

RESOLUTION 23-196

A RESOLUTION TO APPROVE THE ACCEPTANCE OF A FEE IN LIEU FROM HAVERHILL PROPERTIES (FAST PACE HEALTH) FOR THE CONSTRUCTION OF BIKE LANES ON OLD PORT ROYAL ROAD

WHEREAS, the City of Spring Hill reviewed and approved STP 1363-2023 on June 12, 2023 for the site layout and construction of a Fast Pace Health located off of Old Port Royal Road.

WHEREAS, Haverhill Properties(developer) is the entity responsible for the construction of Fast Pace Health and will do so in accordance with the Spring Hill Unified Development Code and as approved by the Planning Commission; and

WHEREAS, a condition of approval stated that the Planning Commission agreed to the acceptance of a fee in lieu for the cost to construct bike lanes; and

WHEREAS, the developer has prepared a cost estimate of the cost of bike lane to be \$7,400 and the developer has agreed to add 10 percent as a buffer, for a total fee in lieu of \$8,140.

WHEREAS, the acceptance of the fee in lieu will resolve one of the outstanding conditions of approval of STP 1363-2023; and

WHEREAS, the following documents have been attached to this resolution:

1. Planning Commission Approval Letter for STP1363-2023
2. Letter of Request from Haverhill Properties

NOW, THEREFORE BE IT RESOLVED, the City of Spring Hill Board of Mayor and Aldermen:

1. Approve the Development Agreement between the City of Spring Hill and Haverhill properties for fee in lieu for the construction cost of bike lanes on Old Port Royal Road along Fast Pace Street frontage.
2. The fee in lieu will be \$8,140.


Jim Hagaman, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney



REQUEST: *Approval of Resolution 23-196*
SUBMITTED BY: Peter Hughes, Development Services Director
DATE: October 2, 2023
RE: To accept fee in lieu for bike lanes on Old Port Royal Road associated with STP 1363-2023 Fast Pace Health
ATTACHMENTS: Resolution, Letter of request, and PC approval letter.

PURPOSE:

The purpose of this resolution is authorizing the Mayor to execute a development agreement with Haverhill Properties (Fast Pace Health) to accept a fee in lieu for bike lanes on Old Port Royal Road.

BACKGROUND:

The Planning Commission Approved STP 1363-2023 Fast Pace Health with conditions on June 12, 2023. The conditions included a payment in lieu of for Old Port Royal Road bike lanes. The condition said a fee of up to \$15,000 would be required. The developer has prepared a cost estimate of 7,400 for the cost of the bike lane and at staff's request has added 10% (consistent with the city's bond standard) to make the final payment in lieu \$8,140.

STAFF RECOMMENDATION:

Staff recommends the approval and acceptance of the fee in lieu of for bike lanes.

Haverhill Properties

1113 Haverhill Drive
Brentwood, TN 37027

September 21, 2023

Peter Hughes, City Planner
City of Spring Hill, TN – Planning Dept.
199 Town Center Pkwy
Spring Hill, TN 37174

RE: Fast Pace Health STP 1363-2023
Bike Lane Fee Estimate

Dear Mr. Hughes:

I am writing you to submit a letter of request and documentation of the fee calculation for the bike lane payment for the above referenced Fast Pace Health project. Please see the email attached hereto as Exhibit A from Adam Ledsinger, our civil engineer, with an estimate calculation of the cost to construct the bike line in front of the Fast Pace Health property. His total estimate is \$7,400 and we have added to it a 10% buffer, for a total cost of \$8,140.

We respectfully request the Board of Mayor and Alderman of the City of Spring Hill to approve a payment amount of \$8,140 for the bike lane fee. Once approved, we will get a check issued to the City of Spring Hill.

Thank you for your consideration and if you have any questions or comments regarding this letter of request and documentation, please do not hesitate to contact me directly at 615-830-9102 or Miranda.Kelley@hklaw.com.

Sincerely,



Miranda Kelley
Partner, Haverhill Properties

Exhibit A

Bike Lane Cost Estimate

----- Forwarded message -----

From: Adam Ledsinger <adam@mbcivil.net>
Sent: Friday, June 9, 2023 5:21 PM
To: Kelley, Miranda K (NSH - X68674) <miranda.kelley@hklaw.com>, Russell Hayes <russell@hayesandsonsconstruction.com>
Cc: Rick Morrow <rmorrow2@bellsouth.net>
Subject: RE: Fee in Lieu of Bike Lanes

[External email]

Miranda,

Based on a pavement section(below) for a collector street (outlined in Chapter 16.5 of the UDC) and the TDOT unit price index from 2022. The cost would be around \$7400.00.

1.5" Surface
3" binder
10" stone

Adam Ledsinger, P.E.

MB CIVIL
ENGINEERING, LLC
759 Timber Ridge Dr.
Lexington, TN 38351
1-731-265-6827



June 16, 2023

Miranda Kelley
1113 Haverhill Dr
Brentwood, TN 37027

RE: STP 1363-2023 (TN Fast Pace Health)

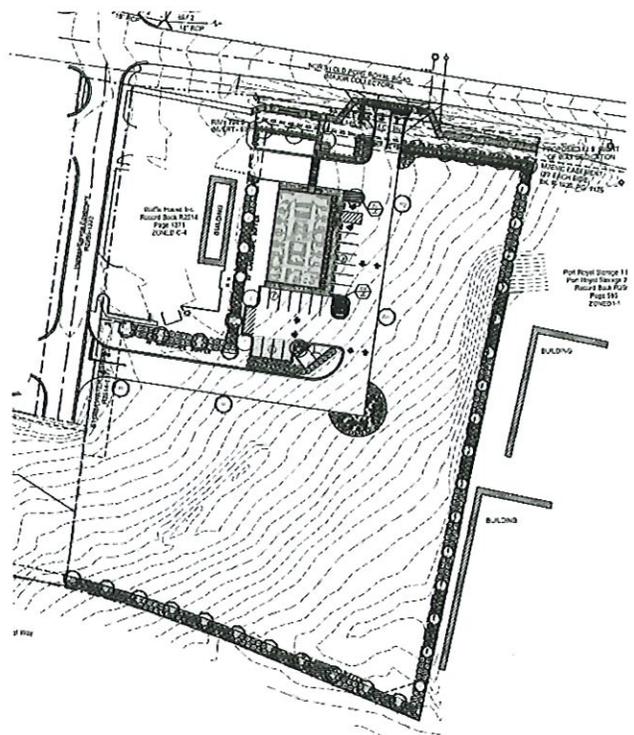
Mr. Birdwell:

We are pleased to inform you that your application **STP 1363-2023** was approved by the Spring Hill Planning Commission on June 12, 2023, with the following condition(s):

1. *Approval of this site plan shall be valid for a period of three (3) years from the date of Planning Commission approval. Modification to the approved site plan may require Planning Commission Approval.*
2. *The final revised site plan and submittal material as approved by the Planning Commission must be provided to the Planning Department in a digital format prior to scheduling a pre-con meeting or applying for any permits.*
3. *The applicant must make all improvements as recommended by the TIS during construction. Including a \$2,500 payment for re-timing.*
4. *No trees or shrubs may be placed within the PUDE to avoid future conflicts with utilities.*
5. *This approval does not approve any proposed signage. Signs are approved through a sign permit application.*
6. *If the applicant elects to dedicate the ROW, a ROW dedication plat will be required. If the applicant does not elect to dedicate the ROW, the 12.5' will need to be placed in reservation and a public access easement will need to be placed over the public sidewalk improvements.*
7. *A UDC compliant Lighting Plan is required.*
8. *The applicant has elected to make a payment in lieu of the installation of bike lanes. The total cost of bike lane fee shall not exceed \$15,000.*
9. *If future subdivisions are to occur from the existing parent tract, future cross access easement and utilities easements will be required.*
10. *The landscape plan shown below shall be added to the civil plan/construction set and be labeled fast pace health vs. Caliber collision*

**CALIBER COLLISION SANDIA CT
LANDSCAPE PLAN**

NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
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LAND DESIGN
 LAND DESIGN
 10000 Highway 100
 Suite 100
 Knoxville, TN 37919
 Phone: 615.582.1000
 Fax: 615.582.1001
 www.landdesign.com

**PROPOSED SITE FOR:
 FAST PACED HEALTH
 SPRING HILL, TENNESSEE**

LANDSCAPE PLAN

Engineering:

1. The applicant must provide complete and sufficient information in the applicable design satisfactorily addressing the City Engineers comments before any permits or a pre-con meeting can occur. Any disagreement on information, design or accuracy of information between the City Engineer and applicant that cannot be resolved must be heard by the Planning Commission for a final determination.
 - a. Record drawings of the development will be required prior to approval of the Final Plat for all installed infrastructure. Final Record drawing submittal is required prior to release of bonds and to include the full design set in both electronic files and hard copies. The electronic files must be geographically referenced to NAD83 and NAVD88 and provided in a format that can be integrated into the City GIS, and must meet all city requirements.
 - b. A copy of the blasting permit approved by the County Fire Marshal will be required to be provided to the City (Engineering Department) a minimum of two (2) weeks prior to blasting activities.
 - c. Detention basin inspection and maintenance/management plan that meets all UDC requirements, as listed in but not limited to Article 15.7, will be required prior to approval of construction plans by the Engineering and Public Works Departments and before a pre-construction meeting can be held.
 - d. Final detention pond design and stormwater calculations meeting all requirements of the UDC, state, and federal regulations to be provided prior to approval of construction plans by the Engineering and Public Works Departments. Site layout or lot count changes required to meet regulations will be reviewed by the Planning Director or Development Director for

- determination if the project will be required to go back through the Planning Commission approval process.*
- e. All storm sewers shall be plan and profiled meeting all city regulations and checklist items prior to approval of construction plans by the Engineering and Public Works Department.*
 - f. Erosion control measures meeting TDEC and all City regulations will be required to be provided prior to approval of construction plans by the Engineering and Public Works Departments.*
 - g. Water and sewer plan and profiles meeting TDEC and City regulations and checklists will be required prior to approval of construction plans by the Engineering and Utility Departments. All lines greater than 6" will be required to be profiled.*
 - h. No sewer and water hook ups shall be allowed until corresponding infrastructure is installed, tested, and accepted by the City*
 - i. All transportation pavement (typically called out as roadways and drives) meeting all requirements of the City will be required prior to approval of construction plans by the Engineering and Public Works Departments. Curbs to be required on all internal drive isles, and dead-end parking is to be signed.*
 - j. A Fire Exhibit to show that the site meets the intent of the Fire Code Checklist, Engineering Checklist, and IFC must be provided.*
 - k. Driveway standard profile exhibit showing drive slopes and sidewalks meeting AASHTO and ADA standards to be provided.*
 - l. Cross-access will be required for the future development of this site. The curb cut as shown will be required to be shared access off Old Port Royal.*
 - m. Any additional requirements as determined during construction for the sole purpose of meeting public health, safety, and welfare as determined by the City Engineer, Development Director, and City Administrator will require field changes or site design revisions as necessary to fully address the concerns. Site layout or lot count changes required to meet public health, safety, and welfare will be reviewed by the Planning Director or Development Director for determination if the project will be required to go back through the Planning Commission approval process. The development representative will hold the right to go before the Planning Commission if resolutions to address concerns between staff and the development cannot be agreed upon.*

The applicant must revise preliminary plat, final plat, or site plan and provide final design per the Planning Commissions, Board of Mayor and Alderman or the Board of Zoning Appeals approval as heard on June 12, 2023, prior to applying for any permits or future applications. All revisions must be provided to the Planning Department in PDF and hardcopy format.

Please contact the Planning Department if you have any questions or require further assistance at 931-486-2252 ext. 255.

Sincerely,

City of Spring Hill Planning Commission