

ORDINANCE 20-23

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 103 ACRES OF PROPERTY, KNOWN AS MAURY COUNTY TAX MAP 029, PARCELS 011.00 AND 011.01 FROM AG, AGRICULTURAL TO R-4 SINGLE FAMILY DISTRICT

(RZN 895-2019 3233 CLEBURNE ROAD)

WHEREAS, the City of Spring Hill Ordinance No. 18-21, the same being the Official Zoning Map of Spring Hill is hereby amended by rezoning the 103 acres described herein, and known as, Maury County tax map 029, parcels 011.00 and 011.01, from AG, Agricultural District, to R-4, Single-Family District; and

WHEREAS, said portion of property to be rezoned from AG, Agricultural District, to R-4, Single-Family District, is 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

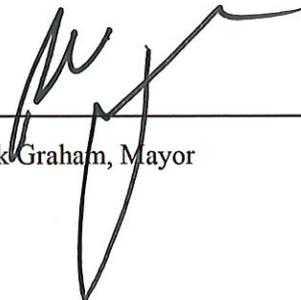
WHEREAS, the Spring Hill Municipal Planning Commission forwarded the request to the Board of Mayor and Aldermen on November 9, 2020 with a recommendation for approval.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SPRING HILL, TENNESSEE, BOARD OF MAYOR AND ALDERMEN, WHILE IN REGULAR SESSION on January 19, 2021, to amend Ordinance No. 18-21, the same being the Zoning Map of the City of Spring Hill, adopted August 20, 2018, by rezoning 103 acres of property, being Maury County tax map 029, parcels 011.00 and 011.01, from AG, Agricultural District, to R-4, Single-Family District, as depicted on Exhibit A, 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TENNESSEE, BOARD OF MAYOR AND ALDERMEN, that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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: Development of the subject property shall be in conformance with all development requirements of the City of Spring Hill, including, but not limited to, street and infrastructure regulations, and water service for domestic and fire flows.



Rick Graham, Mayor

*Ordinance 20-23
January 19, 2021
Page 1 of 2*

ATTEST:

April Goad
April Goad, City Recorder

LEGAL FORM APPROVED:

Patrick Carter
Patrick Carter, City Attorney

Passed on First Reading: December 21, 2020

Passed on Second Reading: January 19, 2021

MEMORANDUM



DATE: December 7, 2020

TO: Board of Mayor and Aldermen (BOMA)

FROM: Steve Foote, AICP, Planning Director

SUBJECT: RZN 895-2020 (3233 Cleburne Road)
Ordinance No. 20-23, Tax Map 029, Parcels 011.00 and 011.01

RZN 895-2019: Submitted by Crunk Engineering, LLC for the rezoning of 3233 Cleburne Road. The property is currently zoned AG and contains approximately 103 acres. The applicant requests a rezoning of the subject property from AG to R-4. Requested by Adam Crunk.

Plan Update: This application is a resubmittal of the rezoning request processed in 2019 (RZN 734-2019). That application was denied by the Board of Mayor and Alderman. Following denial, the applicant's attorney contacted the City Attorney and discussions culminated in the Mayor's approval of a resubmittal within less than the required one-year successive application period (approximately 11 months). The concept plan submitted with the rezoning request and the requested zoning district of R-4 are unchanged from 2019.

The provision of adequate utilities was discussed during the annexation of the subject property. Water modeling was recently performed for the property that indicates water pressure is insufficient to provide adequate fire flow to all elevations of the site.

Planning Commission Recommendation: The Planning Commission considered this latest request at their meeting of November 9, 2020 and recommended approval of the rezoning to the BOMA by a vote of 6-0 (Resolution 20-122).

Property Description and History: This property is located west of Cleburne Road and is south of and adjacent to the Harvest Point PUD. The southern boundary of the property is The Petty Lane/Cleburne Road intersection with Petty lane approximately following the western boundary line. The annexation of the property (ANX 687-2019) was approved by the Board of Mayor and Alderman on July 15, 2019. The prior rezoning request (RZN 734-2019) was denied by the Board of Mayor and Alderman on November 18, 2019. Reasons for denial included concerns regarding the adequacy of water for fire protection, general traffic in the area, and concerns regarding emergency response times due to the periodic blocking of Beechcroft Road by the railroad.

Since that time the new application addresses more precisely the limitations on site development based on fire flows and Maury County has reconditioned most of Cleburne Road. The TDOT project to provide a connection from Saturn Parkway to Beechcroft Road has been completed and the railroad conflict has been eliminated.

The property had previously been the subject of another annexation (ANX 643-2019) and rezoning request (RZN 672-2019). The annexation request was denied by the Board of Mayor and Alderman and the rezoning was subsequently withdrawn.

Spring Hill Rising: 2040: The future land use classification for this site is Mixed-Use Neighborhood Area and the primary future land uses include single family dwellings, small-scale multi-family buildings (not

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complexes), professional offices (such as routine healthcare, insurance, studios, and professional and personal services), eating places, light retail, places of worship, schools, municipal services, community centers, and small-scale entertainment. Staff believes the R-4 zoning district is consistent with the Mixed-Use Neighborhood future land use category.

Submitted Exhibits: The applicant has provided an exhibit demonstrating their development intentions for the property after it is rezoned. The plan shows 256 single-family lots and shows two access points on Cleburne Road and a road connecting the property to Harvest Point. The plan provided is of similar character to the adjacent neighborhood under construction (Harvest Point).

Utilities: Water Service is available to the subject property and is provided by an 8” water line along Cleburne Road and an 8” connection to Harvest Point. The site is located within the City’s Southside Pressure Zone. Modeling Results of Spring Hill’s water system show that with tanks at 50% capacity (elevation 883), the site high point (at elevation 710) will see static pressures in the range of 74 psi. However, the entire site cannot meet Spring Hill’s minimum requirement of 750 gpm fire flow while maintaining 30 psi at this elevation.

Recommended system improvements to provide adequate flows to the site as outlined in the City’s Water Capacity Study include installation of either a Tank located in the Beechcroft Road Area (west of railroad tracks, Arbor Valley) or installation of a 12” line across GM property to connect Main street with Cleburne Rd. The Water Distribution Capacity Summary produced by Thomas & Hutton is attached, as well as the Cleburne Lift Station Capacity Calculations from Public Works. There are no known issues with sewer service. Until improvements are made, the applicant has provided a letter to the BOMA dated November 20, 2020 and an accompanying map that shows the area of the property that is unable to be developed at this time. This area includes approximately 30-35 lots. The letter represents that the applicant understands the current inability to develop this portion of the site and the applicant’s commitment to defer development of homes in this area until adequate fire flows meeting or exceeding the city’s code requirements is available.

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.*

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- 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.*

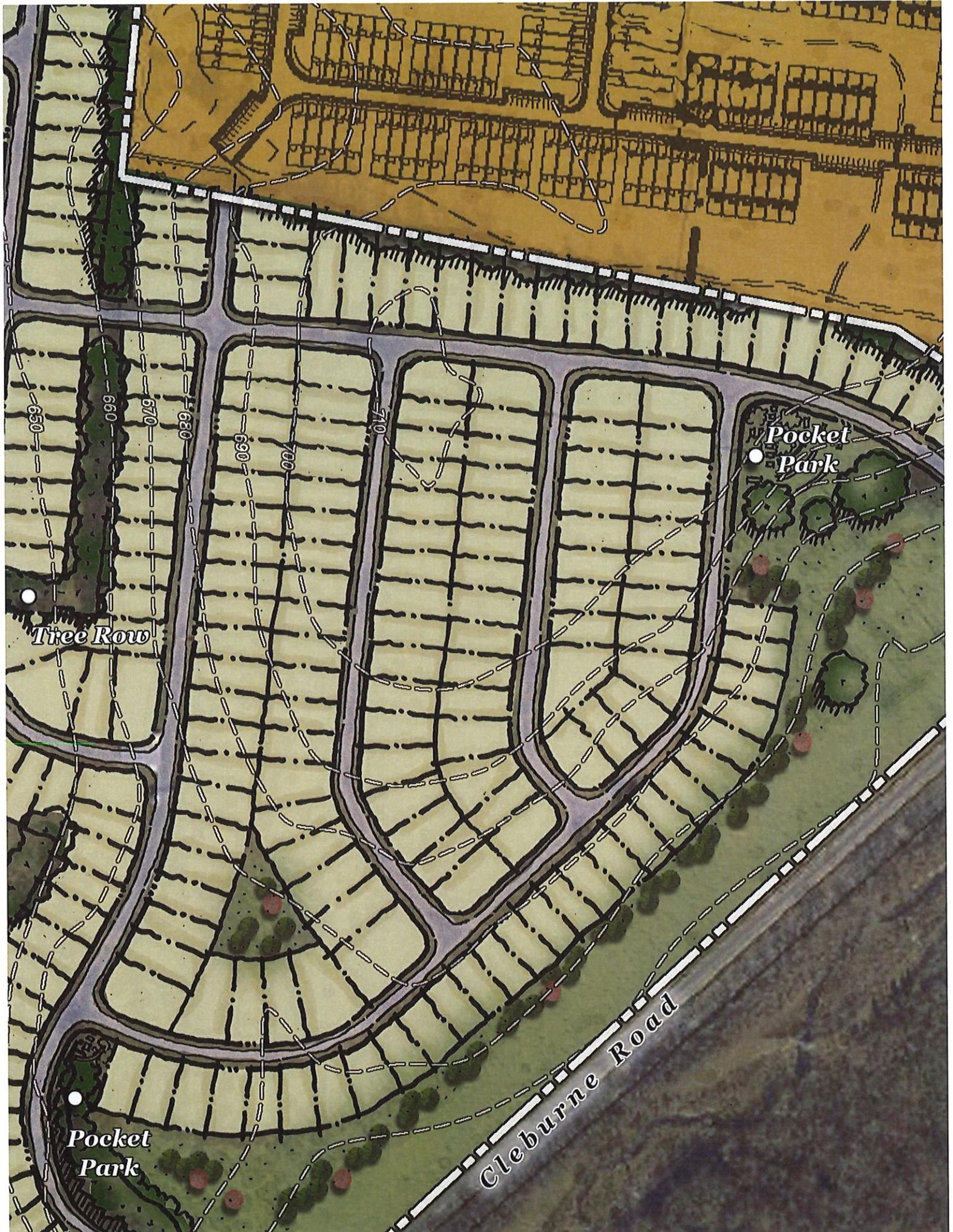
Summary: Staff finds the rezoning request to be consistent with items a-d listed above: including;

- a. consistency with the Comprehensive Plan and other adopted land use policies,
- b. compatibility with nearby single family and townhome uses,
- c. no nonconformities will be created by this request, and
- d. the proposal is consistent with development trends in the area, which contains a mixture of residential uses.

Regarding item 'e' the construction of the TDOT project has improved access to the area and eliminated the railroad conflict. This may address the BOMA's concerns on life, safety, and welfare issues.

Regarding item 'f' staff offers the applicant's letter addressing fire protection capabilities of the existing water system and identified restrictions on development. The restriction on site development will allow the site to conform with City minimum fire flow requirements until a permanent solution is achieved.

Recommendation: This application was recommended for approval by the Planning Commission on November 9, 2020 via Resolution 20-122. If the BOMA finds that the application to rezone the subject 103 acre property on Cleburne Road from AG to R-4 meets the criteria in 13.2.E.1 listed above, approval of Ordinance 20-23 is recommended.



Tree Row

Pocket Park

Pocket Park

Cleburne Road

650
660
670
680
690
700
710

**EXHIBIT A TO ORDINANCE 20-23
RZN 895-2020**

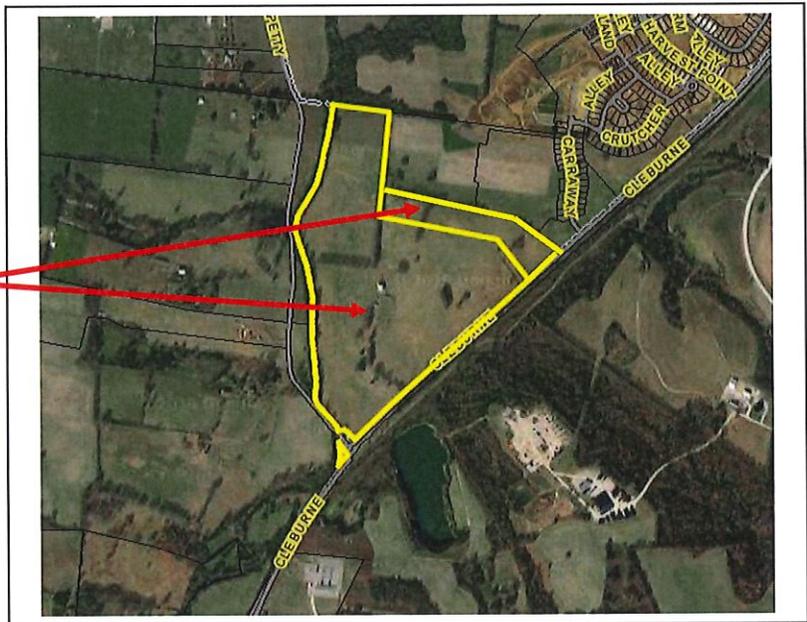
**REZONING OF 3233 CLEBURNE ROAD CONSISTING
OF 103 ACRES AND CURRENTLY KNOWN AS MAURY
COUNTY TAX MAP 029, PARCELS 011.00 011.01**

This sheet is an Exhibit to Ordinance No. 19-37 adopted by the Board of Mayor and Aldermen of the City of Spring Hill, TN on the 18th of November, 2019. The following described property is hereby rezoned by the Board of Mayor and Aldermen of the City of Spring Hill and rezoned according to the attached Resolution.

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

1. The 103 acres of Maury Tax Map 029, Parcels 011.00 and 011.01
2. Rezone from AG to R-4

Rezone 103 acres
of Maury County
Tax Map 029,
Parcels 011.00
and 011.01 from
AG to R-4.



April Goad
City Recorder
City of Spring Hill

November 20, 2020

City of Spring Hill
Board of Mayor and Aldermen
5000 Northfield Lane, Suite 520
Spring Hill, TN 37174



**RE: Hardison Property – 3233 Cleburne Road
Water Pressure Acknowledgement – Rezoning Request
RZN 895-2020**

Dear Sirs and Madams,

As the applicant for rezoning case RZN 895-2020, we are writing to acknowledge our understanding of the water pressure issues at the property located at 3233 Cleburne Road. Based on the study prepared by Thomas Hutton, and the flow tests our firm conducted in October 2020, we understand that development above an elevation of 682 to 683 will not permit the required fire flow as stipulated in the Spring Hill UDC Section 15.10.

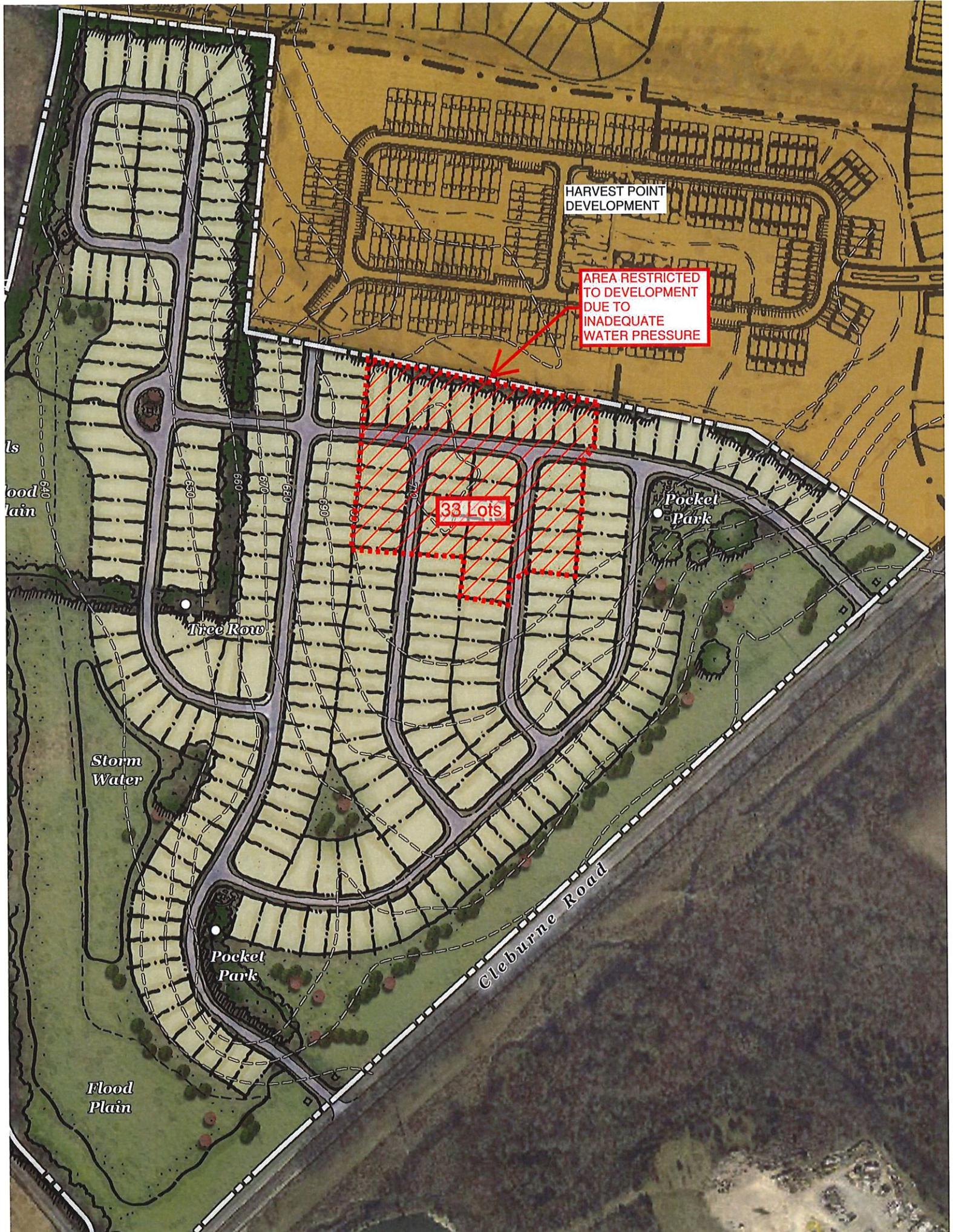
At this time, a concept plan for a subdivision has been produced assuming that the property can be rezoned to an R-4 zoning. I have attached an image showing the areas within the concept plan that would be reasonably unfeasible to provide grade adjustments and would therefore restrict development within this portion of the property. As you will see, approximately 30 to 35 lots might be lost from the proposed total of 256. We, and our client Joey Smith who has a contract on the land and intends to develop the property should rezoning be permitted, understand that until such time that fire flow and pressure requirements are met that development of the full property will be restricted.

We submit this letter in the hopes that the request for rezoning of the property be approved and we look forward to the opportunity to address BOMA at the upcoming Work Session meeting on December 7, 2020.

Sincerely,
CRUNK ENGINEERING LLC

A handwritten signature in blue ink, which appears to read "Adam Crunk".

Adam Crunk, PE
Principal/Member
Crunk Engineering LLC
615-873-1795
adam@crunkeng.com



HARVEST POINT
DEVELOPMENT

AREA RESTRICTED
TO DEVELOPMENT
DUE TO
INADEQUATE
WATER PRESSURE

33 Lots

Pocket
Park

Tice Row

Storm
Water

Pocket
Park

Flood
Plain

Cleburne Road

Project: 3233 Cleburne Road Rezone R4 **Map Parcel 029/011.00**

Summary:

Water Service is available to the subject property and is served by an 8" water line along Cleburne Road and an 8" connection to Harvest Point. The site is located within the City's Southside Pressure Zone. Modeling Results of Spring Hill's water system show that with tanks at 50% capacity (elevation 883), the site high point (at elevation 710) will see static pressures in the range of 74 psi. However, the site cannot meet Spring Hill's minimum requirement of 750 gpm fire flow while maintaining 30 psi at this elevation.

Model inputs: 256 gpm 256 units @ 1 gpm (source TDEC)
Fire flow 750 gpm (30 min psi required)
Tanks at 50% Elevation 883 feet (Southside)
Fed from: 8" line on Cleburne Rd
Site elevation: Approx. 710 feet (high elevation at site)

Results: (at elevation 710 feet)

Static Pressures available at the site: 74 psi
Residual pressure with 750 gpm Fire flow: 18 psi
Maximum Flow available @ 30 psi: 630 gpm

Further Analysis: With tanks at 50%,

At elevation 710 the current maximum flow available to maintain 30 psi is 630 gpm.
At elevation 700 the current maximum flow available to maintain 30 psi is 680 gpm.
At elevation 690 the current maximum flow available to maintain 30 psi is 720 gpm.
At elevation 680 the current maximum flow available to maintain 30 psi is 760 gpm.

Does not meet minimum pressure requirements for the site's high point location.

Recommended system improvements to provide adequate flows to the site as outlined in the Water Capacity Study include installation of either a Tank located in the Beechcroft Road Area (west of railroad tracks) or installation of a 12" line across GM property to connect Main street with Cleburne Rd.

Results are based on the assumptions listed above, any variation would require additional analysis to be performed during a site plan application process

Cleburne Lift Station Capacity Calculations

10/7/20

Gorman Rupp Lift Station Design Specs – 685 GPM @ 220 ft Head
With one pump running continuously 24 hr per day = **986,400 GPD**

Using TDEC's recommended multipliers:
Residential – 350 GPD per dwelling unit
Middle School – 25 GPD per student
Industrial (sanitary only) – 7-16 GPD (13 typical)

Results

Harvest Point (at buildout) – 1185 units x 350 =	414,750 GPD
Proposed rezone (Hardison)- 255 units x 350 =	89,250 GPD
Middle School – 805 students x 25 =	20,125 GPD
Magna – 400 employees x 13 =	6,240 GPD
Tenneco – 140 employees x 13 =	1,820 GPD
Consolidated Logistics – 280 employees x 13 =	3,640 GPD
TOTAL	535,825 GPD
TOTAL without rezone	446,575 GPD

By the numbers this shows the pumps running an average of 54% of every 24 hr period.
45% without rezone

NOTE: These calculations do not include flow data for the proposed Spring Hill Industrial Center on Cleburne already beginning construction. Flow data not available at this time. Also does not include flow data for Faurecia's Plant expansion. This data has not been provided at this time.

The new multipliers proposed for the UDC vary slightly from TDEC's. Most notably, with the proposed multipliers the industrial flows almost double.

**RESOLUTION 20-122
OF THE PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE**

**A RESOLUTION TO RECOMMEND APPLICATION RZN 895-2020 (3233
CLEBURNE ROAD) 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

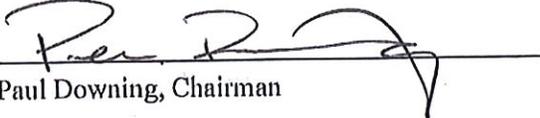
WHEREAS, the Planning Commission had a regular meeting on the 9th day of November, 2020 and heard public testimony and input regarding application RZN 895-2020; and

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 the recommendation for application RZN 895-2020 to the Board of Mayor and Alderman as follows.

APPROVAL OF RZN 895-2020

Passed and adopted this 9th day of November, 2020.


Paul Downing, Chairman


Steve Foote, Secretary



September 17, 2020

Tom White
Tune, Entriiken, White
315 Deaderick St. Unit 1700
Nashville, TN 37219

Re: Article 13.1.A.6 Consideration of Successive Applications
RZN 734-2019 3233 Cleburne Road, denied by BOMA November 18, 2019

Dear Mr. White,

I am in receipt of your request for permission to allow for a subsequent application seeking a zoning map amendment for the above referenced property to be submitted within one year of the Board of Mayor and Alderman action to deny RZN 734-2019.

In accordance with Article 13, Section 13.1 A.6.a., which states: *“Within one year of the date of denial, a subsequent application for the same zoning request will not be accepted or processed unless the Planning Director determines there is substantial new evidence available, the request is substantially different, or if a significant mistake of law or of fact affected the prior denial, or the Board of Mayor and Aldermen and/or the Mayor chooses to reconsider the application”*.

I have reviewed the claims provided in your email of September 8, 2020 and based upon my review have determined that support for a submittal of a new zoning map amendment within the one year waiting period is justified. Saturn Parkway has been extended and provides for improved emergency access to the subject property and surrounding area, which was a concern raised during deliberation by the Board of Mayor and Aldermen.

As a result of this determination I request the Planning Department accept a new zoning map amendment request for the property consistent with the former request, RZN 734-2019 (from Agricultural (AG) to R-4 Single Family). Consistent with the requirements in State Law and the City’s Unified Development Code, the processing of this rezoning request will be consistent with the normal rezoning process, including public notice and hearing requirements. The next submittal deadline for the required Planning Commission review is October 5, 2020 and a complete application will be required prior to processing.

The processing of this application, shall in no way modify the requirements of the zoning map amendment process or the request to be considered by the Planning Commission and voted upon by the Board of Mayor and Alderman. It shall be the responsibility of the property owner or applicant to fully address the requirements of Article 13.2, including Subsection E.1, “Approval Standards for Map

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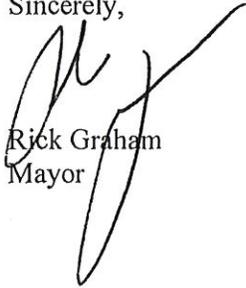
Phone 931.486.2252
Fax 931.486.0516
www.springhilltn.org

Amendments", to the satisfaction of the City of Spring Hill. In addition, any new application submitted within one year of the prior denial shall fully address the following:

1. The new application and supporting documentation shall adequately demonstrate there is sufficient water and sewer capacity available to serve the property if developed under the permitted uses allowed under the R-4 zoning classification and in particular that sufficient water service can be provided to meet domestic and fire flow and pressure requirements of the City if the rezoning is approved.

In summary, I am requesting the Spring Hill Planning Department to waive the one year period for a new submittal to rezone the subject property for the reasons and as contained in this letter.

Sincerely,



Rick Graham
Mayor

cc: Steve Foote, Planning Director
Spring Hill Planning Commission

From: [Erin Guy](#) on behalf of [Thomas V. White](#)
To: [Rick Graham](#)
Cc: [Joey Smith](#); [Adam Crunk](#); [Patrick Carter](#); [Steve Foote](#)
Subject: [External] Cleburne Road - Resolution 19-116
Date: Tuesday, September 8, 2020 11:55:55 AM

****External Email****

Dear Mayor Graham:

I represent the applicant on the proposed rezoning for the Hardison Property on Cleburne Road in Spring Hill. I am specifically asking that you waive the one-year prohibition for applying for a rehearing on zoning issues. Specifically, I am requesting that we be allowed to appear before the work session on October 5, 2020 and then at the BOMA hearing on October 19, 2020.

The following are my key points to support that request.

1. Saturn Parkway extension is ok and functional- this allows traffic to be off Beechcroft Road and it also allows any type of EMS service to access the Cleburne Road area without concern of the rail tracks.
2. Cleburne Road in front of the subject property has already been upgraded to City standards.
3. Note that the zoning that we requested is within the 2040 Spring Hill Rising Plan. Basically the property was annexed and it conforms to the 2040 plan but they rejected the rezoning
4. The City provides the Plan of Services- from each department. The document didn't say they had any concern with the ability of the City to provide services. We relied on this document to continue to spend money and move forward. If any department had issues it should have been addressed in the Plan of Services and not one of the BOMA members use it as a reason to not approve this item. Why have the departments complete these reports if BOMA doesn't take their word that they can service this project.
5. On the note of services being able to be provided- at the time we were going through the annexation/rezoning process, the Tennessee Children's Home was going through at the same time. It had much more density- well over a thousand units- they didn't seem concerned about being able to provide services to this project.
6. At the very beginning of this process we showed them the plan we had for the property. Normally developers don't show their plan during the annexation phase. So when they annexed this property they knew exactly what we were planning. No smoke and mirrors for us.
7. My client's engineer, Adam Crunk, has confirmed to me that there's adequate water supply at this proposed development. There are some lots at the highest elevation that might require a booster pump on our site and such booster pumps have been approved by the City previously.

8. On an equitable note, the City has annexed the farm property of an elderly owner in full knowledge of what is was planned for. We now have city taxes applicable to this property and we are respectfully asking for the zoning which was recommended for approval by the Planning Commission.

Many thanks for this recognition.

Regards,

Thomas V. White



This email has been checked for viruses by Avast antivirus software.

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