

ORDINANCE 19-07

AN ORDINANCE TO AMEND ORDINANCE NO. 18-21, THE SAME BEING THE ZONING MAP OF THE CITY OF SPRING HILL, BY REZONING 34.45 ACRES OF PROPERTY, BEING MAURY COUNTY TAX MAP 167, PARCEL 001.02, AND WILLIAMSON COUNTY TAX MAP 25, PARCEL 5, FROM R-2, SINGLE-FAMILY DISTRICT, TO R-4, SINGLE-FAMILY DISTRICT.

RZN 633-2019 (DEPOT STREET REZONING)

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 property herein described as 34.45 acres of property, being Maury County tax map 167, parcel 001.02, and Williamson County tax map 25, parcel 5, from R-2, Single-Family District, to R-4, Single-Family District; and

WHEREAS, said portion of property to be rezoned from R-2 to R-4 is located within the corporate limits of the City of Spring Hill; and

WHEREAS, the Spring Hill Municipal Planning Commission considered this request on February 11, 2019 and passed a motion to not recommend RZN 633-2019 to the Board of Mayor and Alderman. Motion passing 4-2; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SPRING HILL, TENNESSEE, BOARD OF MAYOR AND ALDERMEN, to amend Ordinance No. 18-21, the same being the Zoning Ordinance and Zoning Map of the City of Spring Hill, by rezoning 34.45 acres of property, being Maury County tax map 167, parcel 001.02, and Williamson County tax map 25, parcel 5, from R-2, Single-Family District, to R-4, Single-Family District, the public welfare requiring it. Development shall be subject to the following condition:

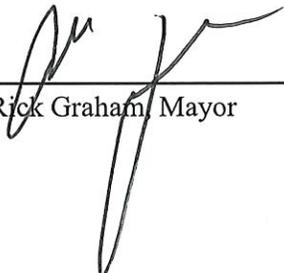
1. *Development of the site is conditioned upon the provision of a 25 foot buffer to the south property line neighboring Depot Street.*

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TENNESSEE, BOARD OF MAYOR AND ALDERMEN, that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

ATTEST:



April Goad, City Recorder



Rick Graham, Mayor

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

Passed on First Reading:

Passed on Second Reading:

MEMORANDUM



DATE: April 15, 2019
TO: Board of Mayor and Aldermen (BOMA)
FROM: Steve Foote, AICP, Planning Director
Logan Elliott, Associate Planner
SUBJECT: ORD 19-07 (Depot Street Rezoning Request)
RZN 633-2019

RZN 633-2019: Submitted by Anderson, Delk, Epps & Associates, Inc. for a property rezone along Depot Street. The property is zoned R-2 and contains approximately 34.45 acres. The applicant requests a rezone, under the provisions of the UDC, from R-2 to R-4 to allow reduced lot sizes and increased housing density. 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 abutting portions of the Autumn Ridge and Rubens Landing subdivision. The property has traditionally been shown as part of the Autumn Ridge master plan. Lot sizes in Autumn Ridge, based on the R-2 zoning, are a minimum of 10,000 sq. ft. in area. 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. The applicant submitted a concept plan associated with that rezoning (Bluebird Hollow) and the development was proposed to be an extension of the Autumn Ridge subdivision. The application was recommended for approval by the Planning Commission at the August 10, 2015 Regular Meeting and was forwarded to the Board of Mayor and Alderman. The application was presented at the September 8, 2015 BOMA Work Session and withdrawn on September 21, 2015. The application did not appear on the BOMA Regular Meeting agenda.

Spring Hill Rising: 2040: The future land use classification for this site falls into two categories. The southern portion of the property is designated Downtown-City Center and is intended for moderate to high density. The northern portion of the property is designated Residential Neighborhood Area and is intended for low to moderate density. The applicants request to change from R-2 to R-4 zoning would allow for higher density of single-family homes and would be consistent with both future land use designations.

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.

Based on the approval standards above, staff does not believe that the request is consistent with standard 1.b above. Land to the north, east, and south is currently developed for single family residential uses. These abutting developments; including, Autumn Ridge and Rubens Landing are zoned R-2 and contain a minimum of 10,000 sq. ft. lots. Belle Meade, across Depot Street is zoned R-1. Land across the railroad tracks is Residential Neighborhood and Rural Residential Area on the 2040 Land Use Map. The area across the railroad tracks is outside the current city limits.

Concept Plan: The applicant has provided a concept plan to illustrate a potential layout for the site along with the densities of the surrounding area. Lot dimensions and width are not noted. The applicant has provided density information comparing the proposed development with surrounding existing developments as justification for the proposal. While this density information is useful, it can be skewed by open space and detention areas that will impact the number. Also, the density comparison does not address the actual size and width of existing lots abutting the property. Staff's concern has been that the size and width of lots proposed (the minimum permitted in R-4, 50' wide and 6,000 sq. ft.) are not in context with immediately abutting property.

The potential plan shows the lots to be split by size according to the underlying land's Future Land Use designation. The lots abutting the existing Autumn Ridge development are generally shown as larger than the lots to the south, abutting Ruben's landing. The potential density of lots abutting Autumn Ridge is almost 25% higher than Autumn Ridge's density. The potentially density of the lots abutting Ruben's Landing is nearly 50% higher than Ruben's Landing Section 1. The potential plan shoes a significant amount of landscape buffering between Ruben's Landing and a decent amount of landscape buffering between Autumn Ridge. This concept plan shoes a higher density compared to when this parcel was included in the previously approved Master Plan for Autumn Ridge

Summary: The Planning Commission failed to recommend approval of this request during their meeting of February 11, 2019. Staff has not supported the proposed rezoning due to the concept plan not being contextually consistent with the neighboring development. The addition of the concept plan provides information to illustrate improvement in selected areas (where significant buffering is proposed). However, there are still areas proposed for new lots that closely abut existing development without providing a proper transition.

In review of the approval standards for Map amendments as identified in Article 13 of the UDC listed above, although improvement has been made, staff finds that the proposed density, and more specifically, the lot width/size is still inconsistent with the adjacent neighborhood. Also, because Spring Hill has not endorsed the practice of adopting the submitted concept plan as an exhibit there is no way for the city or adjacent citizens to rely on or enforce the plan.

While both of the single-family zoning districts (R-2 and R-4) would be permissible and consistent with the Residential Neighborhood Area and Downtown-City Center designations in the Spring Hill Rising 2040 comprehensive plan, taking into account the context of surrounding and abutting development, the R-2 district is more compatible with these developments.

Regarding the requirements of Article 11.8 Buffer Yards, a landscape buffer yard is required as follows:

11.8 BUFFER YARDS

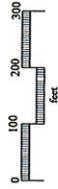
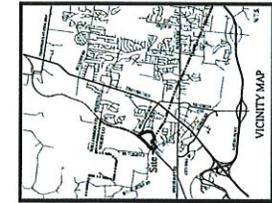
This section establishes standards for the dimension and required landscape for buffer yards between land uses and/or zoning districts within the rear or interior side yard. Nothing in this section prevents the applicant's voluntary installation of buffer yards where they are not required.

- A. *As of the effective date of this Code, buffer yards are required for new construction along interior side and rear yards in the following cases:*
- 1. Where a multi-family dwelling abuts a single-family, two-family, or townhouse dwelling.*

2. *Where a non-residential use is located within a residential district. This does not include public parks.*
3. *Where a non-residential district abuts a residential district. This does not include the C-D, OS, or NA Districts or public parks.*

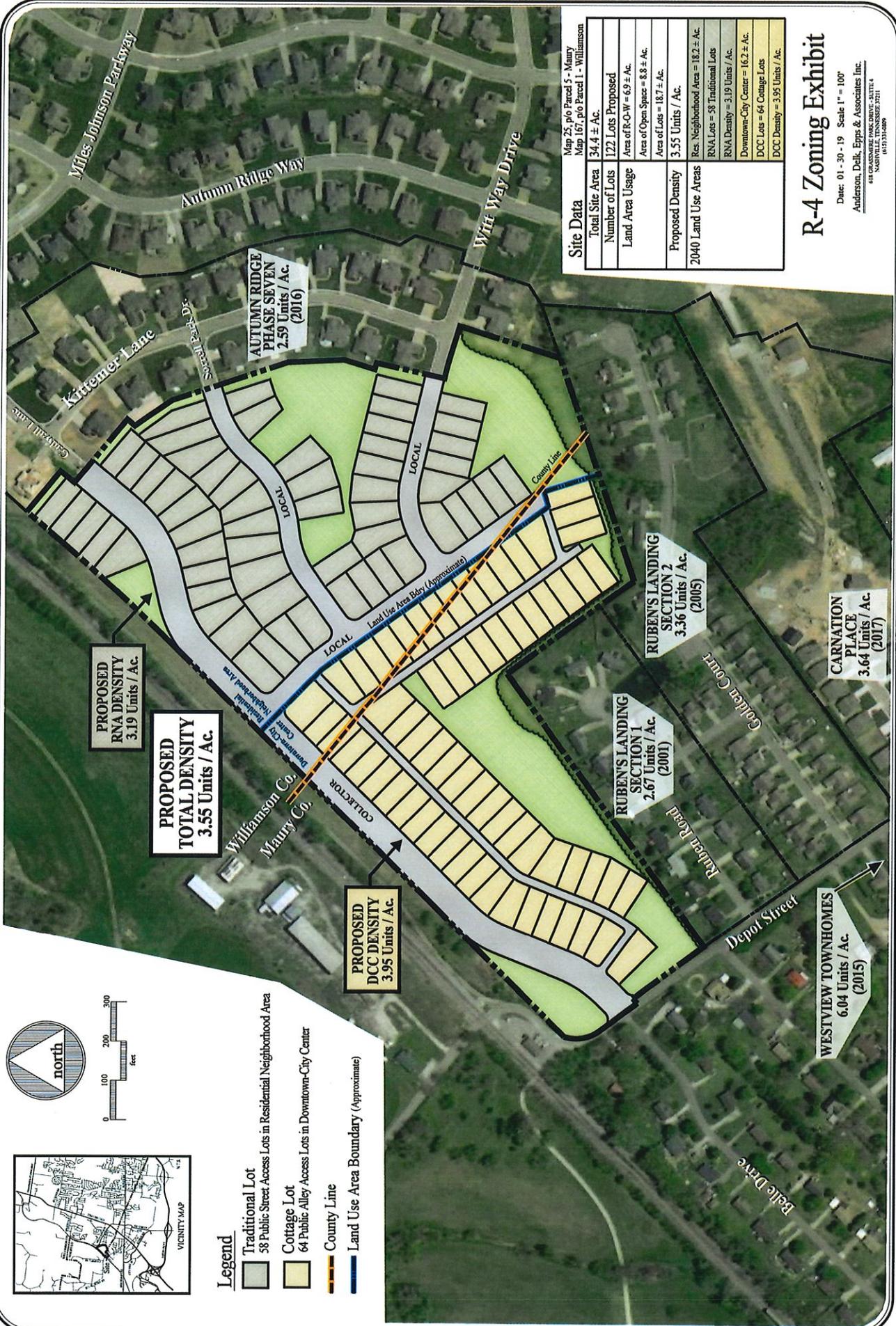
Nothing in this section mandates a buffer yard between two adjacent single family neighborhoods.

Recommendation: The Planning Commission motion was to “not recommend approval” of RZN 633-2019. This recommendation for denial by the Planning Commission requires that a BOMA vote to approve the rezoning pass by a 2/3 vote. The attached ordinance has been amended to include the condition of approval approved by the BOMA on 1st read.



Legend

- Traditional Lot
- 58 Public Street Access Lots in Residential Neighborhood Area
- Cottage Lot
- 64 Public Alley Access Lots in Downtown-City Center
- County Line
- Land Use Area Boundary (Approximate)



**PROPOSED
RNA DENSITY
3.19 Units / Ac.**

**PROPOSED
TOTAL DENSITY
3.55 Units / Ac.**

**PROPOSED
DCC DENSITY
3.95 Units / Ac.**

**AUTUMN RIDGE
PHASE SEVEN
2.59 Units / Ac.
(2016)**

**RUBEN'S LANDING
SECTION 1
2.67 Units / Ac.
(2001)**

**RUBEN'S LANDING
SECTION 2
3.36 Units / Ac.
(2005)**

**WESTVIEW TOWNHOMES
6.04 Units / Ac.
(2015)**

**CARNATION
PLACE
3.64 Units / Ac.
(2017)**

Site Data	Map 25, p16 Parcel 5 - Maury Map 167, p16 Parcel 1 - Williamson
Total Site Area	34.4 ± Ac.
Number of Lots	122 Lots Proposed
Land Area Usage	Area of R-O-W = 6.9 ± Ac. Area of Open Space = 8.8 ± Ac. Area of Lots = 18.7 ± Ac.
Proposed Density	3.55 Units / Ac.
2040 Land Use Areas	Res. Neighborhood Area = 18.2 ± Ac. RNA Lots = 58 Traditional Lots RNA Density = 3.19 Units / Ac. Downtown-City Center = 16.2 ± Ac. DCC Lots = 64 Cottage Lots DCC Density = 3.95 Units / Ac.

R-4 Zoning Exhibit

Date: 01 - 30 - 19 Scale 1" = 100'
Anderson, Dalk, Epps & Associates Inc.
414 W. Main Street, Suite 104
Nashville, Tennessee 37211
(615) 331-8899

