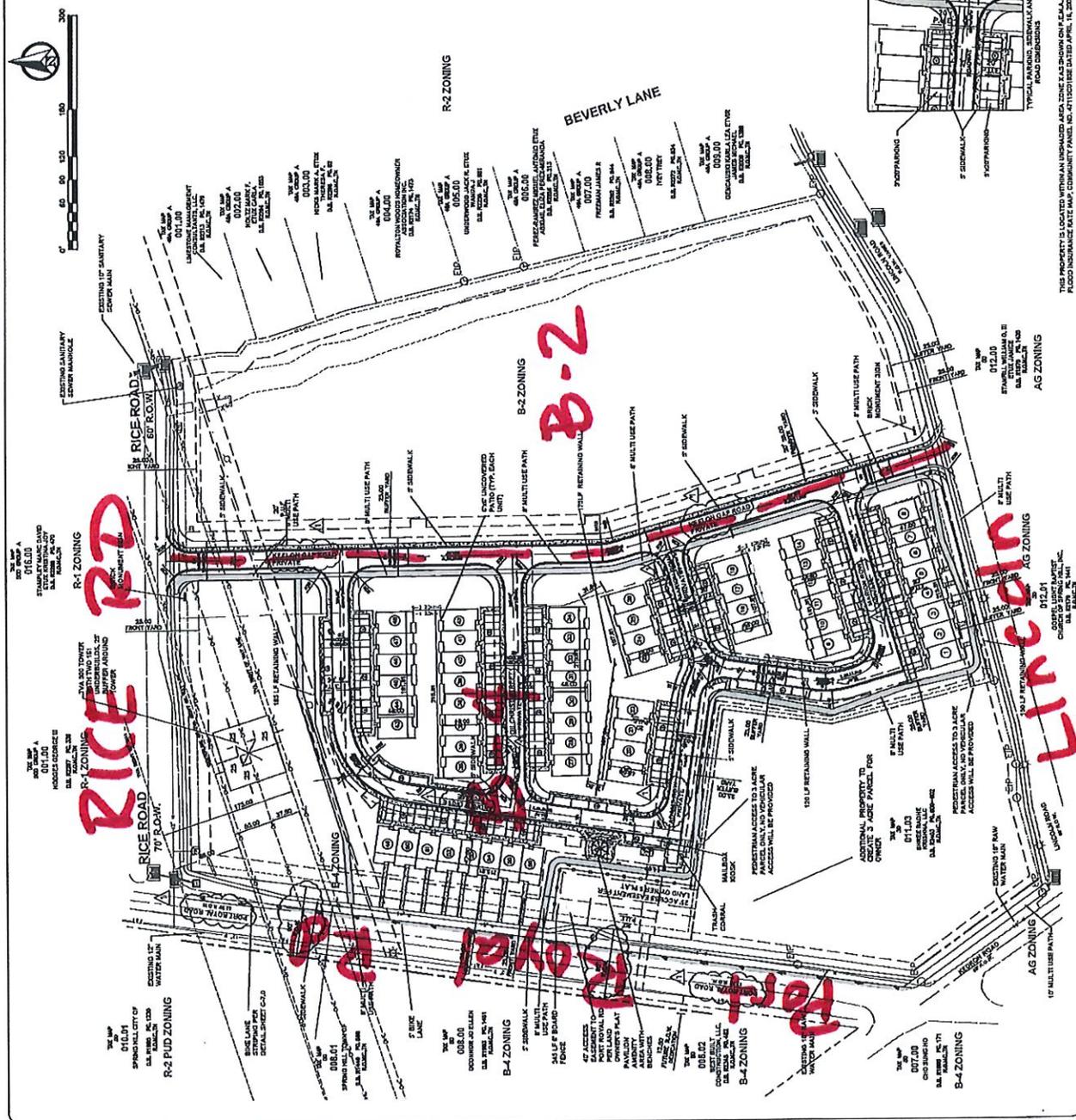
DENSITY
 (Maximum is indicated including streets)

USE	UNITS	SECT.
RESIDENTIAL	14.67	14.67
COMMERCIAL	14.67	14.67
INDUSTRIAL	14.67	14.67
AGRICULTURAL	14.67	14.67
RECREATION	14.67	14.67
UTILITY	14.67	14.67
OTHER	14.67	14.67
TOTAL PROPERTY	14.67	14.67

PARKING SUMMARY

USE	NUMBER OF BUILDINGS	REQUIRED UNITS	PROPOSED UNITS
RESIDENTIAL	133	133	133
COMMERCIAL	133	133	133
INDUSTRIAL	133	133	133
AGRICULTURAL	133	133	133
RECREATION	133	133	133
UTILITY	133	133	133
OTHER	133	133	133
TOTAL PROPERTY	133	133	133

THE VILLAS AT PORT ROYAL, UPGRADE PREFERRED SENIOR HOUSING DEVELOPMENT, IS A PROJECT OF THE VILLAS AT PORT ROYAL, UPGRADE PREFERRED SENIOR HOUSING DEVELOPMENT, INC. (THE DEVELOPER). THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SPRING HILL AND THE PLANNING COMMISSION. THE DEVELOPER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SPRING HILL AND THE PLANNING COMMISSION. THE DEVELOPER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SPRING HILL AND THE PLANNING COMMISSION.



THIS PROPERTY IS LOCATED WITHIN AN UNZONED AREA. ZONE TAG SHOWN ON P.E.L.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 41110118E DATED APRIL 14, 2007.

56 units

Lincoln

Port Royal

EASTERN TRACT – LEGAL DESCRIPTION

BEGINNING at an iron rod found in the northern margin of Lincoln Road at the southwest corner of Lot 9, Plat Book 17, page 49, R.O.M.C., the southeast corner of the property herein described; thence, leaving Lot 9 and running along the northern margin of Lincoln Road the following bearings and distances: S $59^{\circ}20'33''$ W, a distance of 166.79 feet to an iron rod set; along a curve turning to the right with an arc length of 69.35', a radius of 240.00', and a chord bearing of S $67^{\circ}18'29''$ W, for a chord length of 69.11' to an iron rod set; S $75^{\circ}34'02''$ W, a distance of 432.26 feet to an iron rod set; N $14^{\circ}25'51''$ W, a distance of 215.91 feet to an iron rod set; N $08^{\circ}18'31''$ E, a distance of 139.81 feet to an iron rod set; N $08^{\circ}18'31''$ E, a distance of 706.88 feet to an iron rod set; N $89^{\circ}18'58''$ E, a distance of 300.94 feet to an iron rod set; along a curve turning to the left with an arc length of 50.38, a radius of 200.00', and a chord bearing of N $82^{\circ}25'33''$ E, for a chord length of 50.25 to an iron rod set; S $07^{\circ}57'17''$ E, a distance of 60.68 feet to an iron rod set; S $00^{\circ}01'34''$ W, a distance of 24.58 feet to an iron rod set; S $49^{\circ}59'40''$ E, a distance of 19.87 feet to an iron rod set; S $07^{\circ}32'02''$ E, a distance of 27.47 feet to an iron rod set; S $21^{\circ}40'15''$ E, a distance of 34.70 feet to an iron rod set; S $16^{\circ}34'44''$ E, a distance of 73.23 feet to an iron rod set; S $13^{\circ}25'07''$ E, a distance of 627.69 feet to the POINT OF BEGINNING, containing in all 11.86 acres more or less.

WESTERN TRACT – LEGAL DESCRIPTION

BEGINNING at an iron rod found in the eastern margin of Port Royal Road at the northwest corner of Lot 1, Plat Book 21, page 188, R.O.M.C., the southwest corner of the property herein described; thence, leaving Lot 1 and running along the eastern margin of Port Royal Road the following bearings and distances: N 08°18'31" E, a distance of 649.33 feet to an iron rod set; N 89°19'00" E, a distance of 203.24 feet to an iron rod set; N 79°42'03" E, a distance of 59.87 feet to an iron rod set; N 89°18'58" E, a distance of 42.10 feet to an iron rod set; S 08°18'31" W, a distance of 706.88 feet to an iron rod set; N 81°40'19" W, a distance of 299.07 feet to the POINT OF BEGINNING, containing in all 4.64 acres more or less.