SPRING HILL MUNICIPAL PLANNING COMMISSION

A. CALL TO ORDER

B. ROLL CALL

C. CHAIRMAN COMMENTS: All items with changes for the next agenda must be resubmitted by 12:00 PM (noon) on July 1, 2019 (both paper and electronic copies).

D. PUBLIC COMMENT (NON-AGENDA ITEMS)

E. BONDS:
   1. PC Resolution 19-57 Release Performance Bond and establish Maintenance for Bond Cherry Grove Addition Ph 6 Sec 2
   2. PC Resolution 19-58 Dedication of Road ROW and Public Improvements in The Hamptons at Campbell Station Ph 2
   3. PC Resolution 19-59 Release Maintenance Bond for The Hamptons at Campbell Station Ph 2
   4. PC Resolution 19-60 Establish Maintenance Bond for Derryberry Estates Ph 4
   5. PC Resolution 19-61 Establish Performance Bond for Derryberry Estates Ph 4
   6. PC Resolution 19-62 Establish Maintenance Bond for The Cove at Spring Hill Ph 1 Sec 1
   7. PC Resolution 19-63 Establish Performance Bond for The Cove at Spring Hill Ph 1 Sec 1

F. OLD BUSINESS:
   1. FPL 667-2019: Submitted by Anderson, Delk, Epps & Associates for Lot 7 Campbells Station. The property is located at the corner of Wall Street and Commonwealth Drive, zoned C-4 and contains approximately 2.41 acres. The applicant requests the resubdivision of Lot 7, Campbell Station Annex and Lot 18, Pinnacle Commercial. Requested by Mark Lowrance.
   2. STP 668-2019: Submitted by Mullins, LLC for Dartford Townhomes. The property is located on Duplex Rd., zoned R-2 and contains approximately 16.9 acres. This item was previously approved (STP 501-2018) at the May 2018 Planning Commission meeting. The applicant requests to modify the Site Plan approval. Requested by Eric Lane.

G. NEW BUSINESS:
2. **ANX 702-2019**: Submitted by John Thoni for **2146 Lewisburg Pike** (Franklin, TN). The property contains approximately 75 acres. The applicant requests annexation into the City of Spring Hill. Requested by John Thoni.

3. **NCP 703-2019**: Submitted by Anderson, Delk, Epps and Associates for **Bluebird Hollow at Autumn Ridge**. The property is located on Depot Street, Belle Drive and Witt Way Drive. The property is zoned R-4 and contains approximately 34.45 acres. BOMA approved a rezone for this property on May 20, 2019. The applicant requests neighborhood concept plan review and comment for a residential community consisting of 112 single-family lots. Requested by Joe Epps.

4. **SPC 704-2019**: Submitted by Donnie Buford for **Connection Hill Primitive Baptist Church**. The property is located at 2760 Buckner Lane, zoned R-2 and contains approximately 10.5 acres. This item was approved by PC in 2014, but no construction occurred and is no longer valid. The applicant requests site plan concept review and comment for phase 1 of the Connection Hill Primitive Baptist Church. Requested by Donnie Buford.

5. **FPL 705-2019**: Submitted by SEC Engineering for **Derryberry Section 2**. The property is located in the Derryberry Subdivision on Port Royal Road, zoned R-2 PUD and contains approximately 13.285 acres. The applicant requests final plat approval to create 48 single-family lots. A preliminary plat (PPL 388-2017) was approved in August of 2017. Requested by Douglas Jenkins.

6. **SPC 706-2019**: Submitted by Southern Consulting for **O’Hallorn Crossing**. This property is located on Harrah Drive between Simply Self Storage and the Campbell Station subdivision. This property is zoned R-6 and contains approximately 2.25 acres. The applicant requests site plan concept review and comment for 18 condominium units. Requested by Trent Smith.

7. **NCP 707-2019**: Submitted by Enfield Group for **The Preserve at Spring Hill**. The property is located on Buckner Road, east of Main Street. The property is zoned R-6 and contains approximately 44.21 acres. This project was last seen by Planning Commission at the January 28, 2019 Work Session (SKP 551-2019). The applicant requests neighborhood concept plan review and comment for 100 condominium units. Requested by Gregg Harris.

8. **FPL 708-2019**: Submitted by WES Engineers & Surveyors for **Columns Way ROW Dedication & Revision to Lots**. The property is zoned C-4 and contains approximately 7.73 acres. The applicant requests to dedicate ROW on Columns Way and to revise lots 2, 3, 4A, 4B and 4C. A final plat to split lot 4B and revise lot 1 (FPL 658-2019) was approved by Planning Commission on April 8, 2019. Requested by Allen O'Leary.

9. **FPL 709-2019**: Submitted by WES Engineers & Surveyors for **The Cove at Spring Hill, Phase 1**. This property is located on Tom Lunn Road, west of the Port Royal intersection. The property is zoned R-2 and contains approximately 58.78 acres. The applicant requests final plat approval to create 53 single-family lots. Requested by Allen O’Leary.

10. **ADM 710-2019**: Submitted by WES Engineers & Surveyors for a **minor revision to the Sawgrass PUD**. This property is located off of Tom Lunn Road, zoned R-2 PUD and contains approximately 47.42 acres. The applicant requests a minor revision to the previously approved master plan, which includes a decrease of 8 lots (197 to 188) and the realignment of Southwind Run and Casper Way. Requested by Allen O’Leary.

11. **STP 711-2019**: Submitted by WES Engineers & Surveyors for **Sawgrass West Phase 1**. This property is located off of River Links Drive, zoned R-2 PUD and contains approximately 26.10 acres. The applicant requests site plan approval to create 196 townhome units with related appurtenances. Requested by Allen O’Leary.
12. **RZN 712-2019**: Submitted by Katie Creighton for **2444 Depot Street**. The property is zoned R-1 and contains approximately .29 acres. The applicant requests rezoning from R-1 to C-1. Requested by Katie Creighton.

13. **SPm 713-2019**: Submitted by Tim Neal for **1220 School Street**. The property is zoned C-D-C and contains approximately 1.40 acres. The applicant is requesting site plan minor modification to allow gravel parking. Requested by Tim Neal.

14. **ZTA 716-2019**: Submitted by the City of Spring Hill for a zoning text amendment to Article 8.3.7 of the UDC. The applicant requests zoning text amendments to... Requested by the City of Spring Hill.

**H. OTHER BUSINESS**

1. Amusement Uses in the I-1 Zoning District
2. Clarify zoning depiction on UDC Zoning Map

**I. ROUND TABLE**

**J. ADJOURN**
DATE: June 19, 2019

REQUEST: Release the performance bond and establish a maintenance bond for Cherry Grove Addition Phase 6 Section 2 for sidewalks, street lights, street signs and final topping

SUBMITTED BY: Thomas S. Wolf, P.E. — City Engineer

OVERVIEW:

- A performance bond was established for Phase 6 Section 2 in the amount of $28,601.00 in September 2017. All improvements have been constructed.
- Roads were final topped in May 2019.

PC ACTION REQUESTED:

- Approve PC Resolution 19-57 to release the performance bond and establish a maintenance bond for Cherry Grove Addition Phase 6 Section 2
RESOLUTION 19-57 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE

A RESOLUTION TO RELEASE THE EXISTING PERFORMANCE BOND AND
TO ESTABLISH AS A MAINTENANCE BOND FOR
CHERRY GROVE ADDITION PHASE 6 SECTION 2

WHEREAS, a Performance Bond is in place guaranteeing the completion of certain improvements for Cherry Grove Addition Phase 6 Section 2 in the amount of $28,601.00; and

WHEREAS, the following improvements are required pursuant to the Final Plat:
   Sidewalks, street lights, street signs and final topping to all streets with 1 1/2 inches of hot mix asphalt; and

WHEREAS, to date, the improvements have been completed, final topping was placed in July 2018 and approved through inspections by the City and therefore a Maintenance Bond letter of credit is required; and

WHEREAS, a Maintenance Bond letter of credit is guaranteeing the workmanship and materials of certain improvements for Cherry Grove Addition Phase 6 Section 2 and the repair of such should damage occur during covered period; and

WHEREAS, it is the recommendation of the City Engineer that the Letter of Credit in the amount of $28,601.00 be reduced to 30% according to Section IV 4.3 Spring Hill Subdivision Regulations, establishing a Maintenance Bond letter of credit in the amount of $8,580.00 for a minimum of twelve (12) months from date of final topping.

NOW, THEREFORE BE IT RESOLVED, by the Spring Hill Planning Commission that the existing bond letter of credit be reduced to establish a Maintenance Bond letter of credit for Cherry Grove Addition Phase 6 Section 2 in the amount of $8,580.00 is hereby approved.

Passed and adopted this 8th day of July, 2019.

Paul Downing, Chairman

Steve Foote, Secretary
CERTIFICATE OF SATISFACTORY COMPLETION

Date: 2/12/19

Donnie Cameron

Cherry Grove Addition

Phase 6 Section 2

Development Name: Cherry Grove Addition

Phase or Section of Construction: Phase 6 Section 2

Public Improvements: Water, sewer, storm water drainage and basins, streets, curbs, sidewalks, street signs, street lights, final topping

I hereby certify that I have supervised and inspected the improvements to ensure that the design intent has been achieved.

Record Drawings have been submitted by Applicant’s engineer to the City pursuant to ordinance requirements.

Further, Developer must establish a Maintenance Surety with the City to guarantee defects in workmanship or materials for a one year period.

Michael W. Stephens
City of Spring Hill Utility Inspector (signature)

Printed name

Approved By:

Thomas S. Wolf, P.E.
City of Spring Hill Engineering Dept. (signature)

Printed name
DATE: June 19, 2019

REQUEST: Recommend acceptance and dedication of road rights-of-way and public improvements for The Hamptons at Campbell Station Phase 2

Release the maintenance bond for The Hamptons at Campbell Station Phase 2

SUBMITTED BY: Thomas S. Wolf, P.E. - City Engineer

OVERVIEW:

- A maintenance bond is in place for Phase 2 in the amount of $31,515.00.
- Binder was put on road in October 2016; roads were final topped in July 2018.

PC ACTION REQUESTED:

- Approve PC Resolution 19-58 to recommend acceptance and dedication of road rights-of-way and public improvements for The Hamptons at Campbell Station Phase 2
- Approve PC Resolution 19-59 to release the performance bond for The Hamptons at Campbell Station Phase 2
RESOLUTION 19-58 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE

A RESOLUTION RECOMMENDING ACCEPTANCE AND DEDICATION OF ROAD RIGHTS-OF-WAY AND PUBLIC IMPROVEMENTS SHOWN ON THE EXISTING PLAT FOR
THE HAMPTONS AT CAMPBELL STATION PHASE 2

WHEREAS, Tenn. Contractors, Inc. has a recorded Final Plat for The Hamptons at Campbell Station Phase 2 in Williamson County Plat Book P65, Page 114; and

WHEREAS, said Plat show Public Rights-of-Way proposed for dedication to the City of Spring Hill; and

WHEREAS, an Offer of Dedication, Deeds of Conveyance and a Maintenance Surety have been submitted pursuant to the Subdivision Regulations; and

WHEREAS, a Certificate of Satisfactory Completion has been furnished by the City of Spring Hill indicating that through inspections of the Road Rights-of-Way, the design intent has been achieved; and

WHEREAS, the developer is required under Article III, Section 6.3 of the Subdivision Regulations to submit an “as-built” survey of the public improvements including water, sewer and drainage; and

WHEREAS, the Planning Commission deems it in the best interest of the City of Spring Hill that the Offer of Dedication of the Road Rights-of-Way and Public Improvement’s be accepted and the same become a part of the Public Street system of the City of Spring Hill.

NOW, THEREFORE BE IT RESOLVED, by the Spring Hill Planning Commission that dedication and acceptance of Road Rights-of-Way and Public Improvements within The Hamptons at Campbell Station Phase 2 as shown on the recorded plats is hereby recommended to the Board of Mayor and Aldermen.

Passed and adopted this 8th day of July, 2019.

Paul Downing, Chairman

Steve Foote, Secretary
RESOLUTION 19-59 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE

A RESOLUTION TO RELEASE THE MAINTENANCE BOND FOR
THE HAMPTONS AT CAMPBELL STATION PHASE 2

WHEREAS, a Maintenance Bond is currently in place for said development; and

WHEREAS, the existing Letter of Credit, considered a “maintenance surety” based on current subdivision regulations, guaranteed that the following improvements, which may include but not be limited to, sewer lines, water lines, storm water drainage, sidewalks, street lights, signage, curbs and streets with asphalt base course and final topping, would be constructed as per the approved design and function properly; and

WHEREAS, to date, the improvements noted heretofore have been constructed, final topping was placed in July 2018 and have been functioning properly for a minimum period of twelve (12) months; and

WHEREAS, release of said maintenance bond shall be contingent upon the Board of Mayor and Alderman approving a resolution for acceptance and dedication of road rights-of-way and public improvements for said development; and

WHEREAS, it is the recommendation of the City Engineer that the Maintenance Bond for The Hamptons at Campbell Station Phase 2 in the amount of $31,515.00 be released.

NOW, THEREFORE BE IT RESOLVED, by the Spring Hill Planning Commission that release of the Maintenance Bond for The Hamptons at Campbell Station Phase 2 in the amount of $31,515.00 is hereby approved.

Passed and adopted this 8th day of July, 2019.

Paul Downing, Chairman

Steve Foote, Secretary
CERTIFICATE OF SATISFACTORY COMPLETION

Date: 1/29/15

Tenn. Contractors, Inc.
The Hamptons at Campbell Station
Phase 2

Development Name: The Hamptons at Campbell Station
Phase or Section of Construction: Phase 2
Public Improvements: Water, sewer, storm water drainage and basins, streets, curbs, sidewalks, street signs, street lights, final topping

I hereby certify that I have supervised and inspected the improvements to ensure that the design intent has been achieved.

Record Drawings have been submitted by Applicant's engineer to the City pursuant to ordinance requirements.

Further, Developer must establish a Maintenance Surety with the City to guarantee defects in workmanship or materials for a one year period.

Jeff Foster
City of Spring Hill Utility Inspector (signature)

Approved By:

Thomas S. Wolf, P.E.
City of Spring Hill Engineering Dept. (signature)
DATE: June 19, 2019

REQUEST: Establish a maintenance bond and a performance bond for Derryberry Estates Phase 4

SUBMITTED BY: Thomas S. Wolf, P.E. – City Engineer

OVERVIEW:

- Final plat was approved on the April 2019 Planning Commission meeting agenda.
- Developer has submitted application and corresponding documentation to establish bonds.

PC ACTION REQUESTED:

- Approve PC Resolution 19-60 to establish a maintenance bond for Derryberry Estates Phase 4
- Approve PC Resolution 19-61 to establish a performance bond for Derryberry Estates Phase 4
RESOLUTION 19-60 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE

A RESOLUTION TO ESTABLISH A MAINTENANCE BOND FOR
DERRYBERRY ESTATES PHASE 4

WHEREAS, a Maintenance Bond is required to be established for this development prior to recording of a Final Plat; and

WHEREAS, the Maintenance Bond is guaranteeing the workmanship and materials of certain improvements existing on 34 lots, and the repair of such should damage occur during covered period; and

WHEREAS, the following improvements are required pursuant to the Final Plat:

Water, Sewer, Storm Water Infrastructure, Streets and Curbs; and

WHEREAS, to date, the improvements have been completed, but not accepted by the City and, therefore, a Maintenance Bond is required; and

WHEREAS, it is the recommendation of the City Engineer that a Maintenance Bond be established for a minimum of twelve (12) months, in the amount of $120,516.00; and

WHEREAS, it is anticipated that the date of completion for the above referenced public improvements will be within the time prescribed for the bond and it is required that an automatic renewal clause, to the benefit of the City of Spring Hill, be included within the bond in case such improvements are not completed in a timely manner.

NOW, THEREFORE, BE IT RESOLVED, that the Spring Hill Planning Commission approves the establishment of a Maintenance Bond for Derryberry Estates Phase 4 in the amount of $120,516.00.

Passed and adopted this 8th day of July, 2019.

Paul Downing, Chairman

Steve Foote, Secretary
Utility Information Sheet

Development ____ DERRYBERRY ESTATES______

Phase_4_ Section_N/A_ #of lots_34_

Cost to install Utility’s (Maintenance Bond)

Sewer line____ $145,000

Water line____ $ 85,000

Storm Water____ $ 95,000
(Infrastructure)

Curbing_______ $ 20,075

Binder_______ $ 56,645

TOTAL - $401,720.00

30% OF TOTAL - $120,516.00

BOND AMOUNT - $120,516.00
RESOLUTION 19-61 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE

A RESOLUTION TO ESTABLISH A PERFORMANCE BOND FOR
DERRYBERRY ESTATES PHASE 4

WHEREAS, a Performance Bond is required to be established for this development prior to recording of a Final Plat; and

WHEREAS, the Performance Bond is guaranteeing the construction of certain improvements on 34 lots; and

WHEREAS, the following improvements are required pursuant to the Final Plat: Sidewalks, Street Lights, Street Signs, Stormwater Surface Maintenance and Final topping to all streets with 1 ½ inches of hot mix asphalt; and

WHEREAS, to date, the improvements have not been completed and/or accepted by the City and, therefore, a Performance Bond is required; and

WHEREAS, it is the recommendation of the City Engineer that a Performance Bond be established in the amount of $103,394.00; and

WHEREAS, it is anticipated that the date of completion for the above referenced public improvements will be within the time prescribed for the bond and it is required that an automatic renewal clause, to the benefit of the City of Spring Hill, be included within the bond in case such improvements are not completed in a timely manner; and

WHEREAS, upon completion of the public improvements listed above, the Developer will be required to file a “maintenance” bond guaranteeing performance of the public improvements for a minimum of an additional one year period with the Planning Commission after the dedication and acceptance of such public improvements by the Board of Mayor and Aldermen.

NOW, THEREFORE, BE IT RESOLVED, that the Spring Hill Planning Commission approves the establishment of a Performance Bond for Derryberry Estates Phase 4 in the amount of $103,394.00.

Passed and adopted this 8th day of July, 2019.

Paul Downing, Chairman

Steve Foote, Secretary
Utility Information Sheet

Development _____ DERRYBERRY ESTATES _____

Phase 4  Section N/A  #of lots 34

Cost to install Utility's (Performance Bond)

Signage $2,100

Street Lights $9,500

Storm Water Surface maintenance $6,500
(to include drainage area, ditches, retention and/detention ponds, open spaces)

Sidewalks (feet) 3,500'

Sidewalks (cost) $19,250

Road linear feet 1,750 LF

Road width 24'

Final Asphalt Topping cost $56,645

TOTAL - $93,995.00

+ 10% OF TOTAL - $9,399.00

BOND AMOUNT - $103,394.00
### Application for Surety

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<tr>
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<td>Name of Owner/Developer or Representative:</td>
<td>1st Home Builders, Inc</td>
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<tr>
<td>Address:</td>
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<td>(615) 231-9917</td>
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### Action Request

I (we) request that the following action be taken:

- [ ] Establish New Surety
- [ ] Request Final Inspection and Release of Surety
- [ ] Request Reduction of Surety Amount
- [ ] Request extension of surety for (1) year
- [ ] Request Maintenance Bond

(Please provide proof of difficulty below)

**Explanation for Proof of Difficulty:**

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**Applicant Signature**  
[Signature]  
5/29/19

**City Staff Signature**  
[Signature]  
[Date]
DATE: June 19, 2019

REQUEST: Establish a maintenance bond and a performance bond for The Cove at Spring Hill Phase 1 Section 1

SUBMITTED BY: Thomas S. Wolf, P.E. – City Engineer

OVERVIEW:

- Final plat is on the July 2019 Planning Commission meeting agenda for approval.
- Developer has submitted application and corresponding documentation to establish bonds.

PC ACTION REQUESTED:

- Approve PC Resolution 19-62 to establish a maintenance bond for The Cove at Spring Hill Phase 1 Section 1
- Approve PC Resolution 19-63 to establish a performance bond for The Cove at Spring Hill Phase 1 Section 1
RESOLUTION 19-62 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE

A RESOLUTION TO ESTABLISH A MAINTENANCE BOND FOR
THE COVE AT SPRING HILL PHASE 1 SECTION 1

WHEREAS, a Maintenance Bond is required to be established for this development prior to recording of a Final Plat; and

WHEREAS, the Maintenance Bond is guaranteeing the workmanship and materials of certain improvements existing on 53 lots, and the repair of such should damage occur during covered period; and

WHEREAS, the following improvements are required pursuant to the Final Plat:
    Water, Sewer, Storm Water Infrastructure, Streets and Curbs; and

WHEREAS, to date, the improvements have been completed, but not accepted by the City and, therefore, a Maintenance Bond is required; and

WHEREAS, it is the recommendation of the City Engineer that a Maintenance Bond be established for a minimum of twelve (12) months, in the amount of $473,290.00; and

WHEREAS, it is anticipated that the date of completion for the above referenced public improvements will be within the time prescribed for the bond and it is required that an automatic renewal clause, to the benefit of the City of Spring Hill, be included within the bond in case such improvements are not completed in a timely manner.

NOW, THEREFORE, BE IT RESOLVED, that the Spring Hill Planning Commission approves the establishment of a Maintenance Bond for The Cove at Spring Hill Phase 1 Section 1 in the amount of $473,290.00.

Passed and adopted this 8th day of July, 2019.

____________________________
Paul Downing, Chairman

____________________________
Steve Foote, Secretary
Utility Information Sheet

Development: THE COVE AT SPRING HILL

Phase 1  Section 1  #of lots 53

Cost to install Utility’s (Maintenance Bond)

Sewer line $545,141

Water line $357,651

Storm Water $466,594 (Infrastructure)

Curbing $39,468

Binder $168,780

TOTAL - $1,577,634.00

30% OF TOTAL - $473,290.00

BOND AMOUNT - $473,290.00
RESOLUTION 19-63 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE

A RESOLUTION TO ESTABLISH A PERFORMANCE BOND FOR
THE COVE AT SPRING HILL PHASE 1 SECTION 1

WHEREAS, a Performance Bond is required to be established for this development prior to recording of a Final Plat; and

WHEREAS, the Performance Bond is guaranteeing the construction of certain improvements on 53 lots; and

WHEREAS, the following improvements are required pursuant to the Final Plat:
   Sidewalks, Street Lights, Street Signs, Stormwater Surface Maintenance
   and Final topping to all streets with 1 1/2 inches of hot mix asphalt; and

WHEREAS, to date, the improvements have not been completed and/or accepted by the City and, therefore, a Performance Bond is required; and

WHEREAS, it is the recommendation of the City Engineer that a Performance Bond be established in the amount of $447,618.00; and

WHEREAS, it is anticipated that the date of completion for the above referenced public improvements will be within the time prescribed for the bond and it is required that an automatic renewal clause, to the benefit of the City of Spring Hill, be included within the bond in case such improvements are not completed in a timely manner; and

WHEREAS, upon completion of the public improvements listed above, the Developer will be required to file a “maintenance” bond guaranteeing performance of the public improvements for a minimum of an additional one year period with the Planning Commission after the dedication and acceptance of such public improvements by the Board of Mayor and Aldermen.

NOW, THEREFORE, BE IT RESOLVED, that the Spring Hill Planning Commission approves the establishment of a Performance Bond for The Cove at Spring Hill Phase 1 Section 1 in the amount of $447,618.00.

Passed and adopted this 8th day of July, 2019.

Paul Downing, Chairman

Steve Foote, Secretary
Utility Information Sheet

Development ____ THE COVE AT SPRING HILL ____

Phase 1  Section 1  # of lots  53

Cost to install Utility’s (Performance Bond)

Signage ______ $2,866

Street Lights ___ $34,000

Storm Water Surface maintenance ___ $130,000 (to include drainage area, ditches, retention and/detention ponds, open spaces)

Sidewalks (feet) ______ 3,088’

Sidewalks (cost) _____ $150,060

Road linear feet ____ 3,022 LF

Road width ______ 24’

Final Asphalt Topping cost ___ $90,000

TOTAL - $406,926.00

+ 10% OF TOTAL - $40,692.00

BOND AMOUNT - $447,618.00
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## Action Request

I (we) request that the following action be taken:

- [x] Establish New Surety
- Request Final Inspection and Release of Surety
- Request Reduction of Surety Amount
- Request extension of surety for (1) year
- Request Maintenance Bond
  
(Please provide proof of difficulty below)

**Explanation for Proof of Difficulty:**
FPL 667-2019: Submitted by Anderson, Delk, Epps & Associates for Campbells Station Annex. The property is located at the corner of Wall Street and Commonwealth Drive, zoned C-4 and contains approximately 2.41 acres. The applicant requests the re-subdivision of Lot 7, Campbell Station Annex and Lot 18, Pinnacle Commercial. Requested by Mark Lowrance.

Property Description and History: This property is located on the north-east corner of the intersection of Commonwealth Drive and Wall Street. Currently, Lot 7 and Lot 18 both front on Wall street with Lot 18 being a corner lot that also fronts Commonwealth Drive. Both lots are undeveloped.

Request: The applicant is requesting to modify the property lines so that two lots would front on Commonwealth Drive. The applicant is proposing to combine and reconfigure the two lots into a new 7A and 7B. Lot 7A would be the corner lot with frontage on both Commonwealth Drive and Wall Street. Lot 7B is proposed to be a narrow lot that is opposite the Shirebrook townhome project across the street.

Zoning: Staff is not aware of any future plans for the two properties. Lot 7B is proposed at 101.80' wide. As a commercial lot the property would be subject to the new landscape regulations of the UDC requiring a 10' landscape strip on all sides and the rear of the lot. The applicant needs to ensure that the lot is wide enough to be developed according to all code requirements as a variance from code requirements will not be supported.

Streets and Sidewalk: Both Wall Street and Commonwealth Drive are collector roads in the Major Thoroughfare Plan which is typically 75' right-of-way. Neither of these roads has 75'. Sidewalks are existing on Commonwealth Drive and extend up a portion of Wall Street. The applicant has shown a 5' pedestrian access easement for the remainder of the Wall Street frontage for a future sidewalk improvement at the time that the site is developed. Staff accepts the position that on-site development will provide for the future sidewalk, however, in lieu of a sidewalk easement, a right-of-way dedication of 5' is requested.

Access: As collector streets, staff recommends that access points to Commonwealth Drive and Wall Street be restricted to only one driveway access point for each road. Cross access is recommended that provides for a free and easy flow across the lots. Staff recommends that access to Wall Street be lined up with the northern access to the Shell station to the west. Access to Commonwealth should be aligned with the entrance to Shirebrook.

Area and Dimensional Standards: The proposed lots comply with the lot area and dimensional standards for the C-4 district.

Summary: The applicant met with staff to discuss the site and design issues. The following items shall be addressed prior to this item being heard at a Planning Commission voting meeting:
1. Replace the 5' pedestrian access easement with a dedication of 5' along Wall Street.
2. Show assigned addresses on the plat.
   a. Lot 7A will retain the original recorded 2099 Wall St address as indicated. An additional address of 2805 Commonwealth Dr could be utilized if plans submitted later indicate a Commonwealth address is warranted. Submitted plat has block for Commonwealth address.
   b. Lot 7B is assigned 2817 Commonwealth Dr.
3. Need to provide a voids and vacates note on the plat for the existing lot line between Lot 7 and Lot 18. Show on the plat drawing where the “previous lot line” wording is located.
4. Amend the Purpose Note to insert “new” between “2” and “Lots.”
5. Provide for cross access easements between Lots 7A and 7B.
6. Lot 7 shall not have its own access to Commonwealth Drive.
Spring Hill Planning Commission Work Session

TO: Spring Hill Planning Commission
FROM: Steve Foote, AICP, Planning Director
MEETING: June 24, 2019
SUBJECT: STP 668-2019 (Dartford Townhomes)

STP 668-2019: Submitted by Mullins, LLC for Dartford Townhomes. The property is located on Duplex Rd., zoned R-2 and contains approximately 16.9 acres. This item previously received site plan approval (STP 501-2018) at the May 2018 Planning Commission meeting. The applicant requests to modify the Site Plan approval. Requested by Eric Lane.

Property Description and History: This property is located in the Slayton Cove development (NCP 227-2016) which is south of Duplex Road and west of Port Royal Road. This phase of the development connects the Grand Reserve development to Duplex Road. A site plan was approved for this property in May of 2018 (STP 501-2018) for 57 town home units. The conditions of approval for this application are include below:

1. 25' wide landscape buffers shall be provided where the property abuts lower density zoning districts prior to the issuance of any permits and applicant shall minimize any tree disturbance within the landscape buffer.
2. Grand Avenue is a public street and shall be platted via a dedication plat to the city prior to the issuance of construction permits.
3. Suggest having lots 49-53 become 3 townhomes and making lots 21-23 a 5 townhome instead. Suggest adding parking spots there instead next to the new 3 townhomes. This way townhomes are in one county instead of two counties.
4. The conditions of NCP 227-2016 shall apply.
5. Site plan approval shall remain valid for a period of three (3) years, during which time all required permits shall be obtained.
6. Modification to the approved site plan may require Planning Commission approval.
7. On sheet 13A hardy board shall be added as the primary material.

Requested Site Plan Modification: The applicant is requesting to change the product type of the townhomes to better meet market demands. This involves widening the footprint of the units from 21.5” to 22”, reducing the length of the units from 49.5’ to 48’, modifying the elevations and overall footprints of the units, and moving one of the townhome units from one building grouping to another because the widening of the building caused a unit to encroach into an easement. The modifications are fairly minor in scope but the UDC requires that changes to the square footage require Planning Commission approval.

Access: The access to the site is not being requested to be modified through this application. The site is accessed via Duplex Road and the Grand Reserve Apartment complex to the south.

Parking and Loading: The applicant is providing the required parking for townhomes, which includes one guest parking space for every 8 units. The provided guest parking exceeds the required number of spaces, 7, by 5 additional spaces. The guest parking spaces are all located at the southern edge of the development per the original approval, although staff believes that they would better serve the residents if they were more evenly spread throughout the development. Since this application was previously approved this is only a suggestion.

Building and Site Design: The applicant has also submitted revised elevations. The applicant is submitting to carry over the design standards that were adopted with the previous site plan application. These include:

1. Units facing Duplex Road will be 85% Hardi or Brick up to the eave line
2. Interior units-fronts will be a minimum of 80% Cementous product (Brick, Stone, Cultured Stone, Hardi Plank), 24” brick water table on sides and rear.
3. Architectural shingles, vinyl windows for all units.
4. Aluminum Gutters
5. PVC or Fiberglass columns.

The elevations do not show a 24” brick water table on the side or rear elevations. Otherwise, the elevations are consistent with the previous approval.

**Landscaping and Buffering:** There is a 25’ landscape buffer on the west side boundary with the intent of buffering the abutting lower density residential zoning district (existing single-family neighborhood) and to provide for minimal tree disturbance. The applicant has indicated that no grading will occur in the 25’ landscape buffer in an effort to leave the buffer area undisturbed. This has been noted on the plans.

**Bicycle and Greenway Plan:** Duplex Road is a designated Multi-Use trail route in the Bicycle and Greenway Plan. The applicant was not required to construct or pay a fee-in-lieu of for the trail as indicated in the STP 501-2018 staff report.

**Summary:** The applicant met with staff to discuss the site and design issues on April 10, 2019. The following items shall be addressed or considered prior to this item being heard at a Planning Commission voting meeting:

1. Amend the elevations to show a 24” brick water table on the side and rear elevations.
FLOOR LAYOUTS
ELEVATIONS
FACADE NOTES:
- UNITS FACING DUPLEX WILL BE 85% HARDI OR BRICK UP TO THE EAVE LINE
- INTERIOR UNITS-FRONT WILL BE A MINIMUM OF 80% CEMENTOUS PRODUCT (BRICK, STONE, CULTURED STONE, HARDI PLANK), 24" BRICK WATER TABLE ON SIDES AND REAR
- ARCHITECTURAL SHINGLES, VINYL WINDOWS FOR ALL UNITS
- ALUMINUM GUTTERS
- PVC OR FIBERGLASS COLUMNS

RENDERINGS
ANX 701-2019: Submitted by Mark Paris for 2154 Lewisburg Pike (Franklin, TN). The property contains approximately 71.5 acres. The applicant requests Annexation into the City of Spring Hill. Requested by Mark Paris.

**Property Description and History:** This property is west of Lewisburg Pike and south of the Brienz Valley subdivision. The property is contiguous to the City’s limits via the recently annexed Crutcher property (4465 Peytonsville Road) just east of I-65. The property does not lie within the City’s established urban growth boundary and will therefore require a referendum to be annexed. There currently exist one single-family home on the property. This property will serve as part of the road access between the proposed I-65 interchange at Buckner Road and Lewisburg Pike.

**Access:** Primary access to the site today is via Lewisburg Pike.

**Plan of Services:** Staff has prepared a Plan of Services (Exhibit A) in coordination with all applicable city departments. This document is included in your packet for review. This plan of services was reviewed by all applicable departments following submittal of the current annexation request.

**Utilities:** Public sanitary sewer service is not directly available to the property. The property owner/developer shall be solely responsible for extending sanitary sewer service to the property. The property owner/developer shall be solely responsible for extending water service to the property and any required Water Main extensions. These services are addressed more fully in the attached plan of services. Water service in the area is by the Hillsboro and Thompsons Station Utility District.

**Land Use and Zoning:** Upon annexation, the zoning classification will be designated as AG, Agricultural, until Planning Commission consideration and Board of Mayor and Aldermen approval of a rezoning request, should one be submitted.

**Spring Hill Rising: 2040:** The Spring Hill Rising: 2040 comprehensive plan splits the property into Residential Neighborhood Area and Mixed-Use Neighborhood Area. Residential Neighborhood Areas are primarily residential and encourage a traditional neighborhood development that incorporates low-intensity nonresidential uses intended to serve the surround neighborhood on corners and along connecting corridors. Mixed-Use Neighborhood Areas are primarily residential but may include low to moderate intensity balanced mixture of retail and office uses based on traditional, compact small-town form, offering Spring Hill the ability to live, shop, work, and play in their own neighborhood.

**Summary:** Staff met with the applicant and discussed the project on June 12, 2019 and have no items to be addressed at this time.
RESOLUTION 19-

A RESOLUTION CALLING FOR A REFERENDUM TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE THE SAME WITHIN THE BOUNDARIES OF THE CITY OF SPRING HILL, TENNESSEE, AND TO APPROVE A PLAN OF SERVICES FOR THE PARIS PROPERTY, WILLIAMSON COUNTY TAX MAP 165, PARCEL 004.00, CONSISTING OF APPROXIMATELY 71.59 ACRES

(ANX 701-2019, 2154 LEWISBURG PIKE)

WHEREAS, the City of Spring Hill, Tennessee, in response to a request for annexation, proposes the extension of its corporate limits by the annexation of certain territory adjoining its existing boundaries and outside its Urban Growth Boundary by referendum; and

WHEREAS, the statutory posting and publication requirements for the proposed annexation of the territory by referendum and the plan of services, including review and recommendation by the Spring Hill Municipal Planning Commission on July 8, 2019 have been fully met; and

WHEREAS, a public hearing on the proposed annexation was held by this governing body on August 19, 2019; and

WHEREAS, a plan of services for the area proposed for annexation is attached as Exhibit A hereto, which plan of services addresses the same service and timing of services as required in Tennessee Code Annotated § 6-51-102, as amended.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Mayor and Aldermen for the City of Spring Hill, Tennessee as follows:

A. That the Williamson County Election Commission is hereby requested to conduct a referendum election for annexation of territory into the boundaries of the City of Spring Hill, Tennessee, for qualified voters within the subject territory, to wit:

Williamson County Tax Map 165, Parcel 004.00, consisting of 71.59 acres, located at 2154 Lewisburg Pike, on the east side of Interstate 65, owned by Charles and Helen Paris (shown on Exhibit B attached hereto)

B. That the plan of services for this territory which is attached as Exhibit A hereto is approved and the same is hereby adopted, becoming operative thirty (30) days following certification by the election commission that the annexation was approved.

C. That the City Recorder shall cause a copy of this resolution, as well as the adopted plan of services, to be forwarded to the Mayor of Williamson County.

D. That a copy of the election certification shall be sent to the Mayor of Williamson County upon receipt from the election commission.
E. That a copy of this resolution shall be recorded with the Williamson County Register of Deeds, and a copy shall also be sent to the Tennessee Comptroller of the Treasury and the Williamson County Assessor of Property, following certification by the election commission that the annexation was approved.

F. That a copy of this resolution, as well as the portion of the plan of services related to emergency services and a detailed map of the annexed area, shall be sent to any affected emergency communication district, following certification by the election commission that the annexation was approved.

G. That a revised map of the voting precincts shall be sent to the office of local government and to the office of management information services for the Tennessee General Assembly, following certification by the election commission that the annexation was approved.

H. That the Tennessee Department of Revenue shall be notified, for the purpose of tax administration that the annexation took place.

WHEREUPON, the Mayor declared the Resolution adopted, affixed a signature and the date thereto, and directed that the same be recorded.

______________________________
Rick Graham, Mayor
Date: _________________________

ATTEST:

______________________________
April Goad, City Recorder

Approved as to Form and Legality this ___ day of _________, 2019:

______________________________
Patrick Carter, City Attorney
Police Protection: The location of the parcel creates significant challenges for the Police Department to provide timely emergency response, especially during AM and PM peak traffic periods when congestion on Buckner Lane, Buckner Road and Thompsons Station Road may reduce travel time. Response time will remain significantly impacted until such time as the construction of the Buckner Road Interchange and connector roads has been completed along with widening of Buckner Lane.

The parcel shall be subject to and benefit from City police protection upon the effective date of annexation. These services include, but are not limited to, patrolling, response calls for service, crime prevention services, traffic control and other routine police services. Radio operations are normal and uninhibited within the area. Based on the current use of the property (a single-family residence) services will be provided using existing personnel and equipment. In the event the property redevelops more intensively prior to the completion of the Buckner Road Interchange, consideration by the City must be given to the adequacy of response time and the likely need for additional personnel and equipment that can be assigned to this part of the community to provide more timely emergency response.

Fire Protection: The parcel is currently not served by a fire hydrant within 500 feet of structures including a residence situated on the property. The closest available hydrant is located in the nearby residential neighborhood but is not accessible via standard hose lay to serve as a viable source for fire flow. In order to properly respond to a fire emergency to the subject property, a tanker truck will be necessary. The City of Spring Hill currently does not have a tanker truck in its fleet of fire apparatus. As a result of this hydrant and tanker truck deficiency, the City of Spring Hill will need to rely upon mutual aid in the event of a structure fire. To address this deficiency in part, the property owner shall install within a period of 90 days following the effective date of annexation a fire hydrant located within five hundred (500) feet of all structures located on the property which would allow the Spring Hill Fire Department the ability to utilize existing equipment. The City of Spring Hill will assume primary responsibility for Fire Protection immediately upon the effective date of annexation, with mutual assistance provided by Williamson County Rescue Squad and Flat Creek Volunteer Fire Department.

The nearest fire station serving the subject property is located at Campbell Station. Response time during AM and PM peak travel periods is estimated to be approximately 10 minutes or longer than standard response times for property located on the west side of Interstate 65. Travel response time will improve with the construction of the Buckner Road Interchange and the widening of Buckner Lane. Response time will also improve with the construction of Fire Station No. 4 located at the intersection of Duplex Road and Buckner Lane.

In the event the property redevelops more intensively prior to the completion of the Buckner Road Interchange and connector roads as well as the widening of Buckner Lane and the construction of Fire Station No. 4, consideration by the City must be given to the adequacy of response time and the likely need for additional personnel and specialized equipment that can be assigned to this part

ANX 701 Plan of Services Exhibit A
of the community to provide more timely emergency response. The property owner/developer at a minimum shall be required to extend and provide appropriately sized water mains and/or fire hydrants to serve the site according to City of Spring Hill standards.

Emergency Medical Services (EMS) is provided by contract through the City of Spring Hill and will be available to the property upon the effective date of annexation. Other services provided through Mutual Aid may apply.

Additionally, fire inspection services provided through the City's Fire Marshal and Fire Investigation offices will be available upon the effective date of annexation.

**Electrical Service:** For domestic and commercial use electrical service is already and will continue to be provided by Middle Tennessee EMC.

**Public Water Service:** Public water service in the vicinity will not be provided by the City of Spring Hill Water Systems. Hillsboro and Thompson Station Utility District (HBTS) will serve Public Water Service to the area. The property owner/developer shall be solely responsible for extending water service to the property and any required water main extensions. All utility installations shall be in compliance with applicable State of Tennessee and City of Spring Hill standards. Water modeling needs to be performed prior to development approval or rezoning of the site to ensure that adequate domestic water and fire protection can be served to the property.

**Public Sanitary Sewer Service:** The property is currently served by a subsurface sewerage disposal (septic) system. Public sanitary sewer service is not directly available to the property. The property owner/developer shall be solely responsible for extending public sanitary sewer service to the property and any required extension shall be designed and constructed in compliance with City of Spring Hill standards and specifications. Prior to the extension of sewer services to the property, the property owner shall conduct a sewer capacity study in cooperation with the City to confirm sufficient capacity exists to serve the property within the City's collection system and sewer treatment plant. Any upgrades or improvements in the sewer collection system and/or sewer treatment plant required in order to serve the property shall be the responsibility of the property owner in cooperation with the City. Should sewer service become available to the site, all existing structures served by subsurface sewerage disposal (septic) system shall abandon said system and a connection made to the public sewer system at property owner expense. All inside city sanitary sewer user rates and charges shall be applicable to the property upon provision of public sewer to the property.

**Solid Waste Collection:** Spring Hill currently provides its businesses and residents refuse collection services via a city-wide contract with a private solid waste collection company. Residential collection may include recycling for single family dwellings. Yard and bulky waste collection services are also provided the City. These services will be extended upon request by the property owner to the City and its provider to the annexed area within 90 days of receiving written request for said services from the property owner.

**Road and Street Construction and Repair:** The annexation does not include the annexation of any portion of Lewisburg Pike. Should the property owner develop the parcel in a manner that includes the construction of streets and related improvements, such streets and related improvements shall be designed and constructed in accordance with City standards and
specifications. If any new public streets are constructed and appropriately dedicated in accordance with City standards on the property, the City will provide ongoing and routine maintenance similar to other streets within the jurisdiction of the City.

Signs and Lighting: The annexation does not include the annexation of any street lighting located along Lewisburg Pike. Additionally, should new streets be developed within the site, traffic control and directional signage as well as street lighting will be required and shall be furnished and installed by the property owner/developer according to established City standards and specifications.

Recreational Facilities and Programs: There are two known dwellings on the three properties proposed for annexation. All of the recreational areas and programs, current or future, provided for City residents will be made available upon the effective date of annexation to any current or future residents of the annexed area in the same manner as current citizens of the City of Spring Hill.

Planning and Zoning Services: The City's planning and zoning jurisdiction will be extended to the annexed area upon the effective date of annexation. When a property is annexed into the city, it is automatically zoned as AG, Agricultural. The Future Land Use Designation of the property on the 2040 Spring Hill Rising plan is Mixed Use Neighborhood Area and Residential Neighborhood Area.

Storm Water and Drainage: The City of Spring Hill operates a Storm Water program in accordance with Tennessee Department of Environment and Conservation (TDEC) requiring the management of all storm water discharge within its jurisdiction. Annexation of the area expands the program into the annexed area thus making it subject to the current rules and regulations of TDEC pertaining to storm water runoff and discharge. All storm water user rates and charges inside city shall be applicable to the area inside the annexation area.

Inspection/Code Enforcement: The City of Spring Hill Codes Department provides plan review services, inspection and code enforcement services (i.e. building, plumbing, gas and unsafe building services, land use (zoning) and development, including flood plain NFIP/FEMA requirements, neighborhood services for housing, litter, overgrowth, illegal dumping) to all areas of the City of Spring Hill. These same services will be provided to the newly annexed area immediately upon the effective date of annexation.

Animal Control: The City of Spring Hill does not provide Animal Control. For the subject property Spring Hill relies on Williamson County for this service.

Schools: The entire annexation area is served by Williamson County Schools.

Library: The City of Spring Hill public library will be available to residents of the property upon the effective date of annexation.
This sheet is an Exhibit to Resolution No. _______ 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 annexed 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 71.59 acres of Williamson County Tax Map 165, Parcel 004.00

April Goad  
City Recorder  
City of Spring Hill
ANX 702-2019: Submitted by John Thoni for 2146 Lewisburg Pike (Franklin, TN). The property contains approximately 75 acres. The applicant requests annexation into the City of Spring Hill. Requested by John Thoni.

Property Description and History: This property is west of Lewisburg Pike and abuts the Brienz Valley subdivision to the north. There is a small cemetery at the end of Brienz Valley Drive and is interior to the subject property. The property is contiguous to the City’s limits via the recently annexed Crutcher property (4465 Peytonsville Road) just east of I-65. The property does not lie within the City’s established urban growth boundary and will therefore require a referendum to be annexed. No residential dwellings exist on the site. The property will serve as the access route from the proposed I-65 interchange to Lewisburg Pike.

Access: Primary access to the site today is via Lewisburg Pike.

Plan of Services: Staff has prepared a Plan of Services (Exhibit A) in coordination with all applicable city departments. This document is included in your packet for your review. This plan of services was reviewed by all applicable departments following submittal of the current annexation request.

Utilities: Public sanitary sewer service is not directly available to the property. The property owner/developer shall be solely responsible for extending sanitary sewer service to the property. The property owner/developer shall be solely responsible for extending water service to the property and any required Water Main extensions. These services are addressed more fully in the attached plan of services. Water service in the area is by Hillsboro and Thompsons Station Utility District.

Land Use and Zoning: Upon annexation, the zoning classification will be designated as AG, Agricultural, until Planning Commission consideration and Board of Mayor and Aldermen approval of a rezoning request, should one be submitted.

Spring Hill Rising: 2040: The Spring Hill Rising: 2040 comprehensive plan splits the property into Residential Neighborhood Area and Mixed-Use Neighborhood Area. Residential Neighborhood Areas are primarily residential and encourage a traditional neighborhood development that incorporates low-intensity nonresidential uses intended to serve the surround neighborhood on corners and along connecting corridors. Mixed-Use Neighborhood Areas are primarily residential but may include low to moderate intensity balanced mixture of retail and office uses based on traditional, compact small-town form, offering Spring Hill the ability to live, shop, work, and play in their own neighborhood.

Summary: Staff met with the applicant and discussed the project on June 12, 2019 and have no items to be addressed at this time.
A RESOLUTION CALLING FOR A REFERENDUM TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE THE SAME WITHIN THE BOUNDARIES OF THE CITY OF SPRING HILL, TENNESSEE, AND TO APPROVE A PLAN OF SERVICES FOR THE HAZELWOOD & PADGETT PROPERTY, WILLIAMSON COUNTY TAX MAP 165, PARCEL 003.00, CONSISTING OF APPROXIMATELY 75+/- ACRES

(ANX 702-2019, 2146 LEWISBURG PIKE)

WHEREAS, the City of Spring Hill, Tennessee, in response to a request for annexation, proposes the extension of its corporate limits by the annexation of certain territory adjoining its existing boundaries and outside its Urban Growth Boundary by referendum; and

WHEREAS, the statutory posting and publication requirements for the proposed annexation of the territory by referendum and the plan of services, including review and recommendation by the Spring Hill Municipal Planning Commission on July 8, 2019 have been fully met; and

WHEREAS, a public hearing on the proposed annexation was held by this governing body on August 19, 2019; and

WHEREAS, a plan of services for the area proposed for annexation is attached as Exhibit A hereto, which plan of services addresses the same service and timing of services as required in Tennessee Code Annotated § 6-51-102, as amended.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Mayor and Aldermen for the City of Spring Hill, Tennessee as follows:

A. That the Williamson County Election Commission is hereby requested to conduct a referendum election for annexation of territory into the boundaries of the City of Spring Hill, Tennessee, for qualified voters within the subject territory, to wit:

Williamson County Tax Map 165, Parcel 003.00, consisting of 75+/- acres, located at 2146 Lewisburg Pike, on the east side of Interstate 65, owned by Harold Hazelwood and Doris Padgett (shown on Exhibit B attached hereto)

B. That the plan of services for this territory which is attached as Exhibit A hereto is approved and the same is hereby adopted, becoming operative thirty (30) days following certification by the election commission that the annexation was approved.

C. That the City Recorder shall cause a copy of this resolution, as well as the adopted plan of services, to be forwarded to the Mayor of Williamson County.

D. That a copy of the election certification shall be sent to the Mayor of Williamson County upon receipt from the election commission.
E. That a copy of this resolution shall be recorded with the Williamson County Register of Deeds, and a copy shall also be sent to the Tennessee Comptroller of the Treasury and the Williamson County Assessor of Property, following certification by the election commission that the annexation was approved.

F. That a copy of this resolution, as well as the portion of the plan of services related to emergency services and a detailed map of the annexed area, shall be sent to any affected emergency communication district, following certification by the election commission that the annexation was approved.

G. That a revised map of the voting precincts shall be sent to the office of local government and to the office of management information services for the Tennessee General Assembly, following certification by the election commission that the annexation was approved.

H. That the Tennessee Department of Revenue shall be notified, for the purpose of tax administration that the annexation took place.

WHEREUPON, the Mayor declared the Resolution adopted, affixed a signature and the date thereto, and directed that the same be recorded.

____________________________
Rick Graham, Mayor

Date: ______________________

ATTEST:

____________________________
April Goad, City Recorder

Approved as to Form and Legality this _____ day of __________, 2019:

____________________________
Patrick Carter, City Attorney
EXHIBIT A

PLAN OF SERVICES FOR ANX 702-2019
2146 LEWISBURG PIKE

Williamson County Tax Map 165 Parcel 003.00, consisting of 75+/- acres located on the east side of Interstate 65, owned by Harold Hazelwood and Doris Padgett

Police Protection: The location of the parcel creates significant challenges for the Police Department to provide timely emergency response, especially during AM and PM peak traffic periods when congestion on Buckner Lane, Buckner Road and Thompkins Station Road may reduce travel time. Response time will remain significantly impacted until such time as the construction of the Buckner Road Interchange and connector roads has been completed along with widening of Buckner Lane.

The parcel(s) shall be subject to and benefit from City police protection upon the effective date of annexation. These services include, but are not limited to, patrolling, response calls for service, crime prevention services, traffic control and other routine police services. Radio operations are normal and uninhibited within the area. Based on the current use of the property (vacant) services will be provided using existing personnel and equipment. In the event the property redevelops more intensively prior to the completion of the Buckner Road Interchange, consideration by the City must be given to the adequacy of response time and the likely need for additional personnel and equipment that can be assigned to this part of the community to provide more timely emergency response.

Fire Protection: The parcel is currently not served by a fire hydrant within 500 feet of structures including a residence situated on the property. The closest available hydrant is located in the nearby residential neighborhood but is not accessible via standard hose lay to serve as a viable source for fire flow. In order to properly respond to a fire emergency to the subject property, a tanker truck will be necessary. The City of Spring Hill currently does not have a tanker truck in its fleet of fire apparatus. As a result of this hydrant and tanker truck deficiency, the City of Spring Hill will need to rely upon mutual aid in the event of a structure fire. To address this deficiency in part, the property owner shall install within a period of 90 days following the effective date of annexation a fire hydrant located within five hundred (500) feet of all structures located on the property which would allow the Spring Hill Fire Department the ability to utilize existing equipment. The City of Spring Hill will assume primary responsibility for Fire Protection immediately upon the effective date of annexation, with mutual assistance provided by Williamson County Rescue Squad and Flat Creek Volunteer Fire Department.

The nearest fire station serving the subject property is located at Campbell Station. Response time during AM and PM peak travel periods is estimated to be approximately 10 minutes or longer than standard response times for property located on the west side of Interstate 65. Travel response time will improve with the construction of the Buckner Road Interchange and the widening of Buckner Lane. Response time will also improve with the construction of Fire Station No. 4 located at the intersection of Duplex Road and Buckner Lane.

In the event the property redevelops more intensively prior to the completion of the Buckner Road Interchange and connector roads as well as the widening of Buckner Lane and the construction of Fire Station No. 4, consideration by the City must be given to the adequacy of response time and
the likely need for additional personnel and specialized equipment that can be assigned to this part of the community to provide more timely emergency response. The property owner/developer at a minimum shall be required to extend and provide appropriately sized water mains and/or fire hydrants to serve the site according to City of Spring Hill standards.

Emergency Medical Services (EMS) is provided by contract through the City of Spring Hill and will be available to the property upon the effective date of annexation. Other services provided through Mutual Aid may apply.

Additionally, fire inspection services provided through the City's Fire Marshal and Fire Investigation offices will be available upon the effective date of annexation.

**Electrical Service:** For domestic and commercial use electrical service is already and will continue to be provided by Middle Tennessee EMC.

**Public Water Service:** Public water service in the vicinity will not be provided by the City of Spring Hill Water Systems. Hillsboro and Thompson Station Utility District (HBTS) will serve Public Water Service to the area. The property owner/developer shall be solely responsible for extending water service to the property and any required water main extensions. All utility installations shall be in compliance with applicable State of Tennessee and City of Spring Hill standards. Water modeling needs to be performed prior to development approval or rezoning of the site to ensure that adequate domestic water and fire protection can be served to the property.

**Public Sanitary Sewer Service:** The property is currently served by a subsurface sewerage disposal (septic) system. Public sanitary sewer service is not directly available to the property. The property owner/developer shall be solely responsible for extending public sanitary sewer service to the property and any required extension shall be designed and constructed in compliance with City of Spring Hill standards and specifications. Prior to the extension of sewer services to the property, the property owner shall conduct a sewer capacity study in cooperation with the City to confirm sufficient capacity exists to serve the property within the City's collection system and sewer treatment plant. Any upgrades or improvements in the sewer collection system and/or sewer treatment plant required in order to serve the property shall be the responsibility of the property owner in cooperation with the City. Should sewer service become available to the site, all existing structures served by subsurface sewerage disposal (septic) system shall abandon said system and a connection made to the public sewer system at property owner expense. All inside city sanitary sewer user rates and charges shall be applicable to the property upon provision of public sewer to the property.

**Solid Waste Collection:** Spring Hill currently provides its businesses and residents refuse collection services via a city-wide contract with a private solid waste collection company. Residential collection may include recycling for single family dwellings. Yard and bulky waste collection services are also provided the City. These services will be extended upon request by the property owner to the City and its provider to the annexed area within 90 days of receiving written request for said services from the property owner.

**Road and Street Construction and Repair:** The annexation does not include the annexation of any portion of Lewisburg Pike. Should the property owner develop the parcel in a manner that includes the construction of streets and related improvements, such streets and related
improvements shall be designed and constructed in accordance with City standards and specifications. If any new public streets are constructed and appropriately dedicated in accordance with City standards on the property, the City will provide ongoing and routine maintenance similar to other streets within the jurisdiction of the City.

**Signs and Lighting:** The annexation does not include the annexation of any street lighting located along Lewisburg Pike. Additionally, should new streets be developed within the site, traffic control and directional signage as well as street lighting will be required and shall be furnished and installed by the property owner/developer according to established City standards and specifications.

**Recreational Facilities and Programs:** There are two known dwellings on the three properties proposed for annexation. All of the recreational areas and programs, current or future, provided for City residents will be made available upon the effective date of annexation to any current or future residents of the annexed area in the same manner as current citizens of the City of Spring Hill.

**Planning and Zoning Services:** The City's planning and zoning jurisdiction will be extended to the annexed area upon the effective date of annexation. When a property is annexed into the city, it is automatically zoned as AG, Agricultural. The Future Land Use Designation of the property on the 2040 Spring Hill Rising plan is Mixed Use Neighborhood Area and Residential Neighborhood Area.

**Storm Water and Drainage:** The City of Spring Hill operates a Storm Water program in accordance with Tennessee Department of Environment and Conservation (TDEC) requiring the management of all storm water discharge within its jurisdiction. Annexation of the area expands the program into the annexed area thus making it subject to the current rules and regulations of TDEC pertaining to storm water runoff and discharge. All storm water user rates and charges inside city shall be applicable to the area inside the annexation area.

**Inspection/Code Enforcement:** The City of Spring Hill Codes Department provides plan review services, inspection and code enforcement services (i.e. building, plumbing, gas and unsafe building services, land use (zoning) and development, including flood plain NFIP/FEMA requirements, neighborhood services for housing, litter, overgrowth, illegal dumping) to all areas of the City of Spring Hill. These same services will be provided to the newly annexed area immediately upon the effective date of annexation.

**Animal Control:** The City of Spring Hill does not provide Animal Control. For the subject property Spring Hill relies on Williamson County for this service.

**Schools:** The entire annexation area is served by Williamson County Schools.

**Library:** The City of Spring Hill public library will be available to residents of the property upon the effective date of annexation.
ANNEXATION OF HAZELWOOD & PADGETT PROPERTY
CONSISTING OF ± 75.00 ACRES AND
CURRENTLY KNOWN AS WILLIAMSON COUNTY TAX MAP 165, PARCEL 003.00

This sheet is an Exhibit to Resolution No. _______ 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 annexed 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 ± 75.00 acres of Williamson County Tax Map 165, Parcel 003.00
TO: Spring Hill Planning Commission
FROM: Steve Foote, AICP, Planning Director
MEETING: June 24, 2019
SUBJECT: NCP 703-2019 (Bluebird Hollow at Autumn Ridge)

NCP 703-2019: Submitted by Anderson, Delk, Epps and Associates for Bluebird Hollow at Autumn Ridge. The property is located off of Depot Street, Belle Drive and Witt Way Drive. The property is zoned R-4 and contains approximately 34.45 acres. BOMA approved a rezone for this property on May 20, 2019 (RZN 633). The applicant requests neighborhood concept plan review and comment for a residential community consisting of 112 single-family lots. Requested by Joe Epps.

Property Description and History: This property is located on Depot street with its north/western boarder abutting the CSX railway and its eastern boarder abuts the Autumn Ridge and the Rubens Landing subdivision. The property has traditionally been shown as part of the Autumn Ridge master plan. In 2015 a rezoning application (RZN 48-2015) was submitted by Anderson, Delk, Epps & Associates to rezone the property from R-2 to R-6. Following the presentation of the application at the September 8, 2015 BOMA Work Session, the request was withdrawn on September 21, 2015. The property was then the subject of a rezoning request (RZN 633-2019) in February of 2019. The Planning Commission recommended denial of the application and the Board of Mayor and Alderman voted to adopt the rezoning application at the May 20, 2019 meeting.

During the review of the rezoning request, staff had recommended that a transitional row of lots be provided adjacent to all abutting R-2, 10,000 sq. ft. lots. Discussion at the Board of Mayor and Alderman meeting included the opportunity to provide for this transitioning during subdivision review. The minimum lot size is proposed as 6,000 sq. ft. and does not included transition lots. The typical lot abutting Ruben’s Landing is 6,500 sq. ft.

Building and Site Design: The applicant is requesting neighborhood concept plan for 112 single-family lots. The lots near Depot Street are mostly 50’ x 130’ and transition to 60’ x 130’ as you approach the Autumn Ridge Subdivision. The larger lots are similar to the Autumn Ridge subdivision in that they are front-loaded and oriented towards a public street. The smaller of the lot styles are rear-loaded via alley access. Many of the alley access lots are oriented towards the rear yards of homes in Ruben’s Landing (Alley C). A sidewalk and buffer strip is provided as separation between these units. Staff is concerned regarding the design and layout of these units facing existing homes in Ruben’s Landing. It is recommended that the unimproved right-of-way from Golden Court be improved and connect into Bluebird Hollow in a manner that permits lots 86-96 to face internally. The applicant is not required to provided elevations of the buildings at time of neighborhood concept plan application. These will be reviewed at Preliminary Plat.

Road ‘A’ terminates into a garage on the back of unit 83. Staff recommends that these three lots be adjusted to avoid this long straight view into this lot.

Access: The site is accessed via Depot Street and by three roads that are currently stubbed out in the Autumn Ridge subdivision. One of these is Gadwall Lane, which is classified as a Collector Road, and the other two Autumn Ridge access points are local roads. Inside the development, there are three (3) alleys that are private and connect into Gadwall Lane.

Parking: The applicant is not required to provide any on-street or guest parking for the single-family homes and there is no amenity center that would require parking.

Streets and Sidewalk: The applicant is proposing to extend a collector road and provide the required 75’ Right-of-Way. This roadway will have a sidewalk on the east side of the road and a greenway on the west side of the trail. The site contains several local roads and are showing 50’ of Right-of-Way and 5’ sidewalks on both sides of these streets. The alley
loaded lots are providing 20’ public alleys with a sidewalk network on the front side of these units. The applicant is proposing to have the sidewalks tie into Autumn Ridge’s existing sidewalk network.

**Bulk and Area Requirements:** The proposal is compliant with the bulk and area requirements of the R-4 zoning district.

**Bicycle and Greenway Plan:** Gadwall Lane/CSX Railroad corridor is designated as a greenway route in the Bike and Greenway Plan. The applicant is proposing a 10’ wide Greenway trail on the west side of Gadwall Lane, between the street and railroad, from Depot Street to the northern limits of the property. Staff suggests that this path be routed back to the Gadwall Lane frontage as it transitions from the common area to Lot 22. This realignment should also transition the width to 5’ prior to crossing Lot 22.

**Landscaping and Buffering:** The applicant is proposing a 25’ landscape buffer in places on the eastern property line, between the Autumn Ridge and the Ruben’s Landing subdivision, where the proposed rear-loaded lots are in close proximity to the boundary line. The rear-loaded lots will be oriented towards the abutting subdivisions and the landscape buffer aims to mitigate the impacts of this project abutting the neighboring single-family homes. The applicant is proposing to maintain existing landscaping along some boundary lines to enhance privacy. The plans provide for a 25’ landscape buffer along Depot Street and a 25’ landscape easement (without any plantings) between the subject property and the Autumn Ridge subdivision. Staff suggests that these buffer areas should include landscape plantings.

**Summary:** The applicant met with Staff on June 12, 2019 to discuss the project. The following items should be address prior to the regular meeting:

1. Show existing vegetation and proposed limits of disturbance along exterior boundaries with existing vegetation.
2. Where fencing is proposed, identify it as ‘existing’ or ‘proposed’.
3. Landscaping is recommended in the easements between Autumn Ridge and this subdivision and between Lots 83-96 and 99-112 and Ruben’s Landing.
4. Connect internal sidewalks on Witt Way to existing sidewalks in Autumn Ridge. Both subdivisions are being developed by the same developer.
5. Rename alleys as A, B, and C, not B, C, and D. Road ‘A’ should be named. Names will be required at preliminary plat.
6. Staff suggests that this path be routed back to the Gadwall Lane frontage as it transitions from the common area to Lot 22. This realignment should also transition the width to 5’ prior to crossing Lot 25.
7. Adjust lots 83-85 to avoid the termination of Road A into Lot 83.
8. It is recommended that the unimproved right-of-way from Golden Court (in Ruben’s Landing) be improved and connect into Bluebird Hollow in a manner that permits lots 86-96 to face internally.
9. Transitional lots are recommended.
10. Provide a modified Traffic Impact Analysis (TIA) to the City at the time of preliminary plat submittal that would provide trip generation numbers that the City can use to determine the appropriate intersection traffic controls. The City does however, reserve the right to require a full TIA in the future if warranted.
11. No parking shall be allowed on Gadwall Lane and signed accordingly or traffic calming measures shall be considered.
12. A 5-foot wide concrete sidewalk shall be installed along the frontage of Lots 22 through 25, inclusive, incorporating a 5-foot wide grass terrace area between the concrete curb and gutter and concrete sidewalk.
13. The 5-foot wide concrete sidewalk shall transition to a 10-wide concrete multi-use trail along the frontage of the Activity Area incorporating a 5-foot wide grass terrace area between the concrete curb and gutter and concrete sidewalk.
14. A 10-foot wide concrete multi-use trail shall be installed on the west side of Gadwall Lane from the Activity Area to Depot Street incorporating a 5-foot wide grass terrace area between the concrete curb and gutter and concrete sidewalk.
Neighborhood Concept Plan - Landscape

Bluebird Hollow at Autumn Ridge

R4 Residential
6th County Commission District, Maury County
4th Civil District, Williamson County
Spring Hill, Tennessee

Developer
Don R. Cameron, III
DATE: 05-30-19; SCALE: 1" = 50'
Anderson, Del & Assoc., Inc.

Legend
- Proposed Perimeter Landscape A
- Proposed Perimeter Landscape B
- Proposed On-Site Trees
- Proposed Trees in Open Space
- Existing Tree Heads

1. Landscape buffer yards are not required for this project, per the Ordinance.
2. Unlike of grading and existing trees to remain will be shown in the Preliminary Plat Submittal. Existing trees will be retained by the greatest feasible plan.
3. Existing trees to be retained shall be protected with a tree protection fence. The tree protection fence, excavation and fence detail will be shown in the Preliminary Plat Submittal.
4. Significant evergreen trees, 12 inches in diameter in diameter or higher, and deciduous trees, 6" in diameter and greater in diameter or higher, shall be retained by the developer.
5. Proposed trees and shrubs will be selected from City of Spring Hill Zoning Ordinance, Appendix A, Recommended Plant List.
6. One on-site tree shall be required for each single family unit, as shown on the plat, and shall be located within the first 15 feet of the front yard.
7. Plant diversity shall conform to Table 1.1.1 of Article 11, Landscapes of the City of Spring Hill Subdivision Ordinance. The developer will provide a list of deciduous and native trees and planting in open spaces.
Bluebird Hollow at Autumn Ridge

Neighborhood Concept Plan - Landscape

Sheet 3 of 4

R4 Residential
6th County Commission District, Maury County
4th Civil District, Williamson County
Spring Hill, Tennessee

Developer
Don R. Cameron, III
DATE 05-30-18; SCALE 1" = 50'

Addams, Don, Ray & Associates, Inc.

LANDSCAPE 3 OF 3
Perimeter Landscape "A" Plan -- Typical 100'

1. All plant materials shall conform to the American Standard for Nursery Stock, ANSI Z60.1 or current edition. Plant installation shall conform to landscape construction best practices.

2. Existing trees of any size may replace trees proposed in Perimeter Landscape Areas "A" and "B" on a one-to-one basis.

3. Evergreen trees shall have a minimum height of 6 feet.

4. Shade trees shall have a 4-foot clear trunk and a minimum caliper of 3 inches.

5. Single trunk ornamental trees shall have a minimum trunk caliper of 2.5 inches. Multiple trunk ornamental trees shall have a minimum height of 6 feet.

6. Shrubs, evergreen or deciduous shall have a minimum height of 30 inches.

7. The shrubs in Landscape Perimeter "A" shall be a minimum of 50 percent evergreen.

LANDSCAPE DETAILS
SPC 704-2019: Submitted by Donnie Buford for Connection Hill Primitive Baptist Church. The property is located at 2760 Buckner Lane, zoned R-2 and contains approximately 10.5 acres. This item was approved by PC in 2014, but no construction occurred and the site plan approval expired. The applicant requests site plan concept review and comment for phase 1 of the Connection Hill Primitive Baptist Church. Requested by Donnie Buford.

Property Description and History: This property is on the east side of Buckner Lane and is south of Spring Station Drive and directly east of the Glennmont subdivision. The applicant is resubmitting the same plans for a church that received approval in 2014. The new submittal is being reviewed under the new Unified Development Code and is subject to all new regulations.

Phasing: The applicant is requesting to have the entirety of the future expansion plans reviewed at this time. The solid line areas are the improvements that the applicant is intending to initially build and the hatched lines are future phases. Since ‘Concept’ plan is voluntary, the submittal of this plan is acceptable to serve for both Phase 1 and Phase 2. Formal site plan may be required for each phase.

Access: The applicant is proposing two access points from Buckner Lane. Buckner Lane is an Arterial Street and the access points should be limited to the minimum number and width necessary. The proposed access points are a satisfactory distance from other intersections on the same side of Buckner Lane and the northern driveway is in alignment with an access point to Glennmont subdivision on the west side of Buckner Lane and is in Phase 2.

Parking and Loading: The applicant is showing parking for the Place of Worship use of the building. The site data table needs to include the code requirement for parking; minimum required and provided, with math shown.

Streets and Sidewalks: The applicant is dedicating Right-of-Way to bring the area from the centerline up to the required 47.5' for an Arterial Road.

Bicycle and Greenway Plan: Buckner Lane is a designated multi-use trail route in the Spring Hill Bicycle and Greenway Plan and the applicant is showing the required multi-use trail in lieu of a sidewalk. The alignment of the path should be place towards the rear of the right-of-way, closer to the property line. The creek is also a route of a greenway and this will also need to be provided by the applicant in its entirety during phase one of the project. The plan notes a greenway trail on the east side of Aenon Creek.

Utilities: There are no issues with serving utilities to the property for the proposed development.

Stormwater Management: The applicant is providing a detention basin near the creek for stormwater management.

Building and Site Design: The applicant has provided elevations for phase one of the proposed building. The materials used are brick and stucco. The roof is pitched and covered with architectural shingles. The building appears to comply with the UDC design standards for commercial property. A site data table is required that shows; existing zoning, lot area, compliance with the typical requirements of the applicable zoning district (area and dimensional), parking, etc.

Landscaping and Buffering: The required landscaping will be addressed at Site Plan application. Please show and label landscape buffers.

SPC 704-2019 (Connection Hill Primitive Baptist Church) ws
Summary: The applicant met with staff to discuss the site and design issues on June 12, 2019. This item is a non-voting item as only reviewed by the Planning Commission to generate comments. Staff has the following comments:

1. Label the width of the 10’ multi-use trail.
2. Label front, rear and side yard setbacks.
3. 10’ Landscape buffer from parking lot to property line
4. Colored elevations will be required at site plan submittal.
5. Label the zoning of property and neighboring properties on concept plan.
6. Correct the labeling of 100-year Flood Drainage Easement. They are not one combined feature. Are you referring to an easement or the 100-year Floodplain?
7. The sign along Buckner Lane is turned 90 degrees from the normal alignment. You may want to consider rotating and placing between the two driveways.
8. Relocate the proposed greenway trail outside of the 60-foot stream buffer as no disturbance is permitted within said stream buffer.
9. What is a “100-YR Flood Drainage Easement”?
10. A right-of-way plat dedicating additional right-of-way along Buckner Lane shall be submitted with the site plan application.
11. The existing entrance shall provide 2-way ingress and egress to the site until such time as the proposed northerly entrance has been constructed.
12. The existing entrance shall be converted to “right-in/right-out access” after the northerly entrance has been constructed.
13. The northerly entrance shall provide 2-way ingress and egress to the site.
14. No Traffic Impact Analysis is required at this time.

SPC 704-2019 (Connection Hill Primitive Baptist Church) ws

Property Description and History: This property is located on the east side of Port Royal Road. The entrance to this portion of the Derryberry Estates subdivision is via Karis Drive and Turney Lane from other sections.

In 2014, the Planning Commission and Board of Mayor and Aldermen approved a Planned Unit Development (PUD) application for Derryberry Estates to allow for 160 single-family dwellings with relief from the minimum bulk and area requirements of the R-2 zoning district.

In August of 2017, Preliminary Plat application PPL 388-2017 was approved for Section 2 of the subdivision, with the following conditions:
1. Prior to final plat approval, the applicant shall dedicate 47.5’ of ROW from roadway centerline.
2. Prior to final plat approval, the applicant shall provide a 20’ wide public access easement along Rutherford Creek.
3. Prior to final plat approval, the applicant shall provide trail stubs to a public access easement along Rutherford Creek per the approved PUD concept plan.
4. Prior to final plat approval, the applicant shall provide a standard bike lane on both sides of Port Royal Road or pay a fee in lieu thereof.
5. Prior to final plat approval, the applicant shall address the City Engineer’s comment listed below.
6. Prior to final plat approval, the 5’ wide sidewalk on the east side of Port Royal Road, as required by preliminary plat approval for section 1.
7. Preliminary plat approval shall remain valid for a period of three (three) years, during which time the applicant/developer shall obtain all necessary permits, complete all applicable improvements, and submit final plat applications for review and approval.
8. Modifications to the preliminary plat may require Planning Commission approval prior to submittal of a final plat application.
9. Staff and applicant work out the bike lane issues.

Engineering Conditions:
1. Need to provide a note on restrictions in stream buffer.

The phasing of this development has resulted in Section 2 no longer abutting Rutherford Creek so all comments related to the creek are being satisfied in another section. Otherwise, all conditions of PPL 388-2017 have been addressed.

Access: Access to the site is internal from Section 1 of Derryberry Estates, off of Port Royal Road.

Streets and Sidewalk: Sidewalks are being provided on both sides of all internal streets. The completed design of Port Royal Road does not call for sidewalks or bike lanes. Local roads are shown with the appropriate 50’ right-of-way dedication.

Bulk and Area Requirements: The plat is compliant with the bulk and area requirements approved in Preliminary Plat application PPL 388-2017.
Bicycle and Greenway: This project has not been required to participate in the Spring Hill Bicycle and Greenway Plan for Port Royal Road and otherwise is unaffected by the Bicycle and Greenway Plan.

Summary: The applicant met with staff to discuss the site and design issues on June 12, 2019. The following items shall be addressed prior to this item being heard at a Planning Commission voting meeting:

1. Why is the bike lane not extending across the property on Port Royal to the end of the development?
SPC 706-2019: Submitted by Southern Consulting for O’Hallorn Crossing at 2020 O’Hallorn Drive. This property is located on Harrah Drive between Simply Self Storage and the Campbell Station subdivision. This property is zoned R-6 and contains approximately 2.25 acres. The applicant requests site plan concept review and comment for 18 condominium units. Requested by Trent Smith.

Property History: In 2018 the same applicant, Southern Consulting, submitted a concept plan application for review (SKP 591-1018). This request proposed 20 townhome units. The request was denied on October 8, 2018.

In 2014 the subject property was on the Planning Commission agenda on several occasions. Beginning in April of that year a request for Sketch Plan approval for Galardi Subdivision was presented. The property was composed of two lots and portions were zoned R-4 and R-2. The proposal was for 12 townhome units. House footprints were 1,261 sq. ft. By the November meeting the number of units appears to have been reduced to eight (based on the minutes of the meeting) although no plan is available. The Sketch Plan did not receive approval.

Property Description: This property is located between Harrah Drive and O’Hallorn Drive. There are single family houses to the south and east. Commercially zoned property is located north (mini-storage) and west of the site. The applicant has revised the concept plan since the staff review meeting in October 2018, reducing the number of units from 20 to 18, among other revisions. The overall density is 8.9 du/ac. The maximum density allowed in R-6 for townhomes is 9.0 du/ac. The site data table shall show the proposed number of units.

Streets and Sidewalk: The applicant proposes 5’ wide sidewalks on the projects O’Hallorn frontage and one side of the internal private drive. It appears that the sidewalk abuts the private road or provides for a maximum one (1) foot green space between the sidewalk and street. Curbing is not shown. Pavement width is 22’. There should be sufficient curb lawn present between the back of curb and the front edge of sidewalk to prevent the need for the sidewalk serving as a driveway apron. With one foot or less, the sidewalk will have undulations that could present ADA compliance concerns.

Parking: The concept plan shows parking calculations for dwellings and guest parking. It appears that each unit is proposed to have a one-car garage. A driveway provides two surface spaces. A minimum of two guest parking spaces are required. No guest parking spaces are shown.

Amenities/Open Space: The concept plan does not include any specific amenities. Open space is required in a townhome development, but none is observed except for the detention pond. Appropriate open space needs to be accommodated. The 25’ perimeter yard cannot be used toward compliance with the open space requirement.

Building Design & Site Design: The applicant has not provided building elevations for review at this time. The units will have one car garages and contain no usable back yard. The rear yard is entirely within the perimeter buffer, which cannot be counted toward the individual unit open space requirement. A second and third parking space for each unit is in a surface driveway typically in front of the one car garage. This arrangement can create access challenges for the garage parking space and may contribute to unnecessary on-street parking. The location and arrangement of the two lots on the east end, #17-18, place two driveways in close proximity on the curve of the private drive. Per section 8.3K.1.a a minimum of 15’ is required between buildings. The site indicates compliance with this requirement. Elevations shall be required at site plan submittal.
Landscaping and Buffering: The concept plan shows a 15' wide landscape buffer around the site based on the buffer yard requirement in Article 11-8 and a privacy fence, on the north and south property lines. It is not clear as to whether the fence is existing or proposed. A landscape plan shall be required at site plan submittal. Because of the tightness of this site, a critical look will need to be taken at all landscape buffers. The plan also reflects the 25’ perimeter yard required per Article 8.3K. This yard may not contain any structures, with the exception of fences and walls. Units 1-12 as drawn do not provide any rear patios for unit residents. Staff believes this severely reduces the quality of life for residents. Required stoops appear to be notched into the dwelling to avoid encroaching into the perimeter yard. It also creates a situation where the future owners of units may want a patio and cannot have them without a variance. The applicant has indicated they may retain ownership of all of the units and rent them out. While this may remove the ability for an individual owner to seek a variance, it does not address the negative impact on the livability of the unit. The units have been reduced to a 30’ depth to keep them outside of the buffer, which is very shallow. Further reduction of that depth would have a negative impact on the development.

Tree preservation is a new item in the UDC (Article 11-10) and needs to be considered in this plan. The plan states that all existing trees are to be removed.

Bicycle and Greenway Plan: The project site is not impacted by the requirements of the City’s Bicycle and Greenway Plan.

Summary: The concept plan clearly indicates the intentions for the site. The proposed development includes a high number of dwelling units for the property. Little usable open space or amenities are provided. Items to address, prior to approval:

1. Provide required guest parking spaces.
2. State whether fences on the north and south property line are existing or proposed.
3. Provide open space required for each unit and the development generally.
4. Recommend that even though O’Hallorn Drive is labeled a “Private Drive”, it should be constructed to City standards for a local street.
5. Failure to construct the “Private Drive” to City standards will prohibit the City from accepting the street as “Public” in the future.
CONCEPT PLAN
Previously seen SKP 591-2018 10-8-18

Denied
NCP 707-2019: Submitted by Enfield Group for The Preserve at Spring Hill. The property is located on Buckner Road, east of Main Street. The property is zoned R-6 and contains approximately 44.21 acres. This project was last seen by Planning Commission at the January 28, 2019 Work Session (SKP 551-2019). The project was withdrawn in February 2019. The applicant requests neighborhood concept plan review and comment for 100 condominium units. Requested by Gregg Harris.

Request: The applicant is requesting a Neighborhood Concept Plan for 100 townhomes on the east half of the property. The townhomes are proposed to front on private roadways. The 100 units proposed would keep the total number at the maximum permitted for one access point. The city's water tank would fall into Phase 2.

Property Description and History: This property is located on the north side of Buckner Road and is the location of a City water tower. The property abuts Main Street to the west and the TVA overhead electric lines to the east. The property has submitted Site Plan applications in the past (SKP 551-2018) but have faced difficulties in serving utilities to the property due to topographical challenges. The whole property is expected to be subdivided, putting the water tower in the future phase. The current proposed project only contains 28.07 acres, instead of 44.21. The former application included the development of the entire site and proposed 163 dwelling units.

Building and Site Design: The elevations of the townhome buildings are not submitted at the Neighborhood Concept Phase and would come at the Site Plan application. The site is designed with front-loaded townhomes that are grouped into buildings ranging from four to seven units. Lots 96-100 are rear loaded lots because of their orientation towards Buckner Road. Further information will be required at site plan submittal. The applicant will need to show compliance with the requirements of 8.3K.2 upon submittal of the site plan application.

The property contains significant typography; including slopes of between 20-25% and exceeding 25%. Areas between 20-25% slopes are permitted one half the normal density and areas over 25% slopes are to be preserved. The applicant has provided in the site data table and Sheet C-5 information to show compliance with these density reductions. If the development is being developed independent of the western property, these numbers should be revised to only apply to this portion of the site. Staff recommends that a permanent conservation easement be placed on all slopes over 25%.

Zoning: The R-6 district in the Unified Development Code specifies a minimum lot area of 2,500 square feet for townhome lots and a maximum density of 9 du/ac. Minimum townhome width lot width is 22'. The maximum number of dwelling units in one building is limited to eight. A 25' wide perimeter yard is provided. The front setback is 15' and the rear 25'. The sketch plan is compliant with these requirements. If the applicant is proposing to subdivide townhome lots the minimum size needs to be provided on Sheet C-2 in the site data table.

Access: Access to the property is via a singular driveway on Buckner Road. The applicant is also providing a 50' access easement and PUDE in the north-east corner of the property for the purpose of providing interconnectivity to the abutting property. The applicant will need to submit a traffic impact analysis at time of site plan approval to assess any necessary off-site roadway improvements and to identify the roadway design for this development.
Traffic Impact Study: The applicant will need to meet with City staff to discuss potential traffic impacts associated with the development project. The project calls for 100 units which is below the threshold for a traffic impact study.

Bulk and Area Requirements: The proposal is compliant with the R-6 zoning district.

Open Space & Amenities: The City’s Unified Development Code requires townhome developments to provide a minimum of 100 sq. ft. of usable open space per dwelling unit. The requirements for this space is contained in 8.3K.1.c. Upon the submittal of the site plan application the applicant shall provide information indicating compliance with this provision. The applicant is providing a dog park, fire pit area and play ground. There are also three postal pedestals spaced throughout the development. The applicant expressed their intentions of providing easy and convenient access to the postal pedestals in the front, middle and rear of the development.

Bicycle and Greenway Plan: The applicant is proposing to construct the multi-use trail that is called for on the Bicycle and Greenway Plan. However, due to existing restrictions in the Buckner Road Right-of-Way, the applicant is proposing to have the trail run north of the street and on top of the existing embankment, internal to the property. This will require a public access easement for the trail. While this arrangement would normally be acceptable, it also falls within the required perimeter yard. The code prohibits sidewalks within the required yard. Recommend relocating the required yard or trail to not overlap.

Landscaping and Buffering: The landscape plans would be reviewed at time of Site Plan application.

Traffic Impact Study: A traffic impact study will be required with the submittal of the site plan to address the adequacy of the proposed private street system serving the residential development as well as off-site impacts and corrective measures that may be required on Buckner Road and nearby intersections including Buckner Road and Main Street.

Water System: This development poses issues of providing adequate fire flow and domestic flow as it pertains to volume and pressures required to serve the proposed units. The existing property is zoned R-6 and currently 100 townhome units are proposed. The maximum density for this property, based on zoning and hillside slope calculations, is 271 lots/units. The issue with this development is its elevations as it relates to the existing Buckner Road Water Storage Tank.

The Buckner Road Water Tank has an overflow (full tank) elevation of 995.00 with an overall tank height (957.00 to 995.00) of approximately 38-feet. Tank level data recorded by the City shows the northside tanks (Buckner Road and Thompson Station Road) have reached a low elevation of approximately 25% full. This low level occurred due to the break of the 18-inch raw water transmission line, which could possibly occur again. It will be imperative that an updated hydraulic flow analysis be performed by the applicant’s engineer to confirm flow requirements and characteristics based upon the revised development plan for a portion of the site.

As previously communicated to the Planning Commission, to gain a perspective of the proposed site’s topography, layout of units shows a range of existing ground elevations (at the lower level of the units) from approximately 860.00 to 920.00. The overall site ground elevations range from approximately 850.00 to 1040.00. Based upon these elevations in comparison to the development proposal, an updated analysis will be required in order to confirm whether the first and second floor of residential units can be served adequately without the installation of booster pumps and that fire flows are sufficient to satisfy flow and pressure requirements for the operation of residential sprinkler systems that will be required to be installed.

NCP 707-2019 (The Preserve at Spring Hill)
The Unified Development Code (UDC) and Spring Hill Municipal Code does not provide for the utilization of private booster pumps as a means for providing domestic and/or fire water flows and pressure necessary to serve a residential development. While the City does operate pumps as part of the City's overall water system, these are utilized as part of the City's overall water transmission system with additional redundancy capabilities including emergency power sources. In the event it is determined by the Planning Commission that booster pumps are an acceptable design alternative, the applicant will be required to provide for the installation of an emergency backup power supply in the event of a power outage to eliminate risks to households and residents in the event of a structure fire or natural disaster involving a power outage. A maintenance provision provided by a POA/HOA will also be necessary to ensure booster pumps were being maintained in proper working order. The City will need to address the possibility that if the POA/HOA were to dissolve, what recourse would residents have for the provision of domestic water and fire flows to serve their development and respective residences? Would the City ultimately be responsible for taking over the system relative to maintenance and operation?

Unless the UDC and/or Municipal Code and related City standards and specifications are amended to accommodate the provision of a privately-owned booster pump system for the provision of domestic and fire flow for a residential development project, there is no regulatory basis for allowing the water system as proposed by the applicant. Further, City staff cannot recommend the provision of private-owned and operated booster pumps as a means for providing domestic and fire flows to serve the residential development. In the event the City is not able to accommodate the provision of a booster pump for domestic and fire flow serving the development, the development will need to be modified to limit residential development to provide maximum floor elevations (first and second floor) that can be adequately served with available public water supply based upon water levels serving the project site. The Planning Commission will need to make a determination on whether proposed design approach to provide a privately-owned booster pump system for domestic and fire protection flows will be acceptable and compliant with City standards and requirements.

Summary: The applicant met with staff on June 12, 2019 to discuss the project. The following items need to be addressed:

1. A Neighborhood Meeting shall be conducted prior to site plan submittal.
2. Reduce maximum driveway slope to 10%, per the requirements of the Unified Development Code.
3. Recommend that all slopes of greater than 25% be placed within a permanent conservation easement.
4. Staff suggests a crushed rock or mulch surface for 5’ wide trails.
5. The applicant shall provide with the site plan a current geotechnical report for the site that sufficiently addresses the ability of the site to support development based upon slopes and soil/geotechnical conditions and required stabilization measures.
6. Traffic impact study will be needed at site plan approval.
7. Revise slope/density calculations to apply only to the subject site.
8. If the applicant is proposing to subdivide townhome lots the minimum size needs to be provided on Sheet C-2 in the site data table.
9. The applicant shall provide required right-of-way dedication for Buckner Road classified as an Arterial Street in accordance with adopted Major Thoroughfare Plan. The applicant shall provide required infrastructure improvements to Buckner Road as may be required by the Planning Commission.
10. The applicant should delineate the extent of land disturbance on the site including delineation of areas of tree cover to remain in natural undisturbed state in accordance with the Hillside Slope District requirements.
11. The Hillside Slope District requires the submittal of a detailed site plan for each lot. Applicant to prepare a detailed site plan for each lot as part of the site plan application.
12. Water system hydraulic calculations provided were for the tank at 50% (elevation 975). The system should be analyzed with the tank at 25% (elevation 965) based on historical levels of this tank.
13. With the tank at 25%, the pressures do not appear adequate to serve this development as proposed.
14. Show scenario with fire flow demand at FH3 (at rear of development) with elevation 894. What effect does this scenario show on other nodes?
15. You are proposing individual domestic and fire inline pumps for each unit. What is the minimum psi required for each system? Is each individual owner responsible for maintaining and testing of this equipment?
SLOPE ANALYSIS
TO: Spring Hill Planning Commission
FROM: Steve Foote, AICP, Planning Director
MEETING: June 24, 2019
SUBJECT: FPL 708-2019 (Columns Way ROW Dedication & Revision to Lots)

FPL 708-2019: Submitted by WES Engineers & Surveyors for Columns Way ROW Dedication. The property is zoned C-4 and contains approximately 7.73 acres within the entire subdivision. The applicant requests to dedicate ROW on Columns Way, Crossings Circle and Kentucky Avenue and to revise lots 2, 3, 4A, 4B and 4C. Requested by Allen O'Leary.

Property Description and History: The property is located in the Crossings North development. When originally approved the final plat for Lots 1-4 proposed that the majority of internal roads were ‘private’. All of the lots with the exception of 4B have received site plan approval, are under construction, or built. The applicant is proposing to rededicate existing right-of-way in the subdivision and dedicate for the first time the remainder of the private roads.

Right-of-way for Columns Way, east/west and south to the bridge, has been previously dedicated. However, the applicant is proposing to re-dedicate right-of-way for Columns Way, as well as, dedicating the proposed right-of-way for Crossings Circle and Kentucky Avenue. Since the new right-of-way is coming off of Lots 2, 3, and 4 the plat is revising these lots accordingly by giving up the right-of-way.

FPL 474-2018 was approved by the Planning Commission April 9, 2018. A final plat to split lot 4B and revise lot 1 (FPL 658-2019) was approved by Planning Commission on April 8, 2019.

Streets and Sidewalk: The new right-of-way is 50' wide meets city standards for a local street. The total length of right-of-way dedication is approximately 1,380 feet and 2.11 acres. The right-of-way will terminate at the north property line.

Access: Kentucky Avenue intersects with Main Street and provides access to the subdivision as does Columns Way.

Summary: The applicant met with staff to discuss the site and design issues on June 12, 2019. The following items shall be addressed prior to this item being heard at a Planning Commission voting meeting:

1. The owners of all lots impacted by this dedication will need to sign plat prior to recording.
2. A performance bond shall be required for any infrastructure that is not completed prior to signature of the final plat for recording purposes.
3. A maintenance bond will be required for all infrastructure installed prior to signature of the final plat for recording purposes.
FPL 709-2019: Submitted by WES Engineers & Surveyors for The Cove at Spring Hill, Phase 1. This property is located on Tom Lunn Road, west of the Port Royal intersection. The property is zoned R-2 and contains approximately 58.78 acres. The applicant requests final plat approval to create 53 single-family lots. Requested by Allen O’Leary.

Property description: This property is located near the intersection of Tom Lunn Road and Port Royal Road, north of Port Royal Park.

In June of 2016, the Planning Commission approved a neighborhood concept plan (NCP 190-2016) for the property, subject to conditions of approval. Condition #3 is provided below.

1. At the time of preliminary plat application, the applicant shall be assessed a fee in-lieu of street improvements to Tom Lunn Road to include the cost of milling and overlay.

In September of 2016, Preliminary Plat application PPL 230-2016 was approved by the Planning Commission, subject to the following conditions:

1. A 5-foot-wide sidewalk shall be constructed on the west side of Tom Lunn road with the first phase of development.
2. Preliminary Plat approval shall remain valid for a period of three (3) years, during which time the applicant shall obtain Planning Commission approval of a final plat application.
3. Modification to the plat may require Planning Commission approval prior to submittal of a final plat application.

Access: Access to the development is off of Tom Lunn Road. The approved concept plan for The Cove only shows one entrance/exit to the development.

Street and sidewalk: This phase includes only includes sidewalks on the northern side of Imagine Circle and the western side of Elenor Rigby Court per the approved preliminary plat. Although sidewalks were a condition of preliminary plat approval, they are not being required on Tom Lunn Road or included in the design of the current road improvement project. Pursuant to the conditions of NCP 190-2016 and RES 16-105, right-of-way along the property’s frontage on Tom Lunn Road is being dedicated to achieve the collector street standard.

Bulk and Area Requirements: The final plat is consistent with the approved preliminary plat (PPL 230-2016) and conditions of approval.

Summary: Staff met with the applicant on June 12, 2019 to discuss the project. The remaining items to be addressed are as follows:

1. The address for Lot 3 is 2005 Imagine Circle and needs to be updated.
2. Planning Commission approved the preliminary plat for The Cove at Spring Hill without requiring the installation of concrete sidewalk on both sides of local and collector streets.
3. Extend concrete sidewalk to the common lot line between Lots 9 and 10 on Eleanor Rigby Court.
4. Extend concrete sidewalk to the common lot line between Lots 76 and 77 on Blackbird Court.

Property description: This property is located near the intersection of Tom Lunn Road and Port Royal Road, north of Port Royal Park.

In June of 2016, the Planning Commission approved a neighborhood concept plan (NCP 190-2016) for the property, subject to conditions of approval. Among the Planning Commission’s conditions of approval was the requirement to either dedicate park land or construct trail facilities in accordance with the Bicycle and Greenway Plan adopted by the Board of Mayor and Aldermen in 2015. The proposal for park land dedication was presented by the developer for the purpose of obtaining waiver from the City's sidewalk (on both sides of the street) and trail requirements. The Planning Commission found that sidewalk on both sides of the street was warranted and also found in favor of park land dedication in-lieu of trail construction.

Not agreeing with the conditions of approval, the applicant withdrew his park land dedication offer from the BOMA’s agenda, and this process was not completed prior to the submittal of the preliminary plat application, as required by NCP 190-2016

Subsequently, two conditions of approval related to sidewalk construction and street design, required in accordance with the City’s subdivision regulations, were appealed to the Board of Mayor and Aldermen (BOMA) in July of 2016. These Planning Commission conditions were overturned by the BOMA to allow for sidewalk on one side of all local and collector streets and to allow for 22 feet of pavement and extruded curb.

Request: The applicant requests preliminary plat approval for 94 single-family residential lots and associated infrastructure.

This request was deferred by the Planning Commission on August 8th in order to receive direction from the Board of Mayor and Aldermen on the offer of dedication. The applicant’s renewed offer of dedication was associated with several additional requests related to restriction of land use, waiver of adequate facilities fees, and relief from street improvements to Tom Lunn Road.

The Board of Mayor and Aldermen accepted the offer of dedication, and waiver of fee and street improvements to Tom Lunn Road were not included in the acceptance.

Street and sidewalk: Pursuant to the conditions of NCP 190-2016 and RES 16-105, right-of-way dedication along the property’s frontage onto Tom Lunn Road shall reflect the minimum right-of-way requirements for a Collector street in the City’s Major Thoroughfare Plan, and the applicant shall be assessed a fee in-lieu of street improvements to Tom Lunn Road to include the cost of milling and overlay. With their approval of the applicant’s appeal to the requirement to construct sidewalk on both sides of the new streets, the BOMA stipulated that “sidewalks shall be installed on side of both local streets and collector streets”. The proposed plat is not compliant with this requirement.

Engineering and Public Works: No additional comments at this time.
Recommendation: Staff recommends approval of PPL 230-2016 subject to the following conditions:

1. A 5-foot-wide sidewalk shall be constructed on the west side of Tom Lunn road with the first phase of development.
2. Preliminary Plat approval shall remain valid for a period of three (3) years, during which time the applicant shall obtain Planning Commission approval of a final plat application.
3. Modification to the plat may require Planning Commission approval prior to submittal of a final plat application.
Old Business:

1.) **STP 224-2016**: Submitted by WES Engineers & Surveyors for property located at 2210 Spedale Court. The property is zoned B-4, Central Business District, and contains approximately 1.75 acres. The applicant requests site plan approval for a 8,500 sq/ft, Multi-Tenant Office Building.

Staff conditions:
1. The parking lot shall be revised to fit all parking spaces on the property or a property line adjustment shall be submitted to accomplish the same.
2. Site plan approval shall remain valid for a period of three (3) years, during which time the owner/developer shall be required to obtain and maintain all necessary permits for construction.
3. Modification to the approved site plan may require Planning Commission approval prior.

Alderman Duda made a motion to approve STP 224-2016 with staff conditions. Motion seconded by Commissioner Koss. Motion passed 7/0.

2.) **PPL 230-2016**: Submitted by Ragan-Smith for The Cove at Spring Hill Subdivision. The property is zoned R-2 Medium Density Residential and contains 91.13 acres. The applicant requests preliminary plat approval for 94 single family residential lots.

Staff condition:
1. A 5-foot-wide sidewalk shall be constructed on the west side of Tom Lunn road with the first phase of development.
2. Preliminary Plat approval shall remain valid for a period of three (3) years, during which time the applicant shall obtain Planning Commission approval of a final plat application.
3. Modification to the plat may require Planning Commission approval prior to submittal of a final plat application.

Alderman Fitterer made a motion to approve PPL 230-2016 with staff conditions. Motion seconded by Alderman Duda. Motion passed 6/1.

3.) **PPL 226-2016**: Submitted by Stacy Santoro for property located at 4135 Kedron Rd. The property is zoned R-4, High Density Residential and contains approximately 7.48 acres. The applicant requests preliminary plat approval for 32 single family residential lots.

Staff conditions:
1. The site shall be developed as proposed and approved.
2. Preliminary plat approval shall remain valid for a period of three (3) years, during which time the applicant shall obtain Planning Commission approval of a final plat application.
3. Modification to the plat may require Planning Commission approval prior to submittal of a final plat application.
4. Amenities shown on this plat will be install prior to fifty present of the building permits for this proposed development being issued.

Alderman Duda made a motion to approve PPL 226-2016 with staff conditions, adding condition number 4. Motion seconded by Alderman Fitterer. Motion passed 7/0.
Spring Hill Planning Commission

TO: Spring Hill Planning Commission
FROM: Dara Sanders, Planning Director
MEETING: June 13, 2016
SUBJECT: NPC 190-2016 (The Cove)

**NCP 190-2016**: Submitted by Ragan-Smith for The Cove located at 4355 Tom Lunn Rd. The property is zoned R-2, Medium Density District and contains approximately 91.20 acres. The applicant requests Neighborhood Concept Plan approval for 94 single family residential lots.

**Property description and history**: This undeveloped property is located northwest of the intersection of Tom Lunn Road and Port Royal Road. A creek traverses along the southern property line. The majority of the surrounding properties are developed for low-density single-family residences or are used for agricultural purposes, with exception of Port Royal Park located south of the subject property.

**Request**: The applicant requests neighborhood concept plan approval for 94 single-family dwellings.

**Bulk and area requirements**: The applicant has not submitted sufficient information indicating that the proposed 94 lots meet the minimum bulk and area requirements identified on the plat. Approval of the neighborhood concept plan does not relieve the applicant/developer of the zoning ordinance requirements. At the time of site plan application, the applicant will be required to verify compliance with all zoning ordinance requirements.

**Streets and sidewalk**: Tom Lunn Road is designated as Local street in the Major Thoroughfare Plan, which requires a minimum of 50 feet of right-of-way. Pursuant to the requirements of the City's zoning ordinance for a neighborhood concept plan, the applicant is required to identify and delineate all existing conditions of the property's frontage along the public street. Prior to the submittal of a preliminary plat application, the neighborhood concept plan shall be updated to delineate the existing and Major Thoroughfare Plan rights-of-way from centerline.

The Major Thoroughfare Plan identifies a new Collector street in the area. New streets identified in the Major Thoroughfare Plan are intended to be general locations, not exact locations. Based on discussions between the Planning Director, Infrastructure Director, and the applicant, consideration of upgrading Tom Lunn Road to a Collector is recommended due to existing surrounding conditions, including a significant TVA easement, substantial floodplain area, and the creek location and configuration.

The applicant proposes to provide one street connection to Tom Lunn Road. No other street connections are proposed.

**Bicycle and Greenway Plan**: Tom Lunn Road is designated as a bike lane route. Again, the Bicycle and Greenway Plan is intended to identify the general location of bicycle and pedestrian facilities, and the exact location must be worked out at the time of development or City's construction of facilities. Since the Planning Commission work session, the applicant has submitted a request to the Board of Mayor and Aldermen (BOMA) to dedicate 32.89 acres of floodplain and floodway to the City In-lieu of construction or participation in the bicycle and pedestrian facilities recommended by the Bicycle and Greenway Plan. Staff has recommended a condition addressing this proposal and an alternative should the BOMA not approve the request.

**Recommendation**: Staff recommends approval of the request, subject to the following conditions of approval:

1. Neighborhood concept plan approval shall remain valid for a period of three (3) years, during which time a preliminary plat application shall be submitted in accordance with the approved plan and all associated conditions.
2. Modification to the neighborhood concept plan may require Planning Commission approval prior to submittal of a preliminary plat application.

3. At the time of preliminary plat application, the applicant shall be assessed a fee in-lieu of street improvements to Tom Lunn Road to include the cost of milling and overlay.

4. Right-of-way dedication along the property's frontage onto Tom Lunn Road shall reflect the minimum right-of-way requirements for a Collector street in the City's Major Thoroughfare Plan.

5. Prior to the submittal of a preliminary plat application, the applicant shall complete the park land dedication process. Should the Board of Mayor and Aldermen decide not to accept the proposed park land dedication, the Planning Commission may require construction of a pedestrian bridge and/or other facilities in accordance with the City's Bicycle and Greenway Plan.

6. Prior to the submittal of a preliminary plat application, the neighborhood concept plan shall be updated with a purpose note and to delineate the existing and Major Thoroughfare Plan rights-of-way from centerline
7. The site plan shall be constructed as proposed and conditioned.
8. Prior to the issuance of a certificate of occupancy, all public streets shown shall be completed, inspected, and accepted, and all maintenance bonds shall have been approved.

Alderman Fitterer made a motion to approve STP 179-2016 with staff conditions. Motion seconded by Commissioner Hairston. Motion passed 6/0.

9. FPL 180-2016: Submitted by Wilson and Associates for Southern Springs located on Kedron Rd. The property is zoned B-1, Office and Limited Retail District and contains approximately 106.64 acres. The applicant requests final plat approval for 198 single family residential lots.

Staff Conditions:
1. Planning Commission determination of a variance from Zoning Ordinance Article IV, Section 17.1 (Minimum Buffer Yard Standards). Prior to approval of recordation for any section of the plat, the applicant shall submit a landscape plan to the Planning Department for review and approval in accordance with the criteria of Section 17.1.
2. Prior to approval for recordation, the applicant shall revise the conflict between the landscape buffer and the utility easement. No portion of any easement may be identified as a landscape buffer.
3. Prior to approval for recordation, the applicant shall update the final plat to include the width of each lot.
4. Prior to approval for recordation, the plat shall be revised to show the required 20’ easement over a required storm pipe between Lots 75, 76, 281, 182, 193, and 201.
5. Prior to the issuance of residential building permits, all infrastructure within Phases 1 and 2 shall have been completed, inspected, and accepted, including the installation of the traffic signal required for the intersection of Kedron Road and Southern Springs Drive.
6. Final plat approval shall remain valid for a period of two (2) years, during which time all necessary signatures must be obtained and all sections of the plat recorded.
7. The final plat shall be recorded as approved and conditioned. Modifications to the final plat may require Planning Commission approval prior recordation.

Alderman Fitterer made a motion to approve FPL 180-2016 with staff conditions. Motion seconded by Commissioner Koss. Motion passed 5/0. Commissioner Schoenbrodt stepped out.

10. NCP 190-2016: Submitted by Ragan-Smith for The Cove located at 4355 Tom Lunn Rd. The property is zoned R-2, Medium Density District and contains approximately 91.20 acres. The applicant requests Neighborhood Concept Plan approval for 94 single family residential lots.

Staff Conditions:
1. Neighborhood concept plan approval shall remain valid for a period of three (3) years, during which time a preliminary plat application shall be submitted in accordance with the approved plan and all associated conditions.
2. Modification to the neighborhood concept plan may require Planning Commission approval prior to submittal of a preliminary plat application.
3. At the time of preliminary plat application, the applicant shall be assessed a fee in-lieu of street improvements to Tom Lunn Road to include the cost of milling and overlay.
4. Right-of-way dedication along the property's frontage onto Tom Lunn Road shall reflect the minimum right-of-way requirements for a Collector street in the City's Major Thoroughfare Plan.
5. Prior to the submittal of a preliminary plat application, the applicant shall complete the park land dedication process. Should the Board of Mayor and Aldermen decide not to accept the proposed park land dedication, the Planning Commission may require construction of a pedestrian bridge and/or other facilities in accordance with the City's Bicycle and Greenway Plan.
6. Prior to the submittal of a preliminary plat application, the neighborhood concept plan shall be updated with a purpose note and to delineate the existing and Major Thoroughfare Plan rights-of-way from centerline.
7. Sidewalks will be installed on both local street and collector street.

Alderman Duda made a motion to amend NCP 190-2016 item #5 on the staff conditions to replace submittal with approval and add condition #7 the addition of sidewalks on both sides of the street. Motion seconded by Commissioner Hairston. Motion passed 5/1.

Alderman Duda made a motion to amend NCP 190-2016 with staff conditions adding condition 8, Cross section with curbs extruded and add a foot of asphalt pavement on either side of it. Motion seconded by Commissioner Hairston. Motion passed 6/0.

Commissioner Schoenbrodt made a motion to strike condition #7. Motion seconded by Alderman Fitterer. Motion failed 4/2.

11. PPL 191-2016: Submitted by Kimley-Horn for Cadence Crossing located at 4820 Main Street. The property is zoned R-4 and contains approximately 15.99 acres. The applicant requests Preliminary Plat approval for 78 single family residential lots.

Staff Conditions:
1. The applicant shall construct a public sidewalk no less than 8 feet wide along Main Street from the northern intersection of Spring Hill Circle to the southern intersection of Spring Hill Circle. Prior to the issuance of permits, the applicant shall revise the plat accordingly.
2. The applicant shall improve Main Street to include a dedicated left turn lane and dedicated right turn lane in accordance with the plans submitted.
3. No later than 60 days after the issuance of permits or prior submittal of a final plat application, the applicant shall pay a fee in-lieu of study, design, and installation of a traffic signal on Main Street in the amount of $200,000.
4. The applicant shall be required to install all landscaping as shown on the plan, and the HOA shall be responsible for maintenance and replacement of required landscaping. No Certificate of Occupancy shall be approved for any lot until the associated landscaping is installed by the developer and inspected by the City.
5. The HOA shall be responsible for maintenance of all open space and detention areas.
6. Prior to the issuance of permits, all Public Works and Engineering comments shall be addressed.
7. Preliminary Plat approval shall remain valid for a period of two (2) years, during which time a final plat application shall be submitted for Planning Commission review and approval.
8. Modification to the preliminary plat may require Planning Commission approval prior to the submittal of a final plat application.

Alderman Duda made a motion to approve PPL 191-2016 with staff conditions revising condition #2 adding to the statement, at final buildout of residential and commercial lots, the City of Spring Hill will conduct a traffic signal warrant study. Should it be found that a traffic signal is warranted, at that time the City of Spring Hill can use the funds in the escrow account to pay for the design and installation of a traffic signal. If it is determined that the traffic signal is not warranted, the fund will be returned to the developer. Motion seconded by Alderman Fitterer. Motion passed 6/0.

Alderman Duda made a motion to amend item #1 a public sidewalk will be 8 feet wide along the property frontage and tapering down to 5 feet wide offsite sidewalk to connect with Spring Hill Circle to the north and south. Motion seconded by Alderman Fitterer. Motion passed 6/0.

12. STP 193-2016: Submitted by Batson and Associates Cadence Crossing located at 4820 Main Street. The property is zoned B-2 Neighborhood Shopping District and contains approximately 3.745 acres. The applicant requests site plan approval for 2 commercial buildings.
ADM 710-2019: Submitted by WES Engineers & Surveyors for a minor revision to the Sawgrass PUD. This property is located off of Tom Lunn Road, zoned R-2 PUD and contains approximately 47.42 acres. The applicant requests a minor modification to the previously approved master plan, which involves the realignment of Southwind Run and Casper Way and results in a decrease of 8 lots (197 to 188). Requested by Allen O’Leary.

Request: The applicant is requesting a minor modification to the street layout and as a result, is reducing the number of single-family units by 8. The applicant is aiming to create a better dispersed traffic pattern within the development and is altering the roadway that will be used to pass through this PUD and into an adjacent development, Phase 2 of Kings Creek, now marketed as Sawgrass West.

Property Description and History: This property is located on Tom Lunn Road and is northeast of the intersection of Tom Lunn Road and Port Royal Road. The current zoning designation of the subject property is R-2, PUD. The original PUD (PUD 300-2017) was approved for this property by the Board of Mayor and Alderman on April 17, 2017. The conditions of approval for this PUD were as follows:

1. Street improvements will be evaluated and required at the time of Neighborhood Concept Plan approval. At a minimum, improvement to Tom Lunn Road will be required to span from the northern boundary of the subject property to the northern project boundary of the adjacent development (PPL 230-2016) and will include the construction of a 5’ (five-foot- sidewalk) on one side. Additional improvements may be required by the Planning Commission.
2. Access to the new residential lots shall be provided from the new internal street network. No driveways shall be permitted onto Tom Lunn Road.

No changes are proposed to the conditions of approval. The street design that has been designed and approved by the City for Tom Lunn Road does not include a 5’ sidewalk. Otherwise, the applicant has addressed the conditions of approval for the PUD.

A Preliminary Plat (PPL 517-2018) and Final Plat (FPL 676-2019) for Section 1 of this development have been approved. The proposed modification to the master development plan would not impact the approvals for Section 1.

Streets and Sidewalks: The proposal maintains 50’ Right-of-Ways and 5’ sidewalks on both sides of internal streets.

Access: The proposal is maintaining the currently approved access points on Tom Lunn Road. The proposal is removes one stub out street to the west. If desires, this connection could be provide across open space ‘E’.

Spring Hill Rising 2040: The future land use designation of this property is Residential Neighborhood Area, and is not impacted by this amendment.

Summary: The street realignment is a minor change that creates a more direct flow to Sawgrass West. The realignment results in the reduction of 8 lot and therefore increases the amount of open space, reduces the ground covered by buildings, and reduces the floor area of the development.
According to Article X Section 2.5 of the zoning ordinance, a determination by the Planning Commission that the changes are in substantial compliance with the approved PMDP is required. If so determined, the changes will be considered as ‘minor modifications’ under Section 2.9. The project will then be allowed to continue forward as follows:

1. Final Master Development Plans, which can be processed with a site plan or subdivision application, can be processed through the Planning Commission for future areas of Sawgrass. This may be done in stages or as a whole.

Staff believes the revised modifications are in substantial compliance with the originally approved preliminary master development plan and should be considered minor. The changes meet the requirements in Article X, Section 2.5 “Determination of Substantial Change” of the former zoning ordinance, and qualify as “minor.” If the Planning Commission disagrees with staff and determines that the proposed changes are not in substantial compliance with the approved PMDP then this application will be forwarded to the Board of Mayor and Aldermen for consideration as a major amendment.

Summary: Staff met with the applicant on June 12, 2019 to discuss the project and there are no outstanding comments to address.
MINOR REVISION TO MASTER PLAN

REVISED ON: [Date]

PHASE 1
UNDER CONSTRUCTION

PHASE 2

PHASE 3

PHASE 4

REVISED FOR: [Name]

SUGARGROVE RESIDENTIAL SUBDIVISION

[Diagram with details and annotations]

[Table: Lot Numbers and Sizes]

[Legend and Scale]

[Title: REVISION TO MASTER PLAN]
Spring Hill Planning Commission Work Session

TO: Spring Hill Planning Commission
FROM: Steve Foote, AICP, Planning Director
MEETING: June 24, 2019
SUBJECT: STP 711-2019 (Sawgrass West)

**STP 711-2019:** Submitted by WES Engineers & Surveyors for Sawgrass West, Phase 1. This property is located within Kings Creek, zoned R-2 PUD and contains approximately 26.10 acres. The applicant requests site plan approval to create 196 townhome units with related open space. Requested by Allen O’Leary.

**Property Description and History:** The site is Phase 2 and 3 of the Kings Creek PUD. Approval was granted in 2018 to modify the access to this property from internal to Kings Creek to come from the east through the recently approved Sawgrass PUD. The approval granted permission to build 196 townhome units on the site rather than the mix of residential units previously approved. Conditions of approval are listed below.

1. All amenities will be complete prior to the issuance of a certificate of occupancy for the 98th unit (50%).
2. The applicant shall provide 750 square feet of secluded open space for each townhouse dwelling unit as required in Article X, Planned Unit Development, of the Zoning Ordinance, unless modified or reduced by the Board of Zoning Appeals.
3. Correct phasing note and labels on the plan as necessary for accuracy.
4. Provide sidewalk on both sides of the street.
5. Sidewalks do not connect, they just stop. Sidewalk at lot 131 does not connect to anything. Still not addressed from work session.
6. Provide 2 ADA ramps per corner.
7. At phase 1 site plan approval or prior, the developer will be required to enter into a cost share agreement with the City of Spring Hill for improvements to Tom Lunn Road.
8. At phase 1 site plan approval or prior, the developer will submit CCR's to City of Spring Hill Planning Commission for approval.

**Request:** The applicant is requesting site plan approval for Phase 1 of the townhome development. This phase includes 45 townhome lots, the primary road access to the site, the amenity center and emergency secondary access. Lots will be platted via subdivision plat.

**Access:** The access to the site is not being modified by this application and is consistent with the approval of ADM 603-2018. Sawgrass is proposing a modification that will alter the route to this site.

**Parking and Loading:** Parking, roads and turn around areas are all consistent with the approved Master Plan. Guest parking is provided per the approved plan. Each unit is proposed with a one-car garage and one car wide driveway. Per conditions of approval corners are to have two ADA ramps.

**Building and Site Design:** Building numbers and layout is consistent with the Master Plan. It does appear that the Master Plan include slight off-sets in the front building facades that are not reflected on the proposed plan. Staff recommends that the off-sets be incorporated.

Color building elevations provided spec external materials that includes extensive vinyl lap siding, some brick and regular asphalt shingles. A set of Lennar plans show a different roof line and slight building off-sets. The applicant as confirmed that the Lennar elevations and design will be followed.

STP 711-2019 (Sawgrass West)
Landscaping and Buffering: Landscaping appears to follow the approved Master Plan. Better identification of seed and sod areas is requested for the site and for the typical residential lots. Staff recommends that townhome lots be sodded.

Amenity Center: Specific plans for the amenity center have not been provided and the use will require administrative approval through the planning department. The requirement for secluded open space was waived by the Board of Zoning Appeals through the variance process.

Summary: The applicant met with staff to discuss the site and design issues on April 10, 2019. The following items shall be addressed or considered prior to this item being heard at a Planning Commission voting meeting:

1. Provide two ADA ramps per corner.
2. Number label units #3 and #19.
3. All plan sheets shall include a reference to “Phase 1”.
4. Roof lines and front façade off-sets will be provided as shown on the Lennar set of plans. Colors and materials per the Sawgrass color elevations.
5. All ADA ramps with truncated domes shall be labeled appropriately on plan sheets.
6. ADA ramps with truncated domes shall be shown at the following locations:
   - North side of Casper Drive at parking lot between the Club House and Lot 196.
   - North side of Casper Drive at Lot 24.
   - South side of Casper Drive at Lot 23.
   - South side of Casper Drive at parking lot between Lota 10 and 11.
   - South side of Casper Drive at Cart Parking.
   - South side of Casper Drive at Compactor.
7. Previous conditions of approval numbers 7 and 8 have not been satisfied and are listed below.
   - At phase 1 site plan approval or prior, the developer will be required to enter into a cost share agreement with the City of Spring Hill for improvements to Tom Lunn Road.
   - At phase 1 site plan approval or prior, the developer will submit CCR’s to City of Spring Hill Planning Commission for approval.
8. Install pedestrian controls and necessary traffic signage as required by the Manual on Uniform Traffic Control Devices at the pool and cart path crosswalks.
5. **ADM 603-2018:** Submitted by Allen O'Leary of WES Engineers & Surveyors for Amendment to Kings Creek PUD — Minor Revision. The property is zoned R-2 PUD and is approximately 26.10 acres. The applicant requests Minor Modification approval to modify residential home types and provide alternative access. The proposal is for 196 townhomes. This item was deferred after the October 22, 2108 Planning Commission Work Session.

**Staff Conditions**
1. Building facades shall be constructed with brick and/or Hardie Board (or equivalent) products.
2. All amenities will be complete prior to the issuance of a certificate of occupancy for the 48th-98th unit (50%).
3. The applicant shall provide 750 square feet of secluded open space for each townhouse dwelling unit as required in Article X, Planned Unit Development, of the Zoning Ordinance, unless modified or reduced by the Board of Zoning Appeals.
4. Correct phasing note and labels on the plan as necessary for accuracy.
5. Provide sidewalk on both sides of the street.
6. Sidewalks do not connect, they just stop. Sidewalk at lot 131 does not connect to anything. Still not addressed from work session.
7. Provide 2 ADA ramps per corner.
8. At phase 1 site plan approval or prior, the developer will be required to enter into a cost share agreement with the City of Spring Hill for Improvements to Tom Lunn Road.
9. At phase 1 site plan approval or prior, the developer will submit CCR’s to City of Spring Hill Planning Commission for approval.

Alderman Fitterer made motion to approve ADM 603-2018 with seven (7) staff conditions of approval, modifying condition number 1 & 2 as noted above, adding a new eighth (8th) and ninth (9th) condition of approval. Motion seconded by commissioner Cunningham. Motion passed 6-1, with Commissioner Hepp dissenting.

6. **FPL 604-2018:** Submitted by WES for Grand Estates. The property is zoned R-6, but is processed under the former R-4 zoning. The applicant seeks approval for 8 single family lots, to create a multi-family development lot, dedicate right-of-way and create utility easements. The site contains 18.01 acres. Final plat Grand Estates by WES.

**Staff Conditions**
1. A bond shall be approved by the Planning Commission prior to recording of this plat.
2. Final plat approval is valid for one (1) year from the date of approval, during which time the applicant shall obtain all required signatures and record the plat.

Alderman Fitterer made a motion to approve FPL 604-2018 with two (2) staff conditions of approval. Seconded by Commissioner Benne. Motion passed 7-0.

7. **Resolution 18-136 Establish Performance Bond for Brixworth Phase 5 & 6**

Alderman Fitterer made motion to amend Resolution 18-136 by striking all references to Phase 5. Motion seconded by Commissioner Benne. Motion passed 7-0. Alderman Fitter made motion to approve Resolution 18-136 as amended. Motion seconded by Commissioner Benne. Motion passed 7-0.
4-Unit Building 5/15/19
1-Car Front Load Townhomes 25' Wide x 50' Deep
4-Unit Building 5/15/19
1-Car Front Load Townhomes 25' Wide x 50' Deep
4-Unit Building 5/15/19
1-Car Front Load Townhomes 25' Wide x 50' Deep
5-Unit Building 5/15/19
1-Car Front Load Townhomes 25' Wide x 50' Deep
5-Unit Building 5/15/19
1-Car Front Load Townhomes 25' Wide x 50' Deep
5-Unit Building 5/15/19
1-Car Front Load Townhomes 25' Wide x 50' Deep
2nd Floor Building Plan

5-Unit Building  5/15/19
1-Car Front Load Townhomes 25' Wide x 50' Deep
SAWGRASS

A UNIT
43% BRICK

B UNIT
60% BRICK

B UNIT
52% BRICK

A UNIT
43% BRICK

4-PLEX WITH GARAGE

COLORED ELEVATIONS
FRONT
SAWGRASS

4-PLEX WITH GARAGE

COLORED ELEVATIONS REAR
CLUBHOUSE ELEVATIONS
RZN 712-2019: Submitted by Katie Creighton for 2444 Depot Street. The property is zoned R-1 and contains approximately .29 acres. The applicant requests rezoning from R-1 to C-1. Requested by Katie Creighton.

Property Description and History: This property is located on the west side of Depot Street north of Chester. The site is currently used as a single-family residence, which is typical of properties in the area.

Spring Hill Rising: 2040: The future land use classification for this site is Downtown City Center. The comprehensive plan identifies the development pattern of the Downtown City Center as: “Primary future land use includes appropriate mixtures of residential, professional offices, eating places, places of worship, small-scale retail, entertainment, cultural uses, community recreational uses, and municipal services. Parking lots are not adjacent to or visible from the street. Downtown/City Center is characterized by a compact, walkable environment typical of town centers. Development creates and promotes our sense of place and community, and it encourages active living and community interaction. Future development emphasizes connectivity and uses that generate a high level of activity. These are not developments that are designed to accommodate the automobile and related services. The applicant is requesting rezoning to C-1, Neighborhood Commercial District. Within the Downtown City Center one of the CD districts may be more compatible with the goals of the 2040 Plan.

Surrounding Property/Zoning: The site is bordered by R-1 zoning on the east and west and across Depot Street. Property to the rear is zoned R-6. The property is zoned for and contains a single-family residence. If rezoned to commercial, a site plan application will be required before the use of the property can be changed to commercial. A conversion to commercial would require buffers around the perimeter of this lot and for commercial parking to be provided. While the applicant desires to use the property for an office/counseling business, any commercial zoning would allow any use permitted in the new commercial district. The surrounding properties are still used for residential purposes and the rezoning of an individual property can lead to incompatibility issues and unintended consequences. An option may be to amend the R-1 District to permit offices by a special use. Such an amendment could consider the request on a case by case basis and would not permit the use to change to other commercial activities.

Access, Streets and Sidewalks: Access to the site is from Depot Street.

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.

Staff’s response to the approval standards are as follows:

a. The proposed zoning district is not the most appropriate district for consistency with the comprehensive plan and adopted land use policies.
b. The proposed rezoning to C-1 is not compatible with existing adjacent uses and zoning of the nearby property.
c. The proposed rezoning would not create any nonconformity.
d. Although the comprehensive plan calls for a transition to commercial or mixed uses in the area, there is no trend at this time. An overall comprehensive approach to the future zoning of the area should be considered.
e. The proposed use would not cause a substantial increase in traffic on Depot Street. The use is low intensity. However, parking and buffers are required with the reuse of the site.
f. Adequate public facilities and utilities are available to the site.

Summary: The applicant met with staff to discuss the site and rezoning on June 12, 2019 and expressed our concerns regarding the rezoning request. There are no comments to address at this time.
Character Areas

These character areas are intended to provide general guidance for land use decisions that will shape development growth for the next twenty years. Each area is presented in a narrative that incorporates the intent of the area, primary future land uses, and a description of the character of the area.

- Natural Areas
- Community Commerce Areas
- Rural Neighborhood Areas
- Downtown/City Center
- Residential Neighborhood Areas
- Industrial Areas
- Mixed Use Neighborhood Areas
- Innovation Areas
- City Neighborhood Areas
- Gateway Areas

Spring Hill RISING: 2040
Downtown/City Center

Downtown/City Center is the heart of Spring Hill. It is a place that belongs to everyone and embodies the “small town feel” and culture that we have worked so diligently to protect. This is where our community comes together to enjoy and celebrate our quality of life.

Downtown/City Center is characterized by a compact, walkable environment typical of town centers. Development creates and promotes our sense of place and community, and it encourages active living and community interaction. Future development emphasizes connectivity and uses that generate a high level of activity. These are not developments that are designed to accommodate the automobile and related services.

Buildings are typically two or more stories and reinforce traditional pedestrian scale. They have shallow setbacks and are used to frame the street. Green space is characterized by street trees, planters, planting strips, formal public spaces, and a town square, though existing natural and historic features of properties are maintained and incorporated into the design.

The transportation network is complete and connected in a block-and-street layout. Streets are designed to accommodate all modes of transportation but to promote pedestrian access, activity, and safety.

Primary future land use includes appropriate mixtures of residential, professional offices, eating places, places of worship, small-scale retail, entertainment, cultural uses, community recreational uses, and municipal services.

Design Principles

- **Site Design**
  - Vehicular access is provided by alleys and private driveways
  - Building setbacks are 10 feet or less in depth
  - Moderate to high lot coverage
  - Parking lots are not adjacent to or visible from the street

- **Density/Intensity**
  - Moderate to high density
  - Low to moderate intensity
  - One to three story buildings

- **Green Space**
  - Formal landscaping
  - Moderately dense street trees, bushes, and planting strips
  - Public spaces
  - Town square

- **Transportation**
  - High pedestrian connectivity
  - Bike lanes and greenways
  - Complete and connected street network

- **Infrastructure**
  - Municipal water and sewer service

Spring Hill RISING: 2040
### Article 8. Uses

#### Table 8-1: Use Matrix

<table>
<thead>
<tr>
<th>Principal Use</th>
<th>P = Permitted Use</th>
<th>S = Special Use</th>
<th>T = Temporary Use</th>
<th>Blank = Use not allowed in the district</th>
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<tr>
<td>Agriculture</td>
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<tr>
<td>Amusement Facility - Outdoor</td>
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<tr>
<td>Animal Care Facility - Large Animal</td>
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<td>Cemetery</td>
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**City of Spring Hill**  
**August 20, 2018**

**USES IN C-1 DISTRICT**

**Unified Development Code**
**Principal and Temporary Uses: Use Matrix**
# Article 8. Uses

## City of Spring Hill
**August 20, 2018**

**Unified Development Code**
**Principal and Temporary Uses: Use Matrix**

## Table 8-1: Use Matrix

<table>
<thead>
<tr>
<th>Principal Use</th>
<th>P = Permitted Use</th>
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<th>Blank = Use not allowed in the district</th>
<th>USE STANDARD</th>
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<tr>
<td>Dwelling - Accessory Dwelling Unit: 900 sf or Less in GFA</td>
<td>P P P P P</td>
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City of Spring Hill
August 20, 2018

Unified Development Code
Principal and Temporary Uses: Use Matrix
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(Ord. 19-09, 4/15/19)
SPm 713-2019: Submitted by Tim Neal for 1220 School Street. The property is zoned C-D-C and contains approximately 1.40 acres. The applicant is requesting site plan minor modification to allow gravel parking. Requested by Tim Neal.

Request: The applicant/property owner is requesting approval to continue parking in areas generally used for parking in the past, which backs into School Street.

History and Property Description: This property is located at the southeast corner of Duplex and School Street. The property contains approximately 1.40 acres and contains a number of different uses. Parking in the front along school street is gravel and is accessed by driving over the sidewalk. This practice has been the practice for many years. Recent changes that impacted this past practice are associated with the TDOT improvement to Duplex Road.

Building & Site Design: The building was originally built towards the end of the 19th century and was converted to a public high school in the 1920’s. The building was purchased and converted into rentable spaces by Mr. Neal in the mid 1990’s. Since then, parking has been allowed in the rear of the building and in the front on school street. As shown in aerial photos, the front parking is gravel and is split up by a few trees (which were recently removed). In the fall of 2018, as a part of the road project to Duplex, TDOT placed new sidewalks along a portion of Duplex Road and performed improvements which changed how parking is utilized on this site. The sidewalk poured was not intended to be crossed by motor vehicles and has been cracked in areas. In addition, where curbing is in place, the property owner added gravel to facilitate crossing the curb and sidewalk for parking purposes. The improvements do not appear to have been for the purpose of allowing the continuation of parking in all locations where it previously occurred. The gravel placed in the right-of-way has also caused drainage issues for the contractor and TDOT. The removal of two mature trees has made room for additional parking spaces.

Bulk and Area: Bulk and area data is compliant with the requirements of the C-D-C zoning district.

Summary: Staff met with the property owner and discussed the history of the site, the Duplex Road widening project, and our concerns regarding the continued use of parking. Staff has visited the site and reviewed available aerial photographs (attached) to gain a full understanding of the site and request. We believe that the continued use of parking in close proximity to the intersection creates an adverse situation and will contribute to conflicts with motorists. At this time staff does not have a recommendation on how the property owners request can be reasonably accommodated. The applicant met with staff to discuss the site on June 12, 2019.

Staff will be prepared to discuss this request with the Planning Commission at the work session.
Preferred height

\[5'\]
This area is not level - would like it all to be 5"

JUNE 2019
Would like lowered to 5"

June 2019
ZTA 671-2019: This request was initiated by the City of Spring Hill to amend the text of the zoning ordinance at Article 8.3.Z of the UDC. The proposed change will replace Section Z in its entirety with Exhibit A and replace Section 8.5 "Use Definitions" at “Wireless Telecommunications” with new use definitions from Exhibit A. Requested by the City of Spring Hill.

Zoning Text Amendments: Attached is a ‘working draft’ of the text revisions. Staff is continuing to review and make needed revisions to improve the proposed regulations. However, since there are multiple groups with interest in siting cell towers and small cell facilities with the community, the code amendment process is being initiated now.

The current adopted UDC addresses traditional cell towers in a less than comprehensive manner and does not address new technology, like small cell, in any respect. Staff has been contacted by several providers regarding the installation of small cell facilities within the community. The proposed regulations will provide a comprehensive approach to reviewing and regulating these facilities to the extend permitted by State and Federal law. In many ways, the city’s zoning authority has been preempted. Most of our review authority is limited to aesthetic considerations. In addition, a request may not be denied based on perceived impacts of electromagnetic signals used by the facilities.

The UDC allows the Code to be amended in accordance with Article 13. The process for amending the zoning regulations is intended to allow modifications in response to omissions or errors, changed conditions, or changes in City policy. Amendments are not intended to relieve particular hardships or confer special privileges or rights upon any person or party. The approval standards for zoning text amendments, as found in the Unified Development Code, Article 13, are below:

2. Approval Standards for Text Amendments
   a. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
   b. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.
   c. The extent to which the proposed amendment creates nonconformities.
   d. The consistency of the proposed amendment with the intent and general regulations of this Code.

Requested Zoning Text Amendments:

1. Replace Section 8.3.Z in its entirety
2. Replace 8.5 Use Definitions, “Wireless Telecommunications” with new ‘use’ definitions from Exhibit A.

The proposed draft separates regulations, allowances, application requirements and aesthetic considerations for cell towers and small cell/Distributed Antenna System facilities.

Summary: Staff will be present to discuss the proposed changes to the zoning ordinance and answer any questions that the Planning Commission may have.
Z. Wireless Telecommunications *(Replace with Exhibit A)*

1. Setbacks
   a. All wireless telecommunications towers must be set back no less than the tower height from all existing principal buildings on the lot and adjacent lots, measured at the nearest external wall(s), as well as within the buildable area of any adjacent undeveloped lot, as defined by current setback requirements. The setback distance is measured from the nearest point on the outside edge of a tower to the nearest point on the foundation of the building.

   b. All wireless telecommunications facilities, including accessory structures such as maintenance sheds, must be set back from all property lines in accordance with the minimum setback requirements in the zoning district.

2. Tower Height
   The maximum height of a wireless telecommunications tower is the minimum needed to function satisfactorily. The application for approval of a wireless telecommunications tower must demonstrate the minimum height needed for the tower to function, which will be reviewed and approved as part of site plan review. The City has the ability to hire an independent consultant to assist in review of the proposed height, whose fee will be charged to the applicant.

3. Lighting and Marking
   Wireless telecommunications systems must not be lit or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).

4. Specific Standards for Wireless Telecommunications Antennas
   Wireless telecommunications antennas are a special use in all districts, unless they are stealth design in which case they are a permitted use. Stealth design for wireless antennas is encouraged and is considered a permitted use in all districts, subject to administrative site plan review and approval. In addition to the standards of this section for wireless telecommunications antennas, stealth design must comply with the following additional regulations:
   a. To qualify as a stealth design, wireless telecommunications antennas must be enclosed, camouflaged, screened, obscured, or otherwise not readily apparent to a casual observer.

   b. Wireless telecommunication antennas must be mounted at least 30 feet above grade, as measured from grade to the base of the antenna, to qualify as stealth design, in addition to meeting the other requirements of this section. Wireless telecommunication antennas mounted lower than 30 feet are considered a special use.

   c. Antennas must be located on or in structures already permitted within zoning districts, such as water towers, clock towers, streetlights, penthouses, parapet walls (must be behind the parapet wall), and steeples, and must be designed to blend in with the structure.

   d. Antennas that co-locate on existing wireless telecommunications towers are also considered stealth design. However, such antennas cannot increase the overall height of the existing wireless telecommunications tower.

   e. No antenna may increase the overall height of any structure on which it is mounted by more than 12 feet.
5. Specific Standards for Wireless Telecommunications Facilities
   a. Any buildings, cabinets, or shelters may house only equipment and supplies for operation of the wireless telecommunication tower. Any equipment not used in direct support of such operation must not be stored on the site.
   
b. Commercial advertising is prohibited. Only signs that are part of the equipment as manufactured or warning signs are permitted.

6. Specific Standards for Wireless Telecommunications Towers
   a. The use of guyed towers is prohibited. Towers must be monopoles, meaning self-supporting with no wires, cables, or beams.
   
b. Wireless telecommunications towers must be designed to accommodate other telecommunications providers. The area surrounding a tower must be of a sufficient size to accommodate accompanying wireless telecommunications facilities for other telecommunications providers.
   
c. Unless otherwise required by the Federal Communications Commission, the Federal Aviation Administration or the City, towers must have a galvanized silver or gray finish.

7. Specific Standards for Distributed Antenna Systems (DAS)
   a. All equipment related to a distributed antenna system must be mounted/co-located on existing poles or other existing structures unless it can be shown that an alternate location will be less obtrusive and/or more beneficial to the public. The design of any new pole requested requires special use approval.
   
b. An applicant seeking installation of a distributed antenna system must demonstrate that it has made efforts to blend or camouflage the system with existing facilities and surroundings or has otherwise screened or concealed the system from view. Approved blending methods include, but are not limited to, location of equipment other than antennas within a tree canopy or other inconspicuous location, use of green, brown or other colored equipment (if commercially available to the applicant) designed to mimic the colors and/or materials of the tree canopy, co-location structure or other nearby structures, as well as use of textures and shapes as appropriate, all with the intent of minimizing the visual impact of the system. Unnatural colors and exposed cables are prohibited.
   
c. All pole-mounted distributed antenna systems must be installed at a minimum height of nine feet above the ground. Equipment may be housed in a cabinet at ground level only with the approval of the City as to location and with appropriate screening.
   
d. Distributed antenna systems may not extend more than seven feet above the height of the existing pole or other structure on which it is installed.
   
e. Where distributed antenna systems are placed in residential districts, every effort must be made to avoid placement at right of way locations directly in front of a residence. If placement directly in front of a residence is absolutely necessary for technological reasons, the City has the right to require screening or impose other design mitigation requirements.
   
f. The City may request that a particular node or nodes be placed in an alternative location to that proposed by the applicant. Where a request for an alternative location is unable to be accommodated by an applicant, the applicant must supply an explanation in writing as to why the suggested alternative location will materially compromise the functioning of the system or is otherwise impractical.

8. Abandonment
   Any wireless telecommunications system that is not operated for a period of 180 consecutive days is considered abandoned. The owner must immediately remove the tower or facility, and all aboveground equipment and related debris. The City may ensure and enforce removal by means of its existing regulatory authority.

9. Nonconformities
   a. Ordinary maintenance, including replacement/upgrading, of antenna equipment may be performed on nonconforming antennas or towers. However, if the proposed alteration intensifies a nonconforming characteristic of the antenna or tower, a variance is required.
   
b. Co-location of an antenna on an existing nonconforming tower is permitted as a special use, provided that the addition of the antenna and any additional wireless telecommunications facilities do not increase the overall height of the nonconforming tower.
8.5 Use Definitions (Replace with 'use definitions' from Exhibit A)

Wireless Telecommunications. Towers, antennas, and facilities used to transmit and receive signals that facilitate wireless telecommunications. The following definitions describe the wireless telecommunications infrastructure described within the general definition for wireless telecommunications:

1. **Antenna.** A specific device, the surface of which is used to transmit and/or receive signals transmitted to or from other antennas. This does not include satellite dish antennas.

2. **Facility.** A structure used to house and protect the equipment necessary for processing telecommunications signals, which may include air conditioning equipment and emergency generators. Facility also includes any necessary equipment that facilitates wireless transmission.

3. **Tower.** A structure designed and constructed to support one or more wireless telecommunications antennas and including all appurtenant devices attached to it.

4. **Distributed Antenna System.** A wireless communications network with multiple spatially separated antenna nodes and related equipment mounted on existing infrastructure, typically power, light, and/or telephone poles, all connected to a common source via fiber optic cable or other transport medium, which provides enhanced coverage within a geographic area.
Z. Wireless Telecommunications

The reader should also refer to Table 8-1: Use Matrix for use allowances and processes.

1. Purposes Generally.

a. The general purpose of this article is to regulate the placement, construction, and modification of towers and telecommunications facilities in order to protect the health, safety, and welfare of the public, while not unreasonably interfering with the development of the competitive wireless telecommunications marketplace in the city.

b. Specifically, the purposes of this article are to:

I. Regulate the location of towers and wireless telecommunications facilities in the city;

II. Protect residential areas and land uses from potential adverse impacts of towers and wireless telecommunications facilities;

III. Minimize adverse visual impact of towers and wireless telecommunications facilities through careful design, sitting, landscaping, and innovative camouflaging techniques;

IV. Promote and encourage shared use/colocation of towers and wireless antenna support structures as a primary option rather than construction of additional single-use towers and support structures;

V. Promote and encourage utilization of technological designs that will either eliminate or reduce the need for erection of new tower structures to support antenna and wireless telecommunications facilities;

VI. Avoid potential damage to property caused by towers and wireless telecommunications facilities by ensuring such structures are soundly and carefully designed, constructed, modified, maintained, and removed when no longer used or are determined to be structurally unsound; and

VII. Ensure that towers and wireless telecommunications facilities are compatible with surrounding land uses.

2. Definitions

[The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Accessory equipment means any equipment used to house, protect, serve or being used in conjunction with cell towers, wireless telecommunications, DAS, small cell technology, including, but not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or similar structures. Accessory equipment for a cell tower is typically contained within an equipment
shed located on the ground, while accessory equipment for a small cell or DAS facility may be mounted on a wireless support structure (WSS).

*Antenna* means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of all types of wireless telecommunications services. This does not include satellite dish antennas.

*Applicant* means a person or entity with an application before the city for a permit for a tower, wireless telecommunications, or wireless support structure (WSS).

*Application* means a formal request submitted to the city to construct or install a cell tower, wireless support structure, antenna, or the wireless telecommunications equipment attached thereto. An application shall be deemed complete when all documents, information, and fees specifically enumerated in the city's regulations, ordinances and forms pertaining to the location, construction or operation of wireless facilities are submitted by the applicant to the city.

*Applicable Codes* means uniform building, fire, electrical, plumbing, or mechanical codes published by a recognized national code organization and adopted by the City of Spring Hill, as amended.

*City-owned WSS* means a Wireless Support Structure owned or leased by the city in the rights-of-way, including a utility pole that provides lighting or traffic control functions, including light poles, traffic signals, and structures for signage; and (ii) a pole or similar structure owned/leased by the city in the rights-of-way that supports only wireless facilities. City-owned WSS does not include a WSS owned by a distributor of electric power.

*City* means City of Spring Hill, Tennessee.

*Colocate, colocating, and colocation* mean, in their respective noun and verb forms, to install, mount, maintain, modify, operate, and/or replace antenna, small wireless facilities, or DAS equipment on a cell tower or Wireless Support Structure (WSS). “Colocation” does not include the installation of a new cell tower or Wireless Support Structure (WSS), or replacement of a WSS.

*Conceal* means to enclose a WSS within a natural or manmade feature, resulting in the facility being either invisible or hidden by the feature enclosing it.

*Distributed Antenna System* (DAS) is a network of spatially separated antenna nodes connected to a common source via fiber optic cable or other transport medium that provides wireless service within a geographic area or structure. A distributed antenna system may be deployed indoors (an iDAS) or outdoors (an oDAS).
Day means calendar day.

Design means the appearance of a Wireless Support Structure (WSS) or Wireless Telecommunication, including the structures, materials, colors and shape.

Disguise means to design a Wireless Support Structure (WSS) or Wireless Telecommunications to appear to be something other than its conventional or traditional form, achieving a compatible appearance with the surrounding environs.

Equipment compound means an area, cabinet, or shed typically surrounding or adjacent to the base of a tower or typically located on a wireless support structure, either above or below ground, within which accessory equipment is located.

Fall zone means the area on the ground within a prescribed radius in all directions from the base of a tower, which is intended as a safety zone from potential falling debris or collapsing material.

Federal Communications Commission (or FCC) means the federal agency charged with licensing and regulating wireless communications at the national level.

Fee means a one-time, non-recurring charge.

Guyed tower means a mount that is anchored to the ground or to another surface by diagonally placed cables with the opportunity for antennas to be attached at the top of and/or along the primary structure.

Height means the distance measured from existing grade to the highest point of a tower or WSS, including any antenna(s).

Lattice tower means a mount with multiple legs and cross-bracing of structural steel with the opportunity for antennas to be attached at the top and/or along the structural support system.

Macrosite means a cell in a mobile phone network that provides radio coverage served by a high power cell site (tower, antenna or mast). Generally, macrosites provide coverage larger than microcell. The antennas for macrosites are mounted on ground-based masts, rooftops and other existing structures, at a height that provides a clear view over the surrounding buildings and terrain. Macrosite base stations have power outputs of typically tens of watts.

Mitigation means the reduction or elimination of visual impacts by the use of one or more methods, including concealment, camouflage, and/or disguise.

Monopole means a type of mount that is self-supporting with a single shaft of wood, steel or concrete without the use of guyed wires, and with the opportunity for antenna placement at the top of and/or along or within the shaft.
Permittee means an applicant who has been granted a permit.

Provider means an entity offering any personal wireless service. Under this definition, a tower builder does not constitute a provider. A provider licensed by the FCC to offer a personal wireless service is considered a "licensed provider" for purposes of this article.

Right-of-way or ROW means the space, in, upon, above, along, across, and over all public streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skywalks under the control of the City or Tennessee Department of Transportation (TDOT), and any unrestricted public utility easement established, dedicated, platted, improved, or devoted for utility purposes and accepted as such public utility easement by the city.

Site means that portion of a specific property or right-of-way where a proposed Wireless Support Structure (WSS) is to be placed.

Siting means how the tower or WSS will be placed within a proposed site.

Small cell wireless technology means: (1) individual small cell wireless antennas; or (2) networks of spatially separated small cell wireless antenna nodes connected to a common source via fiber optic transport medium that provides wireless service within a geographic area.

Small cell technology wireless support structure means a Wireless Support Structure (WSS), designed to support or capable of supporting small cell wireless technology. Means a structure used for the installation of small cell wireless technology or DAS systems in lieu of traditional monopoles, guyed towers and lattice towers. Such structures typically include poles less than 42 feet in height, placed in close proximity to one another and used to supplement wireless communications. Requests for Small Cell and Distributed Antenna System installations shall follow the regulations contained in Section 4: SMALL CELL AND DISTRIBUTED ANTENNA SYSTEMS (DAS) contained herein.

Stealth technology means a method of concealing or reducing the visual impact of small cell technology and/or small cell technology wireless support structures by use of incorporating features or design elements of the installation which either totally or partially conceals the structure; achieves the result of having the structure blend into the surrounding environment; or otherwise minimizes the visual impact of the structure.

Telecommunications Tower (Tower) means a structure designed and constructed to support macrocell technology, including one or more wireless telecommunications antennas and including all appurtenant devices attached to it. All new towers must be monopole in design. Towers are generally over 100' in height.
**Wireless Facility** means equipment at a fixed location that enables wireless communications between user equipment and a communications network.

**Wireless support structure (WSS)** means an existing or proposed pole or other structure used for wireline communications, electric distribution, lighting, traffic control, signage, or a similar function typically located within the right-of-way or public utility easement, including poles installed solely for the support or colocation of a small wireless facility. When "WSS" is modified by the term "new," then "new WSS" means a WSS that does not exist at the time the application is submitted, including, but not limited to, a WSS that will replace an existing pole. The fact that a structure is a WSS does not alone authorize an applicant to colocate on, modify, or replace the WSS until an application is approved, permission from the WSS owner is secured, and all requirements are satisfied pursuant to this ordinance. Sometimes referred to as an antenna support structure.

**Wireless Telecommunications** means the various technology and equipment hardware used to transmit and receive signals that facilitate wireless telecommunications. These facilities include, but are not limited to, towers, antennas, and support structures, accessory equipment that support macrocell facilities, Distributed Antenna Systems, and small cell facilities.

**Wireless services provider** means a person who provides wireless services.

3. **TELECOMMUNICATION TOWERS - GENERAL SITE DEVELOPMENT REQUIREMENTS:**

   a. **General Regulations.**

      I. New telecommunication towers require a special use per Table 8-1.

      II. Telecommunications towers must maintain a galvanized steel finish or, be painted a neutral color, so as to reduce visual obtrusiveness. A requirement to the contrary according to any applicable standards of the Federal Aviation Administration or Federal Communications Commission, shall be followed.

      III. At a tower site, the design of the buildings and related structures must, to the maximum extent possible, use materials, colors, textures, screening and landscaping that will blend the tower facilities into the natural setting and/or built environment.

      IV. Towers may not be artificially lighted, unless required by the Federal Aviation Administration, Federal Communications Commission or other applicable authority. If lighting is required, it must be done in a way that minimizes the disturbance to surrounding property, including right-of-way.

      V. The perceived environmental effects of radio frequency emissions may not serve as a basis to approve, deny or otherwise regulate a telecommunications tower to the extent that emissions comply with Federal Communications Commission regulations.
VI. All decisions denying a request to place, construct or modify a telecommunications tower must be in writing and be supported by a written record documenting the reasons for the denial and the evidence in support of the decision. Decisions must be made within a reasonable time from the date a completed application is duly filed.

VII. Each applicant requesting approval of a telecommunications tower must provide to the City of Spring Hill as a part of the application, an inventory of its existing towers that are either within the city or within one-quarter mile of the city boundaries, including information regarding the location, height and design of each tower. The City may share this information with other applicants or with other organizations seeking to locate a telecommunications tower within the city. In sharing this information, the City is not in any way representing or warranting that the sites are available or suitable.

VIII. The city desires that colocation be the first priority over new towers when considering new telecommunications antennas. Prior to the approval of a new telecommunications tower, all opportunities to pursue and collocate on an existing tower or antenna support structure shall be exhausted.

IX. No new telecommunications tower may be permitted unless the applicant demonstrates that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence must be submitted at the time of application demonstrating that no existing tower or structure can accommodate the applicant's proposed antenna and may consist of one or more of the following:

(A) No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements;

(B) Existing towers or structures are not of sufficient height to meet applicant's engineering requirements;

(C) Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment;

(D) The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna;

(E) The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable; or

(F) There are other limiting factors that render existing towers and structures unsuitable.

X. The placement of accessory equipment and buildings required to support an otherwise authorized telecommunications tower or antenna is specifically authorized.
XI. No person, provider, or other entity shall build, erect, or construct a tower upon any parcel of land within any zoning district unless approvals required by this ordinance have been granted and required permits shall have been issued by the City. Application shall be made to the City in the manner provided in this article.

XII. No new tower shall be built, constructed, or erected in the city unless the tower is capable of supporting another person, provider, or other entities operating telecommunications facilities comparable in weight, size, and surface area to the telecommunications facilities installed by the applicant on the tower. All new towers shall be designed to accommodate requests for colocation from other wireless providers.

XIII. An application to develop a new tower shall, in addition to the requirements in Article 13-13.3, Special Use, include:

(A) The name, address, and telephone number of the owner and lessee of the parcel of land upon which the tower is situated.

(B) The legal description, folio number, and address of the parcel of land upon which tower is situated.

(C) The names, addresses, telephone numbers, and locations of all owners of other towers or usable antenna support structures within a one-half mile radius of the proposed new tower site, including city-owned property.

(D) An affidavit attesting to the fact that the applicant made diligent, but unsuccessful, efforts to install or colocate the applicant's telecommunications facilities on city-owned towers or usable antenna support structures owned by other persons, located within a one-half mile radius of the proposed tower site.

(E) Written technical evidence, in the form of a written statement, from an engineer that the proposed tower or telecommunications facilities cannot be installed or colocated on another tower or usable antenna support structures owned by other persons located within one-half mile radius of the proposed tower site.

(F) A written statement from an engineer that the construction and placement of the tower will not interfere with public safety communications and the usual and customary transmission or reception of radio, television, or other communications services enjoyed by adjacent residential and nonresidential properties.

(G) A site plan, drawn to scale, showing the subject site, fall zones, setbacks, accessory equipment compound/shed, vehicle access, fencing, landscaping, adjacent property owners and zoning information.

(H) In order to assist city staff in evaluating visual impact, the applicant shall submit color photo simulations showing the proposed site of the tower.
with a photo-realistic representation of the proposed tower as it would appear viewed from the closest residential property and from adjacent roadways.

(I) The FCC has sole jurisdiction of the field of regulation of RF emissions. The city may not condition or deny a request on the basis of RF impacts the approval of any telecommunications facility (whether mounted on towers or antenna support structures) which meet FCC standards. Applicants shall be required to submit information on the proposed power density of their proposed telecommunications facilities and demonstrate how this meets FCC standards.

XIV. The planning department will cause the application to be presented to and reviewed by other essential city staff, as necessary to determine compliance with these regulations.

b. Site Plan Requirements

I. All wireless telecommunications towers must be set back no less than the tower height from all existing principal buildings on the lot, measured at the nearest external wall(s), as well as from the external boundaries of the lot upon which the tower is located. The setback distance is measured from the nearest point on the outside edge of a tower to the nearest point on the foundation of the building or lot line.

II. All Accessory Equipment and Equipment Compounds including accessory structures such as maintenance sheds, must be set back from all property lines in accordance with the minimum setback requirements for the zoning district.

III. Telecommunications towers and associated equipment must be entirely enclosed by an opaque security fence of at least six feet, and no more than eight feet, in height. Chain link fencing with slats shall not be used. Fencing shall be placed to enclose the base of the tower and equipment compound. A sign shall be mounted on the outside of the compound gate identifying the emergency name and phone number for the company.

IV. In addition to any other landscaping or buffer requirements that may apply, telecommunications towers must be landscaped with plant material that effectively screens the tower site from adjacent uses. Existing tree growth and natural land forms on-site must be preserved to the maximum extent possible. At a minimum, a landscaped strip ten feet in width must be provided around fencing required in 'III' above.

V. The maximum height of a wireless telecommunications tower is the minimum needed to function satisfactorily, but in no case over 150’ unless approved by the Board of Zoning Appeals through the special use process. The application for approval of a wireless telecommunications tower must demonstrate the minimum
height needed for the tower to function, which will be reviewed and approved as part of special use review.

VI. Building-mounted antennas in residential zoning districts must be visually screened from view of all abutting lots. Building-mounted antennas in other zoning districts must be screened or designed and installed so as to make the antenna and related equipment as visually unobtrusive as possible.

VII. Antennas may be located on or in structures permitted within zoning districts, such as water towers, clock towers, streetlights, traffic lights, light poles, penthouses, parapet walls (must be behind the parapet wall), and steeples, and must be designed to blend in with the structure.

VIII. No antenna may increase the overall height of any structure on which it is mounted by more than 12 feet.

C. Miscellaneous Regulations

I. Signs. The use of signs shall be minimized to the greatest extent possible. No signs shall be permitted at any Wireless Telecommunications site other than for owner identification with contact phone numbers and for public safety purposes as may be required by federal or state agencies. No single sign shall be larger than four square feet, unless otherwise required.

II. Exterior treatment. All Wireless Telecommunications equipment shelters and public utility buildings that are visible to the public shall be designed and constructed of materials durable materials, including brick, stone, cementous fiber board, so as to be architecturally compatible with the architectural character of the surrounding area.

III. Wireless Telecommunications Security barriers. A security barrier shall be required around the perimeter of any Wireless Telecommunications related equipment shelter, and any anchor points. In the case of a roof-mounted Wireless Telecommunications, a security barrier shall be required to prevent public access to the antenna and exposed equipment. No security barrier shall be required around any structure mounted and related equipment, provided the placement and design precludes public access to exposed equipment and the antenna array. The provider and/or mount owner shall maintain the security features during the life of the installation. The application shall identify the party to be responsible for maintaining the security barriers.

IV. Public safety communications interference. No new or existing Wireless Telecommunications shall interfere with public safety communications. If a potential problem is identified, the city may require applicants for new or modified Wireless Telecommunications to provide a technical evaluation study under the city's direction to identify any potential interference to public safety communications from existing and proposed transmissions and implement corrective solutions to resolve the problem.
V. Proposed towers must meet the following minimum separation requirements from existing towers or towers which have a development permit but are not yet constructed at the time a development permit is granted pursuant to this article:

(A) Monopole tower structures shall be separated from all other towers, whether monopole, self-supporting lattice, or guyed, by a minimum of 750 feet.

VI. Specific Standards for Wireless Telecommunications Facilities

(A) Any buildings, cabinets, or shelters may house only equipment and supplies for operation of the wireless telecommunications tower. Any equipment not used in direct support of such operation must not be stored on the site.

(B) Commercial advertising signs are prohibited. Only signs that are part of the equipment as manufactured or warning signs are permitted.

VII. Specific Standards for Wireless Telecommunication Towers

(A) The use of guyed towers and lattice towers is prohibited. Towers must be monopoles, meaning self-supporting with no wires, cables, or beams.

(B) Wireless telecommunications towers must be designed to accommodate other telecommunications providers. The area surrounding a tower must be of a sufficient size to accommodate wireless telecommunications facilities for other telecommunications providers.

(C) Unless otherwise required by the Federal Communications Commission, the Federal Aviation Administration or the City, towers must have a galvanized silver or gray finish.

d. Preexisting Telecommunications Tower.

I. Any Telecommunications Tower approved by the City of Spring Hill prior to adoption of this article shall be deemed a permitted use, subject to the conditions and requirements placed on the approval, and provided that substantial

II. Structures shall also be subject to the provisions of Article 14, Nonconformities.

e. REQUIRED APPROVAL PROCESS

Wireless Telecommunications Towers and Antenna are permitted as shown in Table 8-1. When permitted by right, the use shall be subject to administrative site plan approval by the planning department. For uses requiring a special use, the request shall be subject to review and approval by the Board of Zoning Appeals. Approval by the Board of Zoning Appeals shall also serve as and satisfy the requirement for site plan approval. Refer to Section 8.3.Z for Use Standards applicable to Wireless Telecommunications facilities.
Except as may be allowed elsewhere herein, it shall be unlawful for any individual, corporation or provider to erect, construct, place, re-erect, or replace any Telecommunications Tower without making application to the planning department and securing the approval of the city as required. In addition to complying with the performance, technical and development standards of this article, the approval authority may require additional conditions for the issuance of permits in locations where it is deemed necessary to protect and preserve existing land uses in the area. All denials of permits shall be in writing and supported by findings based on the provisions of this article.

I. Special land use permit approval criteria. In reviewing and acting on special land use permit applications for new telecommunication towers, authorized review and decision-making bodies must consider the following factors in addition to the generally applicable special land use permit approval criteria of Section 13.3:

(A) Height of the proposed tower;

(B) Proximity of the tower to residential structures;

(C) Nature of uses on adjacent and nearby properties;

(D) Surrounding topography;

(E) Surrounding tree cover and foliage;

(F) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness; and

(G) Compliance with telecommunication tower regulations of this section.

II. Administrative approval through the planning department shall be required for all non-new tower applications. Planning Department review shall be on a form and require the submittal of information as determined by the Planning Director.

III. Approval of a special use for a new tower shall expire according to Section 13.3 of the Unified Development Code. Administrative approvals from the planning department shall expire per Section 13.6.H.

IV. The regulations of this section apply to all telecommunications towers and antennas.

(A) Antennas that are attached or affixed to existing telecommunications towers or other existing structures are permitted as of right in all zoning districts, subject to administrative approval by the planning department, and provided that the antenna does not substantially change the physical dimensions of such structure. Refer to Section b, below. Substantial changes require approval as a Special Use by the Board of Zoning Appeals.

(B) Colocation antennas that substantially change the physical dimensions of such structure, require Special Use Permit approval. For the purpose of this section, "substantial change" shall mean:
Exhibit A – Wireless Telecommunications

Increases height by more than ten percent or 10' (right-of-way) or 20' feet (private property), whichever is greater. Appurtenance added protrudes from body of structure more than six (6) feet in width (right-of-way) or 20 feet in width (private property).

(1) Involves the installation of cabinets that are not screened from view off-site, or are taller than the existing screening fencing, such as stacked or elevated cabinets.

(2) Involves excavation or deployment outside the current "site." "Site" shall be defined as the current boundaries of the leased or owned property surrounding the tower and any access or utility easements (private property) or the area in proximity to the structure and other transmission equipment already deployed on the ground (right-of-way).

(3) For concealed or stealth-designed facilities, if a modification would defeat the concealment elements of the wireless tower or base station.

(4) The modification would not comply with other conditions imposed on the applicable wireless tower or base station, unless the non-compliance is due to an increase in height, increase in width, or new excavation that does not exceed the above thresholds.

f. Ongoing monitoring; abandonment; relocation.

The operation of each Telecommunications Tower shall be monitored by the city. Any permitted Telecommunications Tower installation shall satisfy the following requirements:

I. Reporting. On or before January 1 of every fifth year, each provider and authorized tower owner shall file an annual written report to the planning department, minimally outlining the location and status of all Telecommunications Towers in the city. The report shall also disclose the presence of any hazardous materials at the site and compliance with FCC guidelines on radio frequency radiation emissions. The department shall establish in writing minimum reporting standards for the annual report and may require additional information as may be needed to fully assess the status of operations.

II. Periodic inspection. Each provider and tower owner shall conduct an inspection of mounts following completion of construction and at least once every five years thereafter. Upon completion, a statement from a qualified licensed professional engineer shall be provided to the planning and codes department verifying the structural integrity of the mount and identification of all providers operating from the mount. If the report indicates the need for repair, the work shall be accomplished within 60 days from receipt of the report.
III. Abandonment and removal. Any Telecommunications Tower and mount that is not operated or used for a continuous period of 18 months shall be considered abandoned. In such cases, the owner shall remove the Telecommunications Tower, including associated mounts, foundation, and equipment, within 90 days after notice from the city. If such Telecommunications Tower is not removed within said 90 days, the city may have the Telecommunications Tower removed at the expense of the owner.

g. Maintenance - Certifications and inspections for Wireless Support Structures

I. All towers shall be certified by an engineer to be structurally sound and in conformance with the requirements of the standards set forth by this Code and federal and state law. For new monopole towers, such certification shall be submitted with an application and every five years thereafter. For existing monopole towers, certifications shall be submitted within 60 days of the effective date of the ordinance from which this article is derived and then every five years thereafter. The owner of the WSS is solely responsible for providing certifications to the City of Spring Hill. The tower owner may be required by the city to submit more frequent certifications should there be reason to believe that the structural and electrical integrity of the tower is jeopardized.

II. The city or its agents shall have authority to enter onto the property upon which a tower is located, between the inspection and certification required in subsection (a) of this section, to inspect the tower for the purpose of determining whether it complies with the building code and all other construction standards provided by this Code and federal and state law.

III. The city reserves the right to conduct such inspections at any time, upon reasonable notice to the tower owner. All expenses related to such inspections by the city shall be borne by the tower owner.

IV. Tower owners shall at all times employ ordinary and reasonable care and shall install and maintain in use nothing less than commonly accepted methods and devices for preventing failures and accidents which are likely to cause damage, injuries, or nuisances to the public.

V. Tower owners shall install and maintain towers, telecommunications facilities, wires, cables, fixtures, and other equipment in substantial compliance with the requirements of the National Electric Safety Code and all FCC, state, and local regulations, and in such manner that will not interfere with the use of other property.

VI. All maintenance or construction of towers, telecommunications facilities, or antenna support structures shall be performed by licensed maintenance and construction personnel.

VII. All towers shall maintain compliance with current RF emission standards of the FCC.
VIII. In the event that the use of a tower is discontinued by the tower owner, the tower owner shall provide written notice to the city of its intent to discontinue use and the date when the use shall be discontinued.

IX. Any wireless telecommunications system that is not operated for a period of 180 consecutive days is considered abandoned. The owner must immediately remove the tower or facility, and all aboveground equipment and related debris. The City may ensure and enforce removal by means of its existing regulatory authority.

h. Nonconformities
   I. Ordinary maintenance, including replacement/upgrading, of antenna equipment may be performed on nonconforming antennas or towers. However, if the proposed alteration intensifies a nonconforming characteristic of the antenna or tower it must be processed as a new application.
   II. Colocation of an antenna on an existing nonconforming tower is permitted as a by right, provided that the addition of the antenna and any additional wireless telecommunications facilities do not increase the overall height of the nonconforming tower.

4. SMALL CELL AND DISTRIBUTED ANTENNA SYSTEMS (DAS)

   Purpose. In accordance with Tennessee Code Annotated §13-24-401, et seq, known as "Competitive Wireless Broadband Investment, Deployment, and Safety Act of 2018," the purpose of this chapter is to establish policies and procedures for the placement of small wireless facilities in the public rights-of-way within the city's jurisdiction, which will provide public benefit consistent with the preservation of the integrity, safe usage, and visual qualities of the city's rights-of-way and to the city as a whole.

   a. Intent. In enacting this chapter, the city is establishing uniform standards to address issues presented by small wireless facilities, including without limitation, to:
      I. Prevent interference with the use of streets, sidewalks, alleys, parkways and other public ways and places;
      II. Prevent the creation of visual and physical obstructions and other conditions that are hazardous to vehicular and pedestrian traffic;
      III. Prevent interference with the facilities and operations of facilities lawfully located in public rights-of-way or public property;
      IV. Protect against environmental damage, including damage to trees;
      V. Preserve the character of the neighborhoods in which facilities are installed;
      VI. Facilitate rapid deployment of small wireless facilities to provide the benefits of advanced wireless services.

   b. APPROVAL PROCESS, APPLICATION
All applications for the installation of a new antenna(s) on an existing pole or new poles shall first be submitted to the City of Spring Hill, Planning Department for review and approval. The application shall be made on forms provided by the department and according to the application requirements set forth.

I. **Permit required.** No person may construct, install, and/or operate wireless facilities that occupy the right-of-way without first obtaining authorization from the city. Any proposed use of the right-of-way shall be reviewed, issued and administered in a non-discriminatory manner, shall be subject to such reasonable conditions as the city may from time to time establish for effective management of the right-of-way, and otherwise shall conform to the requirements of this chapter and applicable law.

II. **Permit applications.** All applications for use of the right-of-way filed pursuant to this chapter shall be on a form, paper or electronic, provided by the city. The applicant may designate portions of its application materials that it reasonably believes contain proprietary or confidential information as "proprietary" or "confidential" by clearly marking each page of such materials accordingly.

III. **Application requirements.** The application shall be made by the wireless provider or its duly authorized representative and shall contain the following:

- **(A)** The applicant’s name, business name, address, telephone number, and e-mail address;
- **(B)** The names, addresses, telephone numbers, and e-mail addresses of all consultants, contractors and subcontractors, if any, acting on behalf of the applicant with respect to the filing of the application or who may be involved in doing any work on behalf of the applicant;
- **(C)** A site plan for each proposed location with a diagram or engineering drawing depicting the design for installation of the small wireless facility with sufficient detail for the City to determine that the design of the installation and any new WSS or any modification of a WSS is consistent with all generally applicable safety and design requirements, including the requirements of the Manual on Uniform Traffic Control Devices.
- **(D)** The location of the site(s), including the latitudinal and longitudinal coordinates of the specific location(s) of the site;
- **(E)** Location of all WSS and ownership within a 50’ radius of the proposed site;
- **(F)** Identification of any third party upon whose WSS the applicant intends to colocate and certification by the applicant that it has obtained approval from the third party;
- **(G)** The applicant’s certification that the proposed site plan and design plans meet or exceed all applicable engineering, materials, electrical, and safety requirements.
standards, including all standards related to the structural integrity and weight-bearing capacity of the WSS and small wireless facility. Those standards relevant to engineering must be certified by a licensed professional engineer.

(H) Provide a statement that all wireless facilities shall comply with all applicable codes.

IV. Approval or Denial of Application; Response Time. The City responds to the applications for permit per the timelines prescribed in T.C.A. Section 13-24-409(b) regarding the approval or denial of applications, and the City shall respond to applications per the specific requirements of T.C.A. Section 13-24-409(b)(3). The City reserves the right to require a surcharge as indicated in T.C.A. Section 13-24-409(b)(7)(F)(i) for high-volume applicants.

V. Deployment after Permit. An applicant must complete installation of the applicant's wireless facilities within nine (9) months of approval of applications for the wireless facilities unless the City and the applicant agree to extend the period, or a delay is caused by a lack of commercial power or communications transport facilities to the site. If an applicant fails to complete deployment within the time required pursuant to this subsection (h), then the City may require that the applicant complete a new application and pay an application fee.

VI. Multiple Permit Applications at Same Location. If the City receives multiple applications seeking to deploy or collocate wireless facilities at the same location in an incompatible manner, then the City may deny the later filed application.

c. DESIGN AND SITE DEVELOPMENT STANDARDS

If a distributed antenna systems (DAS) is installed and entirely enclosed within a principal building, the requirements of this Code do not apply. Otherwise, unless written to the contrary, the following regulations are intended to apply as practicable to the installation of both small cell and Distributed Antenna Systems.

Placement on existing building roofs or ground mount structures and reconfiguration of existing light standards/poles (with no increase in height) is preferred to the installation of a new ground mount.

I. All equipment must be mounted/co-located on existing poles or other existing support structures unless it can be shown that an alternate location will be less obtrusive and/or more beneficial to the public.
II. An applicant seeking installation of these wireless systems must demonstrate that it has made efforts to blend or camouflage the system with existing facilities and surroundings or has otherwise screened or concealed the system from view. Approved blending methods include, but are not limited to, location of equipment other than antennas within a tree canopy or other inconspicuous location, use of green, brown or other colored equipment (if commercially available to the applicant) designed to mimic the colors and/or materials of the tree canopy, colocation structure or other nearby structures, as well as use of textures and shapes as appropriate, all with the intent of minimizing the visual impact of the system. Unnatural colors and exposed cables are prohibited.

III. All pole-mounted distributed antenna systems must be installed at a minimum height of nine feet above the ground. Equipment may be housed in a cabinet at ground level only with the approval of the City as to location and with appropriate screening.

IV. Distributed antenna systems may not extend more than seven feet above the height of the existing pole or other structure on which it is installed.

V. Where distributed antenna systems are placed in residential districts, every effort must be made to avoid placement at right of way locations directly in front of a residence. If placement directly in front of a residence is absolutely necessary for technological reasons, the City has the right to require screening or impose other design mitigation requirements.

VI. The City may request that a particular node or nodes be placed in an alternative location to that proposed by the applicant. Where a request for an alternative location is unable to be accommodated by an applicant, the applicant must supply an explanation in writing as to why the suggested alternative location will materially compromise the functioning of the system or is otherwise impractical.

VII. WSS. Wireless Support Structures shall be consistent in material and color with city standards for support structures in public right-of-ways, as determined by the public works department. Whenever practicable, a WSS shall not be placed in a curb lawn between the road and sidewalk. A WSS shall maintain a minimum 2' separation from a sidewalk, multi-use trail or similar facility.

VIII. Placement of roof-mounted WSS on commercial, industrial, or institutional buildings with flat roofs is acceptable, provided such placement does not extend above the maximum height limit in the applicable zoning district.

IX. Disguise techniques. To the greatest extent possible, WSS should be concealed within existing structures, camouflaged within the immediate surroundings, or placed on inconspicuous ground mounts that are compatible with nearby poles in the right-of-way or on the property.

X. Color/exterior appearance. A WSS should be painted with durable colors that are compatible with the immediate surroundings, or complementary with natural
features (including trees and sky). Wiring and other cabling shall be internally contained within the mounts and equipment and not directly visible. Exterior and side mounted antennas array shall not extend more than 24 inches from the surface of the mounting structure.

XII. **Height.** The maximum height of any WSS should be consistent with the height of legally conforming pole structures in the immediate area and no greater than 42 feet without Board of Zoning Appeals approval. Roof-mounted WSS shall not extend more than ten feet above the roof surface of the building or above the maximum building height of the zoning district.

XII. **Equipment cabinet/shelter.** A WSS equipment cabinet/shelter must be fully screened from public visibility at the time of installation. Unobtrusive pole mounts are acceptable if they do not project more than three (3) feet from the pole. The preferred method is through use of underground vaults. If this option is not practical or feasible, such equipment may be placed in adjoining wooded areas or screened through a combination of substantial landscaping, earthen berms, walls, fences, etc. The city may waive such screening requirements in locations that are not normally accessible or visible to the public.

XIII. **Bridge and/or Overpass Special Provision.** If the Applicant’s site plan includes any colocation design that includes attachment of any facility or structure to a bridge or overpass, then the applicant must designate a safety contact. After the Applicant’s construction is complete, the Applicant shall provide to the safety contact a licensed professional engineer’s certification that the construction is consistent with the applicant’s approved design, that the bridge or overpass maintains the same structural integrity as before the construction and installation process, and that during the construction and installation process neither the Applicant nor its contractors have discovered evidence of damage to or deterioration of the bridge or overpass that compromises its structural integrity. If such evidence is discovered during construction, then the Applicant shall provide notice of the evidence to the safety contact. Written approval from the bridge owner is required.

XIV. **Information updates.** Except as otherwise provided herein, any amendment to information contained in a permit application shall be submitted in writing to the city within 30 days after the change necessitating the amendment.

XV. **Application fees.** Unless otherwise provided by law, all permit applications for small wireless facility pursuant to this chapter shall be accompanied by a fee in accordance with T.C.A.13-24-407.

d. The following additional requirements shall apply to the installation of small cell technologies and Distributed Antenna Systems in the right-of-way.
I. Any small cell technology in a city right-of-way shall be co-located on the property of a utility, or other franchisee, legally existing in the public right-of-way, unless the applicant can demonstrate that no colocation opportunities exist.

II. In applying for a request to install a new wireless support structure (pole) the review process, including timelines, shall be in accordance with any applicable state and federal law. In reviewing the application, the planning department shall have the authority to assess the location(s) applied for and condition the approval on reasonably alleviating certain aesthetic and safety concerns of the request.

III. In applying for a request to install a new wireless support structure the review process, including timelines, shall be in accordance with 47 U.S.C. § 332(c)(7) of the Federal Telecommunications Act, and the FCC rules interpreting same, as well as the consideration of the following factors by the planning department to determine if the administrative variance is appropriate:

(A) Demonstrated need for the small cell technologies within the geographic area requested in order to deliver adequate service.

(B) Proof that all colocation sites in the area of need are/were pursued and have been denied; or that there does not exist the ability to co-locate using existing structures. The applicant must demonstrate all actions taken to achieve colocation.

(C) The character of the area in which the small cell technology wireless support structure is requested, including evidence of surrounding properties and uses.

(D) Stealth technology, if any, proposed to be utilized by the applicant, or proof that stealth technology is either unnecessary or cannot be used.

(E) Proof that the proposed small cell technology wireless support structure is the minimal physical installation which will achieve the applicant's goals.

(F) The safety and aesthetic impact of: any proposed small cell technology wireless support structure; related accessory equipment; and/or equipment compound.

e. Facilities in the ROW; maximum height; other requirements.

I. Aesthetic Plan. Unless otherwise determined by city staff, in an attempt to blend into the built environment, all small wireless facilities, new or modified utility poles, WSSs for the colocation of small wireless facilities, and associated equipment shall be consistent in size, mass, and color to similar facilities and equipment in the immediate area, subject to following requirements:

(A) When unable to match the design and color of existing utility poles in the immediate area small wireless facilities and/or new WSSs shall be designed using stealth or camouflaging techniques, to make the installation as
minimally intrusive as possible including stealth poles that are black or dark green in color, powder-coated steel and that do not exceed 16 inches in diameter. The city reserves the right to require a street light on the utility pole utilized for WSS. New wooden WSSs shall be strictly prohibited.

(B) New small wireless facilities, antennas, and associated equipment shall be consistent in size, mass, and color to similar facilities and equipment in the immediate area of the proposed facilities and equipment, minimizing the physical and visual impact to the community.

II. All permanent power used to operate the WSS shall be via underground connection to a permanent power source. Portable generators may be utilized on a temporary basis for a period not to exceed 30 days.

III. **Historic preservation.** For applications within 300 feet of a recognized historic property, the applicant must consider the impact facilities may have on the historic property and make reasonable efforts to minimize or avoid such impacts.

IV. **Replacing an existing City-owned WSS.** City-owned WSS may be replaced for the colocation of small wireless facilities. When replacing a WSS, any replacement WSS must reasonably conform to the design aesthetics of the WSS being replaced, and must continue to be capable of performing the same function in a comparable manner as it performed prior to replacement.

(A) When replacing a City-owned WSS, the replacement WSS becomes the property of the City, subject to T.C.A. 13-24-408(g).

(B) The city reserves the right to require a street light on the new WSS pole.

V. **Construction in the rights-of-way.** All construction, installation, maintenance, and operation of wireless facilities in the right-of-way by any wireless provider shall conform to the requirements of the following publications, as from time to time amended: The Rules of Tennessee Department of Transportation Right-of-Way Division, the National Electrical Code, and the National Electrical Safety Code, as might apply.

VI. **Maximum Height.** A new WSS installed or an existing WSS replaced in the ROW shall not exceed the greater of:

(A) Ten feet (10') in height above the tallest existing WSS in place as of the effective date of this part that is located within five hundred feet (500') of the new WSS in the ROW and, in residential neighborhoods, the tallest existing WSS that is located within five hundred feet (500') of the new WSS and is also located within the same residential neighborhood as the new WSS in the ROW;

(B) Fifty feet (50') above ground level; or
(C) For a WSS installed in a residential neighborhood, forty feet (40’) above ground level.

VII. **Maximum Height for Small wireless facilities.** Small wireless facilities shall not extend:

(A) More than ten feet (10’) above an existing WSS in place as of the effective date of this part; or

(B) On a new WSS, ten feet (10’) above the height permitted for a new WSS under this section.

f. Maintenance, Relocation and Abandonment

I. **Notice.** Within 90 days following written notice from the city, the permittee shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any small wireless facilities within the rights-of-way whenever the city has determined that such removal, relocation, change or alteration, is reasonably necessary for the construction, repair, maintenance, or installation of any city improvement in or upon, or the operations of the city in or upon, the rights-of-way. The city agrees to use good faith efforts to accommodate any such disconnection, removal, relocation, change, or alteration and to assist with identifying and securing a mutually agreed upon alternative location.

II. **Maintenance of existing facilities.** With respect to each wireless facility installed pursuant to a right-of-way use permit, permittee is hereby permitted to enter the right-of-way at any time to conduct repairs, maintenance or replacement not substantially changing the physical dimension of the wireless facility. Permittee shall comply with all rules, standards and restrictions applied by the city to all work within the right-of-way. If required by city, permittee shall submit a "maintenance of traffic" plan for any work resulting in significant blockage of the right-of-way. However, no excavation or work of any kind may be performed without a permit, except in the event of an emergency. In the event of emergency, permittee shall attempt to provide advance written or oral notice to the City of Spring Hill, Public Works Department.

III. **Removal of existing facilities.** If the permittee removes any wireless facilities, it shall notify the city of such change prior to removal.

IV. **Damage to facilities or property.** A permittee, including any contractor or subcontractor working for a permittee, shall avoid damage to any wireless facilities and/or public or private property. If any wireless facilities and/or public or private property are damaged by permittee, including any contractor or subcontractor working for permittee, the permittee shall promptly commence such repair and restore such property within ten business days. Permittee shall utilize the Tennessee One Call System prior to any disturbance of the rights-of-way and shall
adhere to all other requirements of the Tennessee Underground Utility Damage Prevention Act.

V. **Emergency removal or relocation of facilities.** The city retains the right and privilege to cut or move any small wireless facility located within the rights-of-way of the city, as the city may determine to be necessary, appropriate or useful in response to any serious public health or safety emergency. If circumstances permit, the city shall notify the wireless provider in writing and provide the wireless provider a reasonable opportunity to move its own wireless facilities prior to cutting or removing a wireless facility and shall notify the wireless provider after cutting or removing a wireless facility. Any removal shall be at the wireless providers sole cost. Should the wireless facility be colocated on property owned by a third-party, the city shall rely on the third-party to remove the wireless facility and shall be provided adequate notice and time to facilitate such removal.

VI. **Abandonment of facilities.** Upon abandonment of a small wireless facility within the rights-of-way of the city, the wireless provider shall notify the city within 90 days. Following receipt of such notice the city may direct the wireless provider to remove all or any portion of the small wireless facility, above and below ground, if the city determines that such removal will be in the best interest of the public health, safety and welfare. Should the wireless facility be colocated on property owned by a third-party, the city shall rely on the third-party to remove the wireless facility and shall be provided adequate notice and time to facilitate such removal. Any removal shall be at the wireless providers sole cost. Notify the City 90 days before abandonment.

VII. Failure to remove wireless facilities pursuant to this Code will result in no future permits being granted.

VIII. If the WSS is to be removed the property owner shall contact the planning department to schedule the removal and any applicable inspections.

IX. Any wireless telecommunications system that is not operated for a period of 180 consecutive days is considered abandoned. The owner must immediately remove the facility, and all aboveground equipment and related debris. The City may ensure and enforce removal by means of its existing regulatory authority.

i. **Pre-existing Wireless Support Structure**
   a. *Previously authorized WSS.* Any WSS approved by the City of Spring Hill prior to adoption of this article shall be deemed a permitted use, subject to the conditions and requirements placed on the approval, and provided that substantial construction of the WSS has begun within 12 months of approval.
   b. *Nonauthorized WSS.* Any WSS installed or colocated without a permit after the adoption of this article shall be considered in violation of the provisions herein and the provider and/or facility owner shall be subject to appropriate legal action to ensure removal of the WSS and to prevent the continued operation of the unauthorized WSS. Any WSS either located at an unauthorized site or colocated at a legally authorized WSS site without the Board of Zoning Appeals approval prior to adoption of this article shall be considered in violation of the
provisions herein and shall not be allowed to remain in operation unless a valid permit is obtained from the city within six months after adoption of this article. The issuance of a permit for any such WSS shall be in accordance with the provisions of this article. If the WSS is not brought into compliance within the six month time limit, then in addition to any penalties which may be imposed for violation of this article, the provider and/or facility owner shall be subject to appropriate legal action to ensure removal of the WSS and to prevent the continued operation of the unauthorized WSS.

c. **Repair/rehabilitation of existing WSS.** If a legally authorized WSS is damaged or destroyed due to any reason, it may be repaired and restored to its former use, location and physical dimensions upon issuance of a building permit. In no event shall a provider and/or facility owner upgrade or expand any WSS without submission of a new application for a permit that is in full compliance with this article.

d. **Colocation of WSS on nonconforming structure.** The colocation of a new WSS on a legal nonconforming structure shall be allowed if the provider obtains a permit for the new WSS pursuant to the provisions set forth in this article.

e. Structures shall also be subject to the provisions of Article 14, Nonconformities.
## Exhibit A – Wireless Telecommunications

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<thead>
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Request: Staff is requesting clarification from the Planning Commission regarding a recently adopted amendment to allow Amusement uses in the I-1 District (Ordinance 19-09). The proposal amended the Unified Development Code at Table 8-1: Use Matrix.

Background: Information provided to the Planning Commission and Board of Mayor and Alderman regarding this change is attached. The description page identified the change as permitting Amusement Facility (indoor and outdoor) within the I-1 District. The accompanying page from Table 8-1 inserted a “P” into the line for “Indoor” Amusement uses only. The “P” was inadvertently left out of the line for “Outdoor” Amusement uses.

The Economic Development Coordinator noticed the omission recently and through discussion with the City Attorney it was determined that the issue would be appropriate for the BOMA to determine. The Board of Mayor and Alderman voted to request Planning Commission consideration of this request. Staff requests that the PC adopt the attached resolution including either a recommendation for approval or denial of the change to Table 8-1. If the understanding and expectation of the Planning Commission was that all Amusement uses were being added to the I-1 District, as the description page states, then staff recommends approval. However, if the PC only intended to permit “indoor” Amusement uses within the I-1 District, then a recommendation for denial is requested.

Based on the wording on the discussion page, staff believes that it would be reasonable to conclude that the expectation of the Planning Commission and BOMA was for all Amusement uses to be permitted in the I-1 District. If so, staff recommends approval of the attached ordinance making this correction.

Recommendation: Staff recommends approval of Resolution 19-64 to forward a recommendation of approval to the Board of Mayor and Alderman.
RESOLUTION 19-64
OF THE PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE

A RESOLUTION TO RECOMMEND APPROVAL OF A CORRECTION
TO TABLE 8-1: USE MATRIX TO THE BOARD OF MAYOR AND
ALDERMAN

WHEREAS, written explanations provided to the Planning Commission for the change to the I-1 district stated that Amusement Facilities were to be permitted in the I-1 District; and

WHEREAS, the Planning Commission intended to recommend Amusement Facility as a permitted use in both the I-1 and I-2 zoning districts; and

WHEREAS, the Planning Commission considers the omission of a "P" in the Amusement Outdoor line item to be inconsequential to the intended change;

NOW, THEREFORE BE IT RESOLVED, that the Spring Hill Planning Commission forwards a recommendation of approval to the Board of Mayor and Alderman, to amend the Unified Development Code as provided in item A below.

A. Proposed Change to Table 8-1. Use Matrix

<table>
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Passed and adopted this 8th day of July, 2019.

Paul Downing, Chairman

Steve Foote, Secretary

Amusement Facility PC Res. 19-64
Item 5  Article 8 – Uses & Table 8-1 – Use Matrix

Category: Permitted Uses

Issue & Recommendation: For the next several items staff has determined that changes to the table of permitted uses are warranted. Proposed changes come from different sources and reflect current trends and needs within the community.


2. Allow "Greenhouse/Nursery - Retail" in I-1 Industrial zone. Add "Greenhouse/Nursery - Retail" as a permitted land use under I-1, Industrial zone.


4. Consider whether ‘enclosed’ self-storage should be permitted only in the I-1 and I-2 districts as “outdoor” storage is, or be allowed as a Special Use in the C-4 and C-5 districts (same as C-3 and C-G). There has been a significant increase in the construction of self-storage facilities throughout Spring Hill. Staff recommends limiting them to industrial districts.

5. Permitted Uses in IC (Institutional Campus). Need to broaden list of permitted uses to include financial institution, industrial light/design, office, and research and development in consideration of current and future uses at Northfield. Many of the uses located within Northfield are not permitted uses. These changes will make those uses conforming.

Proposed Code Change:

*See proposed amendments in Table 8-1*
<table>
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<th>PRINCIPAL USE</th>
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Request: Staff is requesting that the Board of Mayor and Alderman adopt the attached ordinance to correct a zoning map error. The subject parcel is zoned AG, but should be zoned I-1.

Background: The subject site was rezoned from AG to M-1 in 2008, via Ordinance No. 08-53. The rezoned area is approximately 10 acres in size and is the western tip of the overall parcel. Upon adoption of the UDC and new zoning map the property zoned M-1 was rezoned to I-1. The subject site was incorrectly identified as AG. Staff realized the error when meeting with a party interested in purchasing the site.

Recommendation: Based on the background, prior zoning actions, and the facts of this situation it is clear that the subject site is improperly and incorrectly zoned. Staff recommends approval of the attached Resolution No. 19-58 to forward a recommendation to the Board of Mayor and Alderman for correcting the zoning of this 10.51-acre property as shown below.
RESOLUTION 19-65
OF THE PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE

A RESOLUTION TO RECOMMEND APPROVAL OF A ZONING MAP
CORRECTION TO THE OFFICIAL ZONING MAP OF THE CITY OF
SPRING HILL, TENNESSEE, FOR A PORTION OF MAURY COUNTY
TAX MAP 043, PARCEL 007.00

WHEREAS, The City of Spring Hill Planning Commission desires to correct an error on the zoning map of the City of Spring Hill; and

WHEREAS, the adoption of the Unified Development Code and accompanying Official Zoning Map incorrectly classified the subject parcel as AG, Agriculture; and

WHEREAS, the western 10.51 acres of the subject site was rezoned from AG, Agriculture to M-1, Light Industrial, via Ordinance No. 2008-53; and

WHEREAS, the adoption of the UDC and revised Official Zoning Ordinance of Spring Hill intended to rezoning properties zoned M-1 to I-1;

NOW, THEREFORE BE IT RESOLVED, that the Spring Hill Planning Commission forwards a recommendation of approval to the Board of Mayor and Alderman, to revise the Official Zoning Map of the City of Spring Hill by changing the zoning depicted on the zoning map for the western 10.51 acres of the subject site from AG to I-1 as illustrated in the staff memorandum.

Passed and adopted this 8th day of July, 2019.

Paul Downing, Chairman

Steve Foote, Secretary
ORDINANCE NO. 08-53

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE AND MUNICIPAL ZONING MAP BY THE RECLASSIFICATION OF THE PROPERTY OF THE JAMES L. LOCHRIDGE PROPERTY, LOCATED ON JOHN LUNN ROAD, SHOWN ON MAURY COUNTY TAX MAP 43, PARCEL 6.02, CONSISTING OF A TOTAL OF 10.51 ACRES MORE OR LESS, TO M-1 INDUSTRIAL (LIGHT)

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. 08-42, 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 James L. Lochridge, located on John Lunn Road, and as shown on Maury County Tax Map 43, Parcel 6.02, consisting of a total of 10.51 acres, more or less to M-1 Industrial (Light).

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 20th day of January 2009.

Danny M. Leverette, Mayor

ATTEST:

April Goad, City Recorder

LEGAL FORM APPROVED:

Tim Underwood, City Attorney

Passed on 1st reading December 15, 2008

Passed on 2nd reading January 20, 2009
SPRING HILL ZONING AGENDA APPLICATION

Date: 10-10-08
Name of Applicant: James Lewis Loehrudge Phone: 931-486-2513
Address: 3840 John Loom Road

Name of Property Owner: James Loehrudge Phone: 931-486-2513
Address: 3840 John Loom Road

Request to Rezone:
I, James Loehrudge, request that the property located at John Loom Road be rezoned into M-1 Industrial for the purpose of 10.51 acres.

Request to Annexation:
I, ____________________________, request that the property located at ____________________________ be annexed into the corporate limits of the City of Spring Hill.

Request to Variance (setbacks, accessory structures, signs):
I, ____________________________, request a variance for the purpose of ____________________________

Request for Advice or Information Concerning:
I, ____________________________, request to speak with the Planning Commission for advice or information concerning ____________________________

This form, along with twenty (20) copies of the property or properties in question must be filed with the application fee, twenty one (21) days prior to the Planning Commission meeting in order to be placed on the agenda.

Placed on Agenda for meeting to be held Monday, ______________________ at 5:30PM.

approved √ rejected

Secretary of Planning Commission
Property Report

Location
Property Address: John Lunn Rd
Spring Hill, TN
Subdivision: Maury County, TN
County: Maury County, TN

Current Owner
Name: Lochridge James Lewis
Mailing Address: 3840 John Lunn Rd
Spring Hill, TN 37174-2151

Property Summary
Property Type: Agricultural
Land Use: Household Unit
Improvement Type: 0 sf
Total Square Feet: 0 sf

General Parcel Information
Parcel/Tax ID: 043 006.02
Special Int: 000
Alternate Parcel ID: 
Account Number: 
District/Ward: 03
Census Tract/Block: 

Sales History through 10/03/2008

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<tr>
<th>Date</th>
<th>Amount</th>
<th>Buyer/Owners</th>
<th>Buyer/Owners 2</th>
<th>Instrument</th>
<th>Quality</th>
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<td>11/22/1976</td>
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Tax Assessment

Appraised Amount: $8,400
Tax Year: 2007
City Taxes: $0
County Taxes: $52.50
Total Taxes: $52.50
Total Tax Appraisal: $8,400
Exempt Amount: $0
Exempt Reason: 

Total Assessment: $2,100
Exempt Reason: 

Mortgage History
No mortgages were found for this parcel.

Property Characteristics: Building
No Buildings were found for this parcel.

Property Characteristics: Extra Features
No extra features were found for this parcel.

Property Characteristics: Lot
Land Use: Household Unit
Lot Dimensions:

CRS - Property Report for Parcel Tax ID 043 006.02
CRS Power Tool Real Estate

Thursday, October 16, 2008

Property Report

John Lunn Rd, Spring Hill, TN
Maury County, TN parcel# 043 006.02
Public Hearing at
Spring Hill City Hall
Planning Commission
5:30 p.m. 8 DEC 08
Board of Mayor & Alderman
7:00 p.m. 20 JAN 09
Proposal to be Considered
Rezone 10.51 Acres
From AG TO M-1
484-2752 ext. 288
New Zoning Map

CITY OF SPRING HILL, TN
Default View

0 328 656 ft

www.lnltnct/vlGIS.mn

Posted 04/05/2019