

**ORDINANCE 22-23**

**AN ORDINANCE TO AMEND ORDINANCE NO. 18-21, THE SAME BEING THE ZONING ORDINANCE AND OFFICIAL ZONING MAP OF THE CITY OF SPRING HILL, BY REZONING APPROXIMATELY 17.37 ACRES OF PROPERTY, KNOWN AS MAURY COUNTY TAX MAP 28, PARCEL(S) 005.02 FROM COMMERCIAL PLAN UNIT DEVELOPMENT (MIXED USE) TO PLANNED DEVELOPMENT WITH A BASE ZONING OF C-5 (COMMERCIAL MIXED USE).**

**PDP 1207-2022(TAX MAP 28, PARCEL(S) 005.02)**

**WHEREAS**, the City of Spring Hill Ordinance No. 18-21, the same being the Official Zoning Map of Spring Hill is hereby amended by rezoning the 17.37 acres of property described herein, and known as, Maury County tax map 28, parcel 005.02 from Commercial Plan Unit Development (Mixed Use) to Planned Development with a base Zoning of C-5 (Commercial Mixed Use); and

**WHEREAS**, said portion of property to be rezoned from Commercial Plan Unit Development (Mixed Use) to Planned Development with a base Zoning of C-5 (Commercial Mixed Use), is located within the corporate limits of the City of Spring Hill.

**WHEREAS**, the request has been found to meet the Approval Standards of Section 13.5.E.4.e of the Unified Development Code and included the following exception request from the Unified Development Code as permitted under the Plan Development Process and a selection of prohibited uses:

1. **EXCEPTION:** allowing stand-a-lone multi-family residential within the C-5 Zoning District; and
2. **PROHIBITED USE(s):** outdoor amusement facility, educational facility-vocational, food bank, food pantry chronic Pain and Recover Clinics, gas station, green house/nursery, live performance, vehicle repair, communication towers, and temporary use prohibited; and

**WHEREAS**, the Spring Hill Municipal Planning Commission forwarded the request to the Board of Mayor and Aldermen on August 8, 2022 to be recommended for approval in accordance with exhibit A as provided; and

**WHEREAS**, the Spring Hill Municipal Planning Commission forwarded the request to the Board of Mayor and Aldermen on August 8, 2022 with a recommendation for approval; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SPRING HILL, TENNESSEE, BOARD OF MAYOR AND ALDERMEN, WHILE IN REGULAR SESSION on SEPTEMBER 19, 2022**, to amend Ordinance No. 18-21, the same being the Zoning Map of the City of Spring Hill, adopted August 20, 2018, by 17.37 acres of property described herein, and known as, Maury County tax map 28, parcel 005.02 from Commercial Plan Unit Development (Mixed Use) to Planned Development with a base Zoning of C-5 (Commercial Mixed Use), as depicted on sheets C0.0, C0.2, and C2.1 of the submitted development plan herein referred to as Exhibit A, the public welfare requiring it.

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

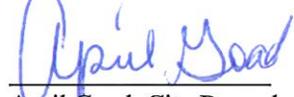
*Ordinance 22-23  
October 17, 2022  
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**SECTION 1:** The rezoning of the referenced tax parcels shall be as displayed as shown within the Plan Development request package.



Jim Hagaman, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

Passed on First Reading: October 3, 2022

Passed on Second Reading: October 17, 2022

**RESOLUTION 22-83  
OF THE PLANNING COMMISSION  
OF THE CITY OF SPRING HILL, TENNESSEE**

**A RESOLUTION TO RECOMMEND APPROVAL OF APPLICATION  
PDP 1207-2022 (SOUTH POINTE SQUARE) TO THE BOARD OF  
MAYOR AND ALDERMAN**

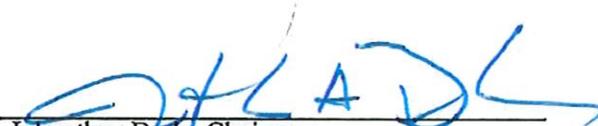
**WHEREAS**, pursuant to TCA 13-4-103, authority is granted to the Municipal Planning Commission to make recommendations relating to the plan and development of the municipality to public officials; and

**WHEREAS**, the Planning Commission had a regular meeting on the 8th day of August, 2022 and heard public testimony and input regarding application PDP 1207-2022; and

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

**NOW, THEREFORE BE IT RESOLVED**, that the Spring Hill Planning Commission forwards a recommendation of approval for application PDP 1207-2022 to the Board of Mayor and Alderman, subject to the following conditions:

Passed and adopted this 8<sup>th</sup> day of August, 2022.

  
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Johnathan Duda, Chairman

  
\_\_\_\_\_  
Calvin Abram, Secretary

# Paradym.

## STUDIO

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**Tyler Thayer, RA**

Project Architect

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761 Old Hickory Blvd. STE 301

Brentwood, TN 37027

**South Pointe Square**

**PS No. 21018**

**Spring Hill Planning Number: PDC 1068-2021**

August 1, 2022

RE: Planned Development Preliminary Plan of South Pointe Square

On behalf of the partners of South Pointe Square, I am resubmitting a preliminary plan for the proposed development of South Pointe Square which will be on the lots located at 5081 Port Royale Rd., Spring Hill, TN.

**Project Narrative:**

South Pointe Square will be a multi-building mixed-use campus. There will be eight buildings total: four mixed use with commercial shell space and two floors of 12 stacked units above, two with three floors of 10 stacked units, one with three floors of 17 stacked units, and a clubhouse. The primary structure will be steel framing for the commercial space, with stick built construction above, or stick built construction for the residential buildings. There will be a required fire separation between the two construction types.

**Timeline Expectations:**

The current expectations are to begin foundations in Q1 or Q2 of 2023, followed by the stick frame construction going vertical soon after that. GC is to confirm or deny timeline with their proposed schedule. Timeline on the project will begin with final approvals. As requested by Planning Staff, the mixed-use buildings that border Port Royal will be phased first.

Please see our responses, attached, from the workshop comments. Additional supporting documentation, such as surveys and studies, can be found as PDFs submitted with the project.

Best regards,



Tyler Thayer

Paradym Studio

MEMORANDUM



DATE: October 3, 2022
TO: Board of Mayor and Aldermen (BOMA)
FROM: Calvin Abram, Development Services Director
SUBJECT: Ordinance 22-23 (PDP 1207-2022) Preliminary Plan Development for South Point Square

Request: Submitted by Paradym Development, LLC for South Pointe Square. The property is located at 5081 Port Royal Road and contains approximately 17.37 acres. The applicant requests planned development plan approval for a mixed-use development proposing eight (8) total buildings consisting of retail with dwelling above ground floor and an amenity center/clubhouse. The proposal includes a base zoning of C-5. Requested by Dustin Murphy.

Property Description and History: This property is located at the northwest corner of the intersection of Port Royal Road and Commonwealth Drive (5081 Port Royal Road). This location is currently being designed to allow a roundabout which will improve the safety and traffic flow at this intersection. The development was part of multiple past PUDs to include the Williams Park 2 Mixed Use development of April 4, 2013 (vesting) and Magnolia Square Mixed Use Sketch Plan, June 4, 2018. The PUD vesting expired, which required the applicant to reinitiate the PUD process in alignment with the current UDC.

The proposal includes one (1) property that is zoned Commercial PUD under the old zoning ordinance and contains 17.37 acres. The UDC states any zoning under the old zoning ordinance that does not have an approved plan by the PC must utilize the UDC's planning process. This application is being processed under the current Unified Development Code.

Planned Developments: Planned Developments (PDs) are intended to encourage and allow more creative and flexible development of land than is possible under district zoning regulations and should only be applied to further those applications that provide enhanced amenities or design features to the City. The underlying zoning district dimensional, design, and use regulations apply to a PD unless specifically modified through the approval process.

Analysis: The site plan proposes 207 multi-family units and 62,000-S.F. of retail on 17.7 acres (dwelling density of 12.72 units per acre), with a base zoning of C-5. This development will dedicate 48,206 S.F. (1.11 acres) of ROW to the City of Spring Hill, which will incorporate a bike lane, public sidewalks, and a portion of the Countess Lane Roundabout. The plan proposes a public amenity and construction and connection of Spring Hill Greenway along the rear property boundary of the site.

The applicant is requesting as part of this application a variance allowing stand-a-lone multi-family residential within the C-5 Zoning District. The applicant has provided use restrictions for the proposed Planned Development areas with an underlying C-5 zoning. The following uses are not permitted:

- Outdoor Amusement Facility
Educational Facility-Vocational
Food Bank
Food Pantry
Chronic Pain and Recover Clinics
Gas Stations
Green House/Nursery
Homeless Shelter
Live Performance Venue
Vehicle Repair
Communication Tower
All Temporary Uses

All other C-5 uses would be permitted.

**Staff Report:** A staff report was provided and presented to the Planning Commission for this development. The contents of the report are a detailed review of the development and has been included within the BOMA packet for this item. However, the following comment(s) from staff where request to be identified within the BOMA memo:

1. Water Department: The applicant may decide to pursue their own community wide water system. If the applicant and development elect to create their own community wide water system the following will be required:
  - a. developer must provide a PWSID from TDEC prior to presentation to BOMA for their approval.
2. Water Department: If a community water system is developed the following will also be required
  - a. (1) Consists only of distribution and storage facilities (and does not have any collection and treatment facilities);
  - b. (2) Obtains all of its water from, but is not owned or operated by, a public water system to which such regulations apply;
  - c. (3) Does not sell water to any person; and
  - d. (4) Is not a carrier which conveys passengers in interstate commerce.

In this case the homeowner's association would own and maintain the private water lines and fire lines within the community. The homeowner's association would incorporate the cost of the water from Spring Hill and maintenance for the private lines into their budget and divide it evenly to their residents. One of the impacts of this option is that the homeowners will pay more for the water since the cost of maintenance will need to be in the HOA dues.

**Planning Commission Action:** *Alderman Matt Fitterer made a motion to favorably recommend PDP 1207-2022 to the BOMA for approval with the eleven (11) Staff provided conditions of approval.*

1. Approval of this planned development will be valid and vesting in accordance with the vesting Table 13-2 from the date of Planning Commission approval. Modification to the approved Planned Development may require Planning Commission Approval.
2. The final revised Planned Development as approved by the Planning Commission on August 8, 2022 must be provided to the Planning Department within 30 days of approval.
3. 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.
4. All rooftop equipment must be screened in accordance with the UDC.
5. The final revised plan must delineate and provide bike lanes on Commonwealth and Port Royal Road and meet the standards of the UDC for Bike Lanes.
6. The mixed-use section of the development must be constructed prior to the stand-alone multi-family buildings.
7. The developer or project engineer must coordinate and satisfy any floodplain or unmapped floodplain requirements with the City Engineer.
8. The applicant must provide the appropriate radii and width for the Port Royal access if it is designated as the truck entrance.
9. The proposed greenway trail must extend to Cadence drive and a note must be added to the final approved site plan that states if a connection cannot be made the revision must come before the planning commission for approval.
10. The final/updated site plan must include the design of a deceleration lane along Port Royal Road into the site allowing for right turning movement. The deceleration lane must be in accordance with City specification and consistent with the recommendation of the TIS.
11. The water and sewer capacity study to be approved by a third-party contractor prior to moving forward to BOMA. (This has condition has been satisfied)

The motion was seconded by Alderman Trent Linville. The motion to approve PDP 1207-2022 passed by a vote of 7-0.

**Action by Board of Mayor and Aldermen:** The Board of Mayor and Aldermen will review the preliminary plan upon receipt of the Planning Commission recommendation, and may approve, approve with conditions, deny, table, or defer the preliminary plan. If the Planning Commission has recommended denial, the Board of Mayor and Aldermen must approve with a favorable two-thirds vote.

**Conditions:** The Planning Commission may recommend, and the Board of Mayor and Aldermen may impose, such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the planned development as may be deemed necessary for the protection of the public health, safety, and welfare. Such conditions and restrictions must be reflected in the final plan.

**Approval Standards:** The recommendation of the Planning Commission and decision of the Board of Mayor and Aldermen must make a finding that the following standards for a planned development have generally been met.

- i. The consistency of the proposed planned development with the Comprehensive Plan and any adopted land use policies.
- ii. The proposed planned development meets the purpose of a planned development.
- iii. The proposed planned development will not be injurious to the use and enjoyment of other property in the vicinity.
- iv. The proposed planned development will not impede the normal and orderly development and improvement of surrounding property.
- v. There is provision for adequate utilities and road infrastructure, drainage, off-street parking and loading, pedestrian access, and all other necessary facilities.
- vi. There is provision for adequate vehicular ingress and egress designed to minimize traffic congestion upon public streets.
- vii. The location and arrangement of structures, parking areas, walks, landscape, lighting, and other site design elements, are compatible with the surrounding neighborhood and adjacent land uses



# Paradym. STUDIO

761 Old Hickory Blvd, Ste 301  
Brentwood, TN 37027

615.258.5562

August 1, 2022

## RE: South Pointe Square - Public Benefits

Dear Planning Commissioners & Staff,

On behalf of the Ownership of South Pointe Square (Project) we provide this letter to expand upon the Project's Public Benefit, both tangible and intangible.

1. Right-of-Way will be dedicated as needed for Port Royal Road/Commonwealth Drive roadway improvements.

Though ROW dedication is a standard benefit provided by developers to the City and Public, we would still like this accounted as something being provided. The area currently estimated to be dedicated to the new work is approximately 1.11 acres. This dedication will enable the City to develop an improved Port Royal Road including a new round-a-bout.

2. 10' Wide Public Sidewalk will be provided along Port Royal Road/Commonwealth Drive.

Included in the ROW dedication is the area required for an improved and wider sidewalk. This work will be developed with the Port Royal Road improvements, and the land area for such work has been provided in the dedication.

In addition, the project proposes additional internal sidewalks to complement this new street multi-modal 10' sidewalk. Internally another 10-20' of sidewalk will be provided for pedestrian residents, visitors and shoppers along retail front. Internal courtyards will be provided for public use, which may be used for eating and friends being together. Lastly, we will provide an internal network of sidewalks that connect the greenway to the street sidewalk system.

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CITY OF SPRING HILL  
PLANNING DEPARTMENT

PDP 1207-2022

3. 12' wide portion of Reserve Greenway (+/- 1,155 LF) will be provided in accordance with the Spring Hill Bicycle and Greenway Plan.

The Project will be building a Reserve Greenway along the creek at the rear of the property to help extend that Greenway.

In addition, the project plans to offer access points to and from the Project to this greenway to allow the public access to and from the site from the Greenway.

4. Impact Fees will be paid to the city during Phase 1 of the Project in advance of remaining phases.

The Project has been working for nearly a year with the City Staff and their Engineers, The Corradino Group, to help plan and prepare for the round-a-bout. In addition to the ROW dedication mentioned above, the Project has agreed to pay all impact fees to the City upon receiving a Grading Permit. This advance payment of the impact fees will assist in the construction of the Port Royal Round-a-bout improvements.

5. Lawn Area, Calisthenics Amenity Area and Playground Area will be available for public use.

The Project proposes a collection of buildings designed and oriented in such a way to create public and semi-public gathering spaces. These "pocket parks" become areas available to the public to gather, eat, play and enjoy each other away from traffic and in a public setting.

The Lawn Area is envisioned to be used by residents and the public for public gatherings and a place to "just hang out". It is an area that may host a public Farmers Market or Fair. Or it may be a place for friends to kick a soccer ball.

The Calisthenics Amenity Area is envisioned as an extension of the greenway. This internal park will be filled with calisthenic oriented exercise machines and equipment for outside fitness. This will be an amenity available for the public and residents.

The Playground will be available to the Public and Residents as well. It's envisioned as a place where families can play after eating dinner, getting ice cream and doing a little shopping. There will be additional signage around the fenced area to make sure visitors know that it is public.

Finally, we believe that the project itself, and our work with the Planning Staff is a public benefit. As Staff has mentioned in previous meetings, South Pointe Square has been viewed as a future precedence study. We've been working closely with the Staff to ensure a successful execution of the design and desires of the UDC. The Project has gone through multiple redesigns to help visualize and execute a vision for what a mixed-use campus In the City of Spring Hill wants and should be. We hope that this project will be visited by the Public and enjoyed as a place to gather and stay—going beyond the standard commercial strip shopping center.

Sincerely,

A handwritten signature in black ink that reads "Tyler Thayer". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Tyler Thayer, RA  
Paradym Studio, PLLC