

## **ORDINANCE 15-03**

### **AN ORDINANCE TO AMEND ORDINANCE NO. 86-47, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRING HILL, BY REZONING PROPERTY BEING TAX MAP 028, PARCEL 018.00 FROM M-1 (LIGHT INDUSTRIAL) TO B-1 (OFFICE AND LIMITED COMMERCIAL DISTRICT)**

BE IT ORDAINED BY THE CITY OF SPRING HILL, TENNESSEE BOARD OF MAYOR AND ALDERMEN:

Section 1: That the City of Spring Hill Zoning Ordinance, the same being Ordinance No. 86-47, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as Maury County Tax Map 028, Parcels 018.00 from M-1 (Light Industrial) to B-1 (Office and Limited Commercial District), subject to the following conditions:

1. The existing public access easement to the west through the Rippavilla Plantation shall not be utilized as a public road, or as a construction entrance.
2. Buffering along the western edge of the subject property shall be required to protect the historic integrity of and screen the use of the property from the historic Rippavilla Plantation.
3. Only single-family residential dwellings, home occupations, and supporting residential amenities shall be permitted on the property.
4. The density should be no greater than an average of five (5) dwelling units per acre.

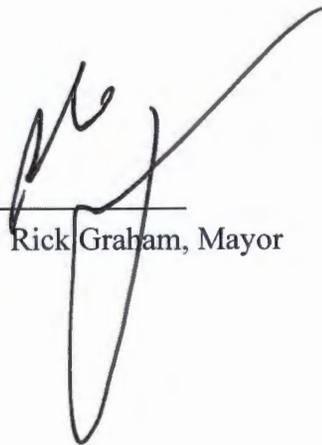
Section 2: Said property to be rezoned from M-1 and B-1 are located within the corporate limits of the City of Spring Hill. Attached hereto showing the proposed rezoning location as Exhibit "A".

Section 3 This Ordinance was approved by the Spring Hill Municipal Planning Commission on the 8th day of December, 2014, with notice of said hearing being given fifteen (15) days or more before said approval.

Section 4: This Ordinance shall take effect from and after its adoption, the Public welfare requiring it.

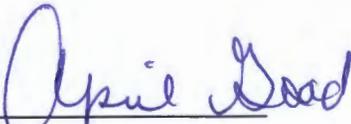
Section 5: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE, this, the 20<sup>th</sup> day of JANUARY 2015.



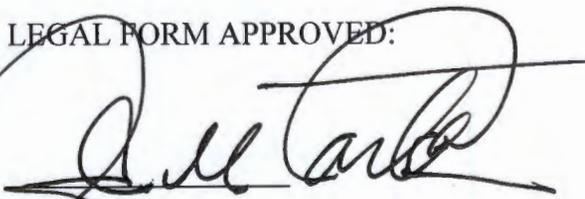
\_\_\_\_\_  
Rick Graham, Mayor

ATTEST:



\_\_\_\_\_  
April Goad, City Recorder

LEGAL FORM APPROVED:



\_\_\_\_\_  
Patrick Carter, City Attorney

Passed on First Reading: December 15, 2014

Passed on Second Reading: January 20, 2015,



**SUBJECT: Ordinance 15-03, an Ordinance to Rezone Property Being Tax Map 028, Parcel 018.00**

**SUBMITTED BY: Dara Sanders, City Planner**

**DATE: January 14, 2015**

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**PURPOSE:**

This memo is in response to a request from the Board of Mayor and Aldermen (BOMA) to report on the density related to the anticipated development of the subject property.

**BACKGROUND:**

During the BOMA work session held on January 5, 2015, staff was asked to provide information related to density for consideration prior to the second reading of Ordinance 15-03. Staff has reviewed the requirements of the applicable zoning criteria and a conceptual subdivision layout submitted by the applicant and has made the following findings:

- The requested B-1, Office and Limited Retail Commercial, zoning district permits “residential uses, subject to the provisions of the R-4 District”.
- The R-4, High Density, zoning district permits single-detached dwellings, duplex dwellings, townhouses, condominiums, triplex dwellings, quadruplex dwellings, and zero-lot line dwellings, all subject to various bulk and area criteria (lot size, lot width, setbacks, lot area/dwelling unit, etc).
- The approximate density for each dwelling type varies as a result of lot size requirements and associated infrastructure –
  - 6 dwelling units/acre for detached single-family dwellings
  - 5 dwelling units/acre for two-family dwellings (duplex or attached single-family)
  - 4 dwelling units/acre for three-family dwellings (triplex)
- The conceptual subdivision layout appears to depict a gross density of approximately 2.5 dwelling units per acre. This calculation does not account for the buffer requirements shown on the conceptual layout and recommended condition of approval or the open space/amenities areas shown on the conceptual layout.
- The conceptual subdivision layout appears to depict a net density of approximately 4 dwelling units per acre, which deducts those undeveloped areas listed above. This is also an average density calculation, as a variety of lot sizes are shown in the conceptual layout, ranging from approximately 2 dwelling units per acre to 6 dwelling units per acre.



**STAFF RECOMMENDATION:**

Staff finds that zoning criteria of the R-4 zoning district, the recommended conditions of approval, and the application process currently administered provide an appropriate level of protection for the public interest and flexibility in the development of the property.

Should BOMA consider imposing limitations on the maximum density permitted on the subject property, staff recommends that "the density permitted within the current property boundary shall be limited to an average of five (5) dwelling units per acre". Staff finds that this language is sufficient in allowing for a variety of lot sizes, subject to the bulk and area criteria of the R-4 zoning district, throughout the project boundary, which appear to be presented to the City in concept at a range of two to six dwelling units per acre.

Staff is also confident that the language above is sufficient in addressing expressed concerns with the type of dwelling unit being constructed on the property. Limiting the average density indirectly impacts the feasible development form, as a higher number of attached single-family dwellings (such as a "twin home" with two attached dwelling units) on the property will require larger lot area, which will in turn decrease the number of dwelling units within the project boundary. Additionally, should a townhome development be proposed with three (3) or more single non-detached dwelling units, these units would significantly decrease a developer's ability to develop the remaining area of the property affected by this conditioned zoning ordinance because of the average density limitation.

City of Spring Hill, Tennessee  
**Planning Commission Agenda Application**  
 199 Town Center Parkway, Spring Hill TN 37174  
 (931) 486-2252 Fax: (931) 486-3596

FOR STAFF USE ONLY			
Date Application submitted:	<u>11.15.14</u>	Fee:	<u>\$200-</u>
Date Accepted as complete:	<u>11.15.14</u>	Case number:	<u>14-1543</u>
Map/Parcel:	<u>02B-01B</u>	Public hearing date:	<u>12.08.14</u>

Date: 11/12/14 Project Name: THE VINEYARD AT SPRING HILL  
 Property Address/Location: 5696 MAIN STREET, SOUTH OF SATURN PARKWAY - MAP 28 PARCEL 1B  
 Current Zoning District(s): M-1 Property Size: 158 AC

Type of request being made --	Materials required --
<input type="checkbox"/> Annexation	<input checked="" type="checkbox"/> Letter of request
<input checked="" type="checkbox"/> Rezoning to <u>B-1</u>	<input checked="" type="checkbox"/> Proof of ownership
<input type="checkbox"/> Commercial Site Plan	14 folded copies and one (1) digital copy of:
<input type="checkbox"/> Subdivision Plat	<input type="checkbox"/> Sketch Plat
<input type="checkbox"/> Architectural Review	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Sureties/Bonds	<input type="checkbox"/> Site Plan
<input type="checkbox"/> Industrial Site Plan	<input type="checkbox"/> Building Elevations
<input type="checkbox"/> Major Modification	Master Development
	<input type="checkbox"/> Plan (PUD) Final/Preliminary
	<input type="checkbox"/> Surety / Utility Application
	<input type="checkbox"/> Other _____

**Note to the applicant:**

- Applications and all required submittals must be filed with the Planning Department prior to the established deadline. Both the applicant and property owner must sign the application.
- All applications must be accompanied by completed checklist.
- A representative must be present at the scheduled meetings.

APPLICANT OR REPRESENTATIVE:

I have read the attached checklist and have complied with all requirements listed and understand that this application may be deemed incomplete if the submittal misses any of the information listed. I also understand that other information may be requested by staff, Planning Commission and Aldermen during review relevant to the request.

PAUL W. LOCKWOOD, ASLA

Name (printed): PATRICE WAGGNER SUMNER CANNON Date: 11/12/14

Address: 211 COMMERCE ST. SUITE 600  
NASHVILLE, TN 37201

Phone number: 615-252-4304

Email: PWLOCKWOOD@TWSC.NET

Signature: [Signature]

PROPERTY OWNER(S) OR AUTHORIZED AGENT:

I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on her/his behalf.)

Name (printed): Larry T. Adams Date: 11-11-14

Address: 8255 Dalewood Ct.  
Brentwood TN 37027

Phone number: 931-224-1205

Email: \_\_\_\_\_

Signature: [Signature]

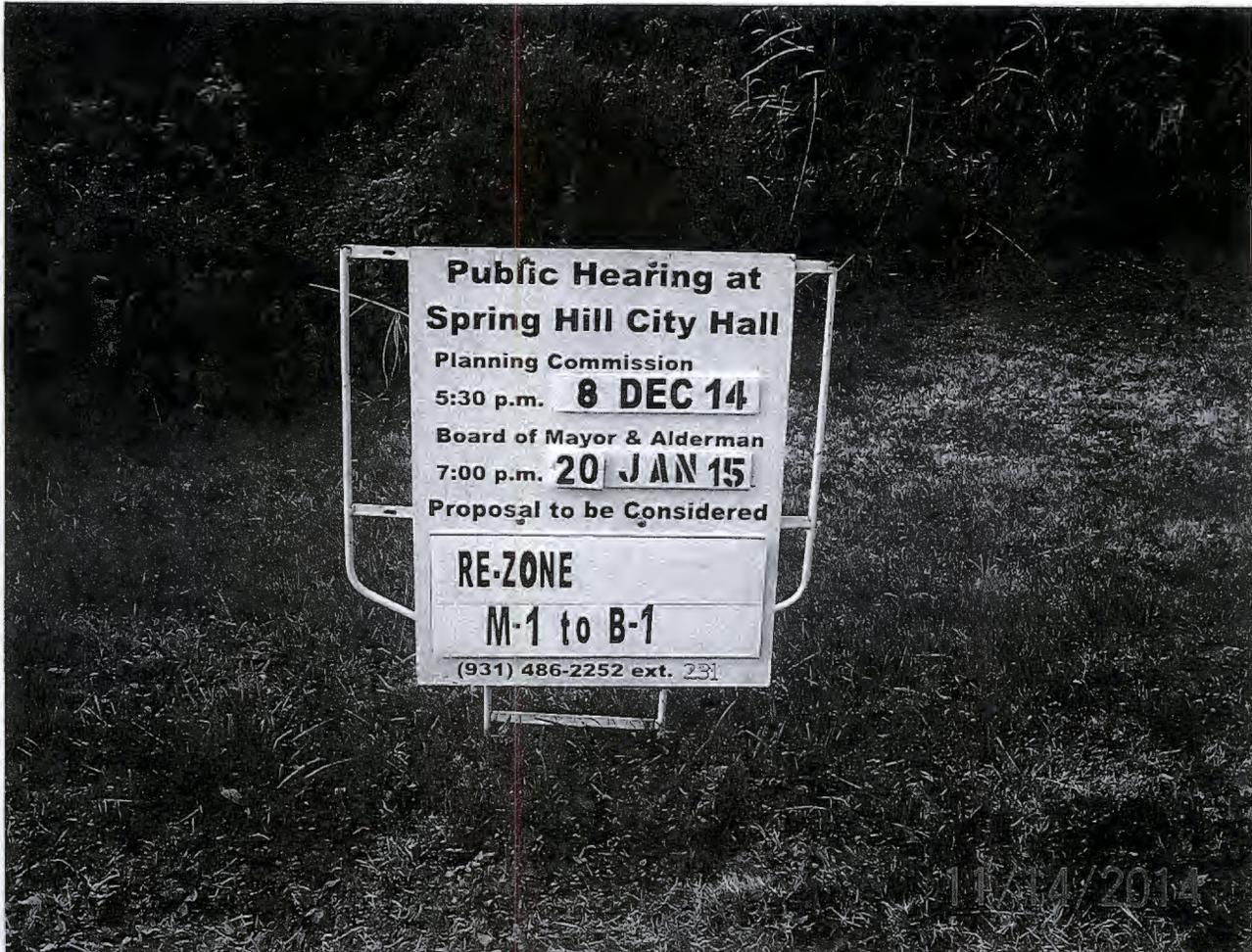
Name (printed): \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_



**Public Hearing at  
Spring Hill City Hall**

**Planning Commission**

**5:30 p.m. 8 DEC 14**

**Board of Mayor & Alderman**

**7:00 p.m. 20 JAN 15**

**Proposal to be Considered**

**RE-ZONE**

**M-1 to B-1**

**(931) 486-2252 ext. 231**

11/24/2014

Passed on 1st Reading

**ORDINANCE 15-03**

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1. The existing public access easement to the west through the Rippavilla Plantation shall not be utilized as a public road.
2. Buffering along the western edge of the subject property shall be required to protect the historic integrity of and screen the use of the property from the historic Rippavilla Plantation.
3. The zoning is conditional to only allow the residential uses which are shown on the plans submitted to the City.

Section 2: Said property to be rezoned from M-1 and B-1 are located within the corporate limits of the City of Spring Hill. Attached hereto showing the proposed rezoning location as Exhibit "A".

Section 3 This Ordinance was approved by the Spring Hill Municipal Planning Commission on the 8th day of December, 2014, with notice of said hearing being given fifteen (15) days or more before said approval.

Section 4: This Ordinance shall take effect from and after its adoption, the Public welfare requiring it.

Section 5: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE, this, the 20<sup>th</sup> day of JANUARY 2015.

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Rick Graham, Mayor

ATTEST:

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April Goad, City Recorder

LEGAL FORM APPROVED:

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Patrick Carter, City Attorney

Passed on First Reading: December 15, 2014

Passed on Second Reading:



## Spring Hill Planning Commission Regular Meeting

TO: Spring Hill Planning Commission  
FROM: Dara Sanders, City Planner  
Dan Allen, Infrastructure Director and Assistant City Administrator  
MEETING: December 8, 2014  
SUBJECT: RZN 14-1543 (Vineyard at Spring Hill)

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**RZN 14-1543:** Submitted by Barge, Waggoner, Sumner & Cannon, Inc, for property located east of Highway 31 (Main Street) and south of Saturn Parkway. The property is zoned M-1, Light Industrial, and contains approximately 158 acres. The applicant requests to rezone the property to B-1, Office District.

**Property description and history:** This undeveloped property is located between Main Street and Kedron Road with frontage onto Saturn Parkway. Public access and sewer service are not currently available to the site; however, recent improvements have been made to extend public water service to the subject property and the surrounding area.

The surrounding properties are primarily undeveloped and agricultural. Surrounding zoning designations are as follows:

North – NA (Saturn Parkway)

East – M-1, Light Industrial, and B-1, Office and Limited Retail Commercial

South – NA (Unincorporated)

West – NA (Unincorporated), developed for Rippavilla Plantation

In August of 2014, the applicant requested Planning Commission approval of a Future Land Use Map amendment from Mixed-use Community to Suburban Neighborhood, in accordance with the requirements of Zoning Ordinance Article XIV, Section 1.1(4), for the subject property in order to proceed with a rezoning request to "R-2 Planned Unit Development" for the development of a larger project boundary that included two adjacent properties. Although the request was for consideration of land use only (not pertaining to specific development requirements), several residents and stakeholders of the surrounding area spoke against the request, citing compatibility, buffering, and traffic concerns. The applicant's request was denied by a split vote of 2-2-0.

Based on the information presented and discussed in August of 2014, the applicant revised the proposal and approach to submit a rezoning application for the subject property, requesting approval of a base zoning district codified by the Board of Mayor and Aldermen (BOMA) in the Zoning Ordinance instead of a residential PUD. The applicant has also submitted a sketch plat application in accordance with the regulations applicable to the underlying zoning districts for the property to the east. The applicant has also submitted rezoning applications for two adjacent properties (to the north and west), requesting approval of base zoning districts codified by the BOMA in the Zoning Ordinance instead of a residential PUD.

Municipal Code requires a review and recommendation from the Historic Commission for rezoning or development requests submitted for properties designated by the BOMA as historically significant or within 300 feet of a property designated as historically significant. While the subject property is adjacent a property listed on the National Register of Historic Places (to the west), the historic Rippavilla Plantation is not within the Spring Hill city limits and, as a result, is not designated by the BOMA as historically significant; however, the Historic Commission has offered a recommendation to the Planning Commission. This recommendation includes requiring a study and identification of the location of an historical road titled "McCutcheon Trace" that may exist on the subject property, or in the vicinity of the subject property.

While staff finds that Spring Hill's rich cultural history is of high important, staff does not find that the City's Municipal Code requires an owner or applicant to evaluate an unconfirmed potential for historic assets on properties; therefore, staff has not included a condition of approval for this rezoning request that would require the recommended study.

Instead, staff has included a condition of approval requiring a buffer along the western edge of the subject property in order to protect the historic integrity of the historic Rippavilla Plantation.

**Request:** The applicant requests to rezone the subject property from M-1, Light Industrial, to B-1, Office and Limited Retail Commercial District, to allow for an active adult community and associated services and amenities. The applicant has submitted a sketch plat (SPT 14-1541) for a component of the overall development design for Planning Commission consideration, which is included in this agenda packet.

**Future land use designation:** The current future land use designation, District Mixed-use Community, is defined by compact, mixed-use development typical of traditional neighborhood development. Future development should emphasize connectivity and housing diversity by accommodating a mix of housing types and sizes, including small-lot single family, town homes, and live/work units. When this land use designation is applied, there is an expressed interest in the area's development pattern evolving to promote a mixture of housing types, commercial, and office land uses, as well as greater connectivity. Implementation of this area should follow the requirements of the Traditional Neighborhood Development zoning ordinance, which is the sole base zoning district identified as a compatible zoning classification for this land use designation.

Article XIV, Section 1.1(4), of the Zoning Ordinance, requires Planning Commission consideration of an amendment to the Future Land Use Plan prior to a rezoning request that is in conflict with the existing Future Land Use Plan. Because the B-1 zoning district is not identified as a compatible zoning classification for the District Mixed-use Community, the applicant has submitted a request to amend the future land use map to Suburban Center, which precedes this request on the agenda.

**Discussion:** The south side of Saturn Parkway has not experienced development pressure to that of the north side. The development of the subject property could have a significant influence on the surrounding area with the establishment of a development trend. As a result, staff finds that the proposed zoning district is a more appropriate designation for the subject property than the existing underlying M-1, Light Industrial, zoning district, which permits uses by-right with the potential to have a negative impact on the surrounding area, including truck terminals, electrical switching or transforming stations, pet kennels, and automobile restoration.

Additionally, staff finds that the applicant has submitted a rezoning application in accordance with the adopted regulations and procedures of the City's zoning ordinance and that the proposal has the potential to provide a development that meets many of the goals of the City's Comprehensive Plan and the expectations and needs identified by our community stakeholders.

**Recommendation:** Based on the findings herein, staff recommends forwarding RZN 14-1543 to the Board of Mayor and Aldermen with a recommendation for approval, subject to the following conditions of approval:

1. The existing public access easement to the west through the Rippavilla Plantation shall not be utilized as a public road.
2. Buffering along the western edge of the subject property shall be required to protect the historic integrity of and screen the use of the property from the historic Rippavilla Plantation.