

ORDINANCE 23-05

**AN ORDINANCE TO AMEND ORDINANCE NO. 22-24, BY AMENDING
CONDITIONS OF APPROVAL AND THERE BY BEING A TEXT AMENDMENT
OF ORDINANCE NO. 22-24.**

PDP 1284-2022(TAX MAP 28, PARCEL(S) 01600 and 01900)

WHEREAS, the City of Spring Hill Ordinance No. 22-24, rezoned approximately 213 acres of property described herein, and known as, Maury County tax map 28, parcel 01600 and 01900 from C-5 and I-1 to Planned Development with a base Zoning of C-5 (Commercial Mixed Use); and

WHEREAS, said Ordinance 23-05 amends previous conditions of approval of Ordinance 22-24.

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 attached Exhibits, Entitlements, and Exception request:

1. EXHIBITS:

- a. EXHIBIT A – Ordinance 22-24
- b. EXHIBIT B – Ordinance 22-24 conditions of approval
- c. EXHIBIT C – Proposed amendments to conditions of approval
- d. EXHIBIT D – Updated Phasing Plan as approved by City Staff
- e. EXHIBIT E – Construction Road Exhibit
- f. EXHIBIT F – Planning Commission Action

2. ENTITLEMENTS:

- a. No additional entitlements are proposed to be modified or granted by this ordinance amendment

3. EXCEPTION:

- a. No additional exceptions are proposed to be modified or granted by this ordinance amendment

4. REVISED CONDITION:

- a. The 12-inch water line connection and main connection to Kedron Rd (Highlighted in Purple) must be installed and on-line prior to the issuance of any COs for Phase 1B and prior to the start of construction of Phases 2A, 2B, 3, 4A and 4B.
- b. A maximum of 300 CO's may be issued for Phase 1A prior to completion of the full development of Crossing Blvd. TWO road connections from Phase 1A to the existing Crossing Blvd. must be completed prior to issuance of COs for Phase 1A. Building Permits for a maximum number 350 units may be issued for Phase 1B prior to completion of the full development of Crossing Blvd. Kedron Road access and full development of Crossing Blvd must occur prior to the issuance of the first CO for Phase 1B and subsequent phases. The road access connections must reflect the exhibit below, with two access roads and one emergency access road.
- c. All recommended road improvements as identified in the final approved Master TIS must be in place prior to the issuance of the first COs for Phases 2B, 3, 4A and 4B.
- d. All construction traffic for all phases must utilize Kedron ingress and egress. To assist in facilitating this, the Public Works Director has committed to allow the Applicant to utilize 6,250 Cubic Yards of asphalt millings (+/-150,000 SY of asphalt milled at 1-1/2" thickness) presently stored and stockpiled at the Spring Hill Public Works Department. A construction traffic and mitigation plan must be submitted and approved prior to issuance of a grading

permit. If construction activity needs to utilize Crossings Blvd and Main Street, this will require coordination and approval from the Public Works Director and City Engineer.

WHEREAS, the Spring Hill Municipal Planning Commission forwarded the request to the Board of Mayor and Aldermen on April 10, 2023 to be recommended for approval in accordance with Exhibit F as provided; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SPRING HILL, TENNESSEE, BOARD OF MAYOR AND ALDERMEN, WHILE IN REGULAR SESSION on May 15, 2023, to amend Ordinance No. 22-24, the same being rezoning request that approved approximately 213 acres of property described herein, and known as, Maury County tax map 28, parcel 01600 and 01900 from C-5 and I-1 to Planned Development with a base Zoning of C-5 (Commercial Mixed Use),

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.


Jim Hagaman, Mayor

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Patrick Carter, City Attorney

Passed on First Reading: May 1, 2023

Passed on Second Reading: May 15, 2023

MEMORANDUM



DATE: May 1, 2023
TO: Board of Mayor and Aldermen (BOMA)
FROM: Pete Hughes, Development Director
SUBJECT: Ordinance 23-05 (PDM 1391-2023) Modifications of Conditions Spring Hill Crossing/Project Smash

Request: Gamble Design Collective on behalf of South Star is requesting amendment of Ordinance 22-24 in order to revise conditions of approval.

Project History: BOMA approved Ordinance 22-24 for Project Smash December 19, 2022 and the associated conditions of approval. Exhibit B attached within the Ordinance Packet, contain the previously approved conditions of approval for reference.

In March of 2023 staff approved a revised phasing plan, which was permitted under the original conditions of approval. Exhibit C attached within the ordinance packet is the revised phasing plan. The revise phasing plan allows for alternative development plan and keeps the USTA site within Phase 1 of the site denoted as Phase 1C.

Project Narrative: (provided by applicant): The Crossings at Spring Hill Planned Development is envisioned as a robust mixed-use development with several anchors encouraging frequent use throughout the year. A regional headquarters for USTA including an indoor/outdoor tennis center is at the heart of the proposed development. The proposed development also includes a vibrant, main street style, mixed-use streetscape area with restaurants and retail uses fronting an urban boulevard capable of being closed to vehicular use for pedestrian-only special events. A large-scale fitness and lifestyle center is also proposed within the development. These commercial uses are supported by a variety of neighborhood-scale commercial uses potentially including restaurants, convenience market, daycare, and other neighborhood commercial support services. Mixed-scale residential including multifamily, townhouse, duplex, and single family residential will provide opportunities for residents who want to be close-by this diverse, mixed-use experience. Approximately 16 acres of public park are also proposed which include trails connecting the near-by battlefield to the development and to the broader surrounding community. Residential areas are proposed to include their own network of open spaces, amenities, and pools.

Planning Commission Action: *Alderman Matt Fitterer made a motion and Alderman Trent Linville seconded to favorably recommend PDM 1381-2023 to the BOMA for approval with the staff provided conditions of approval. The motion to favorably recommend PDM 1381-2023 to the Board of Mayor and Aldermen with the Staff associated conditions of approval passed by a vote of 7-0.*

1. Vesting of the project is not extended with approval of this modification.
2. The planning commission and BOMA are only approving the modification of the requested conditions. If any other changes have occurred, they are not part of this application nor the approval.
3. The applicant must submit a maintenance and traffic plan for the construction/emergency access road. The plan must address maintaining road conditions in the event of an emergency and making sure that road is not utilized for parking or storage and remains clear from obstruction 24 hours a day.
4. The applicant shall place all conditions of approval in an updated pattern book for the project and submit it to the Development services within 60 days of BOMA approval.

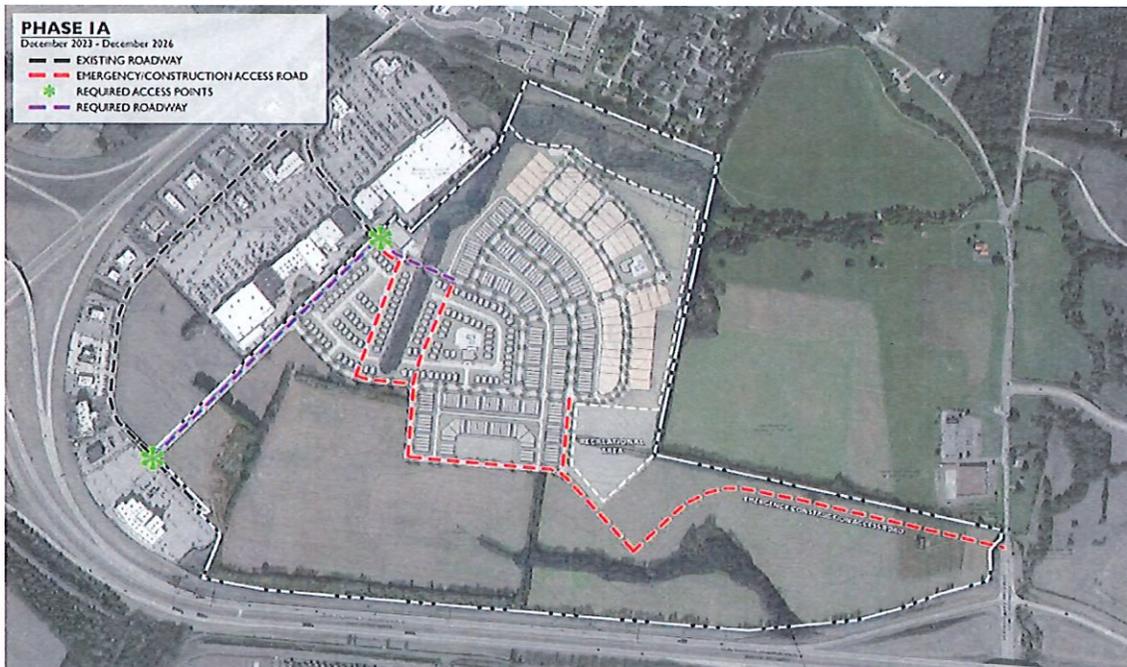
5. The emergency access road must be fully constructed and operational prior to the issue of the 31st CO of Phase 1A.
6. The emergency access road must be designed in a manner to facilitate full turning movements for a fire ladder truck.
7. The revised conditions are approved:

Utility Department Conditions of Approval for USTA/Smash:

- a. Condition Number 10: The 12-inch water line connection and main connection to Kedron Rd (Highlighted in Purple) must be installed and on-line prior to the issuance of any COs for Phase 1B and prior to the start of construction of Phases 2A, 2B, 3, 4A and 4B.

Public Works and Streets/Traffic Improvements Conditions:

- a. Condition Number 5: A maximum of 300 CO's may be issued for Phase 1A prior to completion of the full development of Crossing Blvd. TWO road connections from Phase 1A to the existing Crossing Blvd. must be completed prior to issuance of COs for Phase 1A. Building Permits for a maximum number 350 units may be issued for Phase 1B prior to completion of the full development of Crossing Blvd. Kedron Road access and full development of Crossing Blvd must occur prior to the issuance of the first CO for Phase 1B and subsequent phases. The road access connections must reflect the exhibit below, with two access roads and one emergency access road.



- b. Condition Number 6: All recommended road improvements as identified in the final approved Master TIS must be in place prior to the issuance of the first COs for Phases 2B, 3, 4A and 4B.
- c. Condition Number 7: All construction traffic for all phases must utilize Kedron ingress and egress. To assist in facilitating this, the Public Works Director has committed to allow the Applicant to utilize 6,250 Cubic Yards of asphalt millings (+/-150,000 SY of asphalt milled at 1-1/2" thickness) presently stored and stockpiled at the Spring Hill Public Works Department. A construction traffic and mitigation plan must be submitted and approved prior to issuance of a grading permit. If

construction activity needs to utilize Crossings Blvd and Main Street, this will require coordination and approval from the Public Works Director and City Engineer.

Staff Review: The proposed revision to the conditions of approval have staff support from the utility, public works, fire, and development services department. The main area of concern staff addressed with the applicant is construction traffic and emergency access. The staff recommended conditions approval, which the developer has agreed to alleviate staff concerns.

The proposed amendment based on conversations with the applicant, are based on the need to have the ability for concurrent construction activities and financial vitality. The revised conditions allow for phase 1A and 1B to be under construction at the same time as the construction of the extension of Crossing Boulevard. The revised conditions also allow for the developer to generate strong financial foundation to fund the future phases of development. The revised conditions do not lessen the quality of the development, nor are they modifying the previously granted entitlements. The revised conditions are essentially dialing previous conditions and adjusting to the change in national economics to ensure the success of the project for the developer and City. This project has significant economic benefit to the city and will further assist the city as it continues to implement place making practices within the City of Spring Hill.

Staff Recommendation: Staff is recommending approval of the Ordinance 23-05 to modify ordinance 22-24 and previously approved conditions of approval. Staff is also recommending approval with the conditions recommended by the Planning Commission. This recommendation is based on the economic impact of this project and the consistency of the mixed-use development with the 2040 Spring Hill Rising Comprehensive Plan. This is a partnership project with the City and adjusting the previously approved conditions to assist in the success of the project will lead to a long-term benefit to the City of Spring Hill.

MEMORANDUM

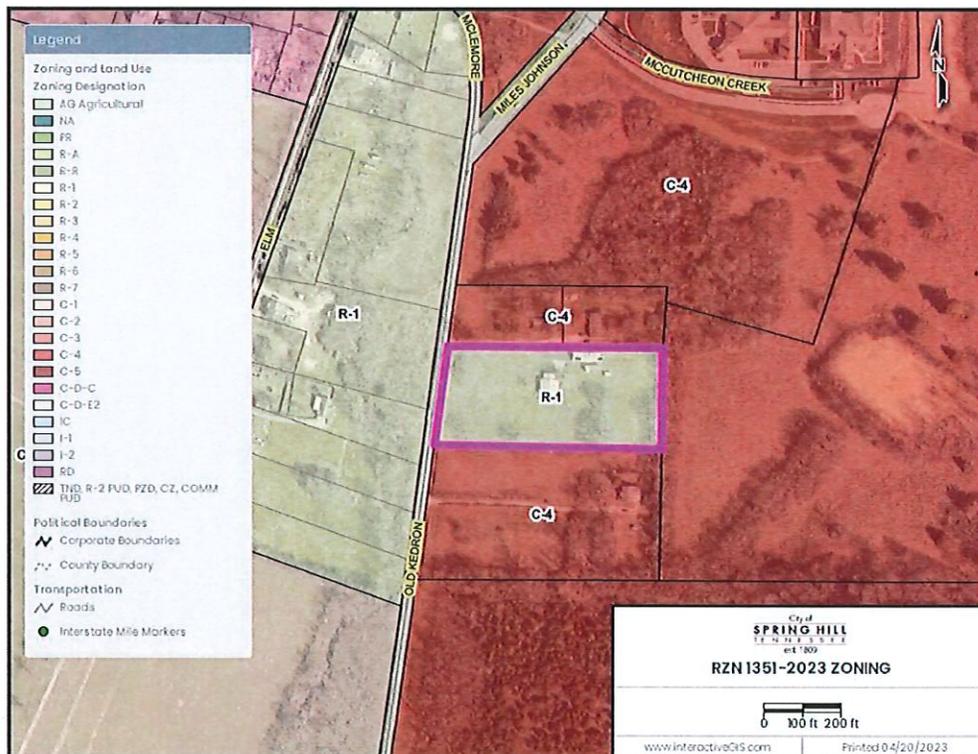


DATE: May 15, 2023
 TO: Board of Mayor and Aldermen (BOMA)
 FROM: Pete Hughes, Development Director
 Austin Brass, City Planner
 Pam Caskie, City Administrator
 SUBJECT: Ordinance 23-06 (RZN 1351-2023)

Request: Submitted by Daniel L. Wischhof on behalf of Miles Johnson for the rezoning of 3.47 +/- acres from R-1 to C-4. The property is located at 945 Old Kedron Road (Tax Map 028, Parcel 004.00).

Property Description and History: This property is located on the east side of Old Kedron Road and 500 ft south of the Old Kedron Road and Miles Johnson Parkway split. The current use of the property consists of a single-family dwelling constructed in 1990 and associated accessory structures. The frontage portion of the property to be rezoned lies within an AE Flood Zone. At the time of proposed redevelopment, this property will require a possible CLOMR and LOMR process to be conducted with the City of Spring Hill in coordination with FEMA. The Spring Hill Major Thoroughfare Plan identifies Old Kedron Road as an Arterial Road per the plan.

Existing Districts/ Land Use:	Adjacent Zoning	Zoning	Land Use
	North:	C-4 (General Commercial)	Single-Family Residential
	South:	C-4 (General Commercial)	Single-Family Residential
	East:	C-4 (General Commercial)	Vacant Land
	West:	R-1 (Single-Family District)	Single-Family Residential



Spring Hill Rising: 2040:

The Spring Hill Rising: 2040 comprehensive plan shows the (FLUM) Future Land Use Classification for this property as an “Innovation Area” designation which describes the purpose of the area as follows:

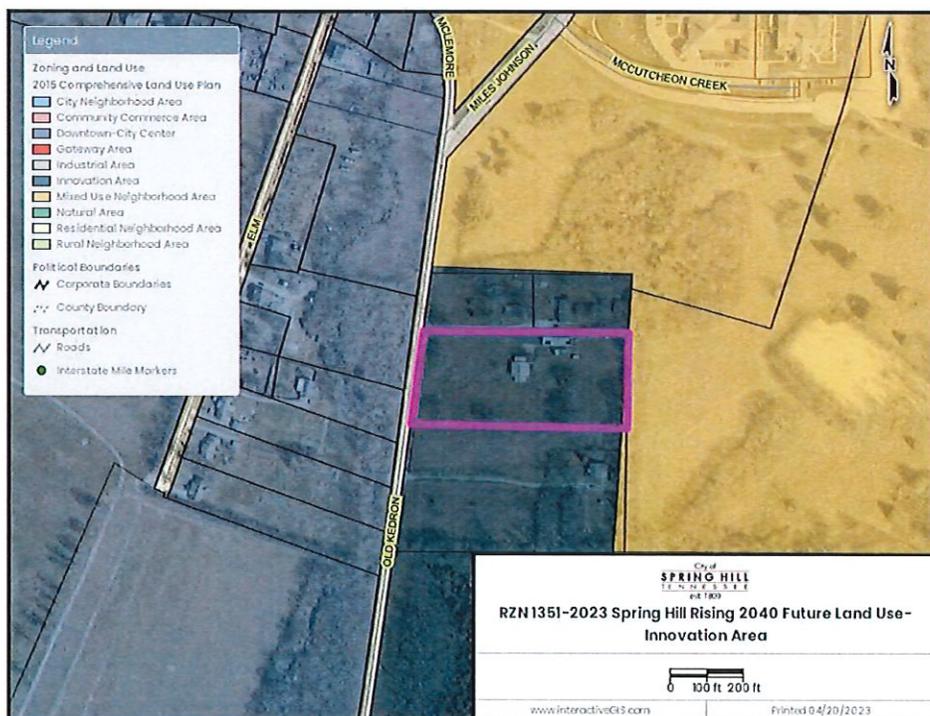
Innovation Areas accommodate a concentration of regional medical, technology, and research facilities and ancillary uses. This area incorporates transit-oriented development principles and design. Building development should be variable to promote the specific needs of an area that accommodates a variety of scales and building design that supports the goal of encouraging a walkable development form, and mixed-use opportunities are encouraged.

Appropriate landscaping and open space between buildings and adjacent land uses should be provided to enhance the appearance of the area and buffer negative visual and noise impacts of activity within these areas on surrounding areas. Open space should be retained, and landscaping incorporated into site design and parking areas. Front-yard parking should be discouraged.

Future development should reflect unified development pattern that includes connectivity between uses, controlled signage (height, size, type) to prevent “visual clutter” and supporting commercial uses to serve workers and patrons of these developments. The area should include an extensive pedestrian circulation system that makes walking convenient. It should also accommodate housing that would benefit from proximity to innovative areas.

Primary future land uses include technology and research centers, hospitals, clinics, specialized medical offices, professional offices, restaurants, lodging, and municipal services.

The Spring Hill Rising Plan would support a rezoning of the property as C-4 based on the *Spring Hill Rising 2040* Comprehensive Plan designation as an “Innovation Area”. A C-4 Zoning designation supports the varied uses that would be compatible with this future land classification such as medical offices, restaurants, and lodging as described.



Zoning Map Amendments: Staff has placed public notification signs on the property and published notice as required by the Unified Development Code. The applicant provided staff with copies of the mailed notices and proof of mailings. The mailed notification letters are sent to surrounding landowners within 500'. The UDC requires all notices to be mailed at least 10 days prior to the first scheduled action (April 24th, 2023, Planning Commission Work Session).

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. Staff's response to the approval standards are listed after each section.

1. Approval Standards for Map Amendments

- a. *The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.*
 - *The proposed rezoning from R-1 to C-4 is consistent with the City of Spring Hill Comprehensive Plan as the Future Land Use for the subject property is classified as being within an "Innovation Area". A C-4 zoning designation as proposed permits uses such as medical offices, restaurants, and lodging that have been identified as allowable uses within this future land use designation.*
- b. *The compatibility with the existing use and zoning of nearby property.*
 - *Adjacent zoning districts to the north, south, and east of the subject property are the same as the requested zoning designation. This request brings the subject property into compatibility with adjacent properties.*
- c. *The extent to which the proposed amendment creates nonconformities.*
 - *The proposed amendment would not create a nonconformity in lot size dimensions as the current parcel exceeds the lot area minimum of 10,000 SF and minimum lot width of 60' for a C-4 zoning dimensional lot standard. The extent of creating a nonconformity would be limited to use of an existing single-family dwelling if it were to remain when the subject property is zoned to C-4.*
- d. *The trend of development, if any, in the general area of the property in question.*
 - *Spring Hill Rising 2040 has indicated the Future Land Use for this property as "innovation area" and would be compatible with a future land use and adjacent properties zoned similarly as C-4. It has been indicated that sanitary and water services are available to the site along arterial roadway that may support a commercial use in C-4.*
- e. *That there are no adverse impacts on public health, safety, and welfare.*
 - *Technical comments received have indicated that the rezoning of this property from R-1 to C-4 would have no adverse impacts on public health, safety, and welfare. It shall be noted that any development proposal for this property would require a flood study in coordination with the City of Spring Hill and FEMA as a portion of the property is located within an AE flood zone.*

- 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.*
- *This request was shared with other City Departments and indicated the request could be served by the multiple entities with no comments being made indicating that the proposed rezoning would have an adverse impact on city services at this time.*

Planning Commission Action: *Alderman Matt Fitterer made a motion and Alderman Trent Linville seconded to favorably recommend RZN 1351-2023 to the BOMA for approval. The motion to favorably recommend RZN 1351-2023 to the Board of Mayor and Aldermen with the Staff associated conditions of approval passed by a vote of 6-0.*

Staff Recommendation: Staff is recommending approval of the Ordinance 23-10 to modify ordinance 18-21. However, the BOMA must determine if the request is consistent with the standards of approval (as noted above), if the request is consistent with the comp plan, and if the request is consistent with the surrounding land uses and zoning (to avoid spot zoning).