ORDINANCE 2013-01

AN ORDINANCE OF THE CITY OF BRENTWOOD, TENNESSEE TO AMEND THE ZONING ORDINANCE, SAME BEING CHAPTER 78 OF THE CODE OF ORDINANCES OF THE CITY OF BRENTWOOD, BY CHANGING THE PRESENT ZONING CLASSIFICATION ON CERTAIN PROPERTY LOCATED AT THE SOUTHEAST QUADRANT OF THE INTERSECTION OF VIRGINIA WAY AND GRANNY WHITE PIKE, FROM THE R-1 (LARGE LOT RESIDENTIAL) AND R-2 (SUBURBAN RESIDENTIAL) ZONING DISTRICTS TO THE SI-3/SR (SERVICE INSTITUTION – CULTURAL, RECREATIONAL AND GOVERNMENTAL/SPECIAL RESTRICTIONS) ZONING DISTRICT, SAID PROPERTY BEING MORE SPECIFICALLY DESCRIBED IN THE PROPERTY DESCRIPTIONS ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE BY REFERENCE, AND SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE BY REFERENCE; AND TO AMEND THE OFFICIAL ZONING MAP ACCORDINGLY

WHEREAS, Section 78-371 of the Brentwood Municipal Code allows the Board of Commissioners to apply additional special restrictions on permitted uses and/or technical and development standards for property for which rezoning to a commercial or service institution zoning district is requested, if the Board determines that the otherwise permitted uses and/or applicable technical development standards for the district at the specific location are inadequate to preserve traffic control and aesthetics and to protect the health, safety, conveniences, quality of life and general welfare of the citizens of Brentwood; and

WHEREAS, a change to SI-3 zoning has been requested for certain property located at the southeast quadrant of the intersection of Virginia Way and Granny White Pike; and

WHEREAS, the Board of Commissioners has determined that the otherwise permitted uses and applicable technical development standards for the SI-3 district at the location of said property are inadequate to preserve traffic control and aesthetics and to protect the health, safety, conveniences, quality of life and general welfare of the citizens of Brentwood.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BRENTWOOD, TENNESSEE AS FOLLOWS:

SECTION 1. That the present zoning classification on certain property located at the southeast quadrant of the intersection of Virginia Way and Granny White Pike be and it is hereby changed from the R-1 (Large Lot Residential) and the R-2 (Suburban Residential) zoning districts to the SI-3/SR (Service Institution – Cultural, Recreational and Governmental/Special Restrictions) zoning district, said property being more particularly described in the property description attached hereto as Attachment "A," and being more particularly shown on Attachment "B," said attachments being made a part of this ordinance by reference.

SECTION 2. That all development and use of the property rezoned by this ordinance shall be subject to the special restrictions set forth on Attachment C hereto.

SECTION 3. That the official zoning map be and the same is hereby amended accordingly.

SECTION 4. That this ordinance shall take effect from and after the date the property described in Attachment "A" is conveyed to the City of Brentwood, the general welfare of the City of Brentwood, Williamson County, Tennessee, requiring it.

PASSED:	1st reading	_____	PLANNING COMMISSION	_____
	2nd reading	_____	NOTICE OF PASSAGE	
			Notice published in:	_____
PUBLIC HEARING			Date of publication:	_____
Notice published in:		_____		
Date of publication:		_____		
Date of hearing:		_____	EFFECTIVE DATE	_____

_____

MAYOR Paul L. Webb

_____

RECORDER Deborah Hedgepath

Approved as to form:

_____

CITY ATTORNEY Roger A. Horner

Attachment "A"
Ordinance 2013-01
Property Description
For the Development and Use of Rezoned Property
(Margaret Hayes Powell Park)

A tract of land having an area of 24.02 acres lying south of Virginia Way and east of Granny White Pike, and recorded in Plat Book 56, Page 112 of the office of the Williamson County Register of Deeds, and identified as Williamson County Parcel Number 012-03032.

Attachment "C"
Ordinance 2013-01
Special Restrictions
For the Development and Use of Rezoned Property
(Margaret Hayes Powell Park)

All development within the property rezoned by Ordinance 2031-01 shall be required to comply with all technical and development standards set forth in the zoning ordinance of the City of Brentwood for the underlying SI-3 Service Institution zoning district. In addition, given the location of the property adjacent to an established residential subdivision, the special restrictions listed below are applied, as authorized under Section 78-371 of the zoning ordinance, due to the inadequacy of the otherwise permitted uses and applicable technical and development standards to preserve traffic control and aesthetics and to protect the health, safety, conveniences, quality of life and general welfare of the citizens of Brentwood.

The property rezoned under Ordinance 2013-01 is hereinafter referred to as the "Park Property". The uses permitted for the Park Property shall be limited to passive park uses permitted under Section 78-302(1) of the City's Zoning Ordinance. No other uses enumerated under Section 78-302 shall be allowed on the Park Property. The Park Property shall be subject to the following additional conditions and limitations:

a. The Park Property will be perpetually owned by the City.

b. The Park Property shall be open for use by the public during daylight hours only. No outdoor lighting may be installed or operated within the Park Property.

c. No road access may be constructed to the Park Property from Granny White Pike.