

City of Shelbyville
Mayor & City Council Special Called Meeting

Special Called Meeting: February 23, 2022

Time: 12:00 PM

Place: Shelbyville Recreation Center, 220 Tulip Tree Road, Shelbyville, TN 37160

I. Call to Order

II. Roll Call

III. Adopt the Agenda

Consideration of a motion to allow City Attorney to read captions only on Ordinances and Resolutions

IV. Resolutions – First Reading:

- A. A Resolution Adopting a Plan of Service for An Area Proposed for Annexation, the Territory is a 30.00 (+/-) Acre Tract of Land Located on the Westside of 231 North Business Park and Referenced on Bedford County as Tract 2, Tax Map 050, Parcel 8.00, to Be Annexed by Owner Consent and to Be Incorporated Within the Boundaries of the City of Shelbyville, Tennessee and Owned by Silicon Ranch Corporation.
- B. A Resolution to Annex certain Territory upon Written Consent of the Owners and to Incorporate the same Within the Boundaries of the City of Shelbyville, Tennessee. This Property is a 30.00 (+/-) Acre Tract of Land Located on the Westside of the 231 North Business Park and Referenced on Bedford County as Tract 2, Tax Map 050, Parcel 8.00 and Owned by Silicon Ranch Corporation.

V. Ordinance – First Reading

- A. An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 30.00 (+/-) Acres Owned by Silicon Ranch Corporation, Located on the Westside of the 231 North Business Park and Reference on Bedford County as Tract 2, Tax Map 050, Parcel 8.00, From A-1 (Agricultural and Forestry to I-3 (Heavy Industrial), and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith.

VI. Announcements

VII. Adjourn

Mayor Wallace Cartwright

VIII.

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR AN AREA PROPOSED FOR ANNEXATION, THE TERRITORY IS A 30.00 (+/-) ACRE TRACT OF LAND LOCATED ON THE WESTSIDE OF 231 NORTH BUSINESS PARK AND REFERENCED ON BEDFORD COUNTY AS TRACT 2, TAX MAP 050, PARCEL 8.00, TO BE ANNEXED BY OWNER CONSENT AND TO BE INCORPORATED WITHIN THE BOUNDARIES OF THE CITY OF SHELBYVILLE, TENNESSE AND OWNED AND OWNED BY SILICON RANCH CORPORATION.

WHEREAS, the City of Shelbyville, Tennessee, having been petitioned by interested persons, proposes the extension of its corporate limits by the annexation of certain territory into the city limits; and

WHEREAS, the owners of all property within the territory proposed for annexation have given their written consent by notarized petition so that a referendum is not required; and

WHEREAS, the owners of this property have indicated their intention to develop this property for industrial uses; and

WHEREAS, the proposed annexation and plan of services were submitted to the Shelbyville Municipal Planning Commission for study, and it has recommended the same; and

WHEREAS, notice of the time, place and purpose of a public hearing on the proposed annexation and the plan of services was published in a newspaper of general circulation in the City of Shelbyville, Tennessee, not less than fifteen (15) days before the hearing, which notice included the locations of a minimum of three (3) copies of the plan of services for public inspection during all business hours from the date of notice until the public hearing; and

WHEREAS, a public hearing on the proposed annexation and this plan of services was held by the governing body on -----, 2022.

WHEREAS, the Mayor and City Council of the City of Shelbyville have determined that the parcel located on the westside of 231 North Business Park and referenced on Bedford County as Tract 2, Tax Map 050, Parcel 8.00, as illustrated in Exhibit A attached hereto, should be annexed into the City of Shelbyville.

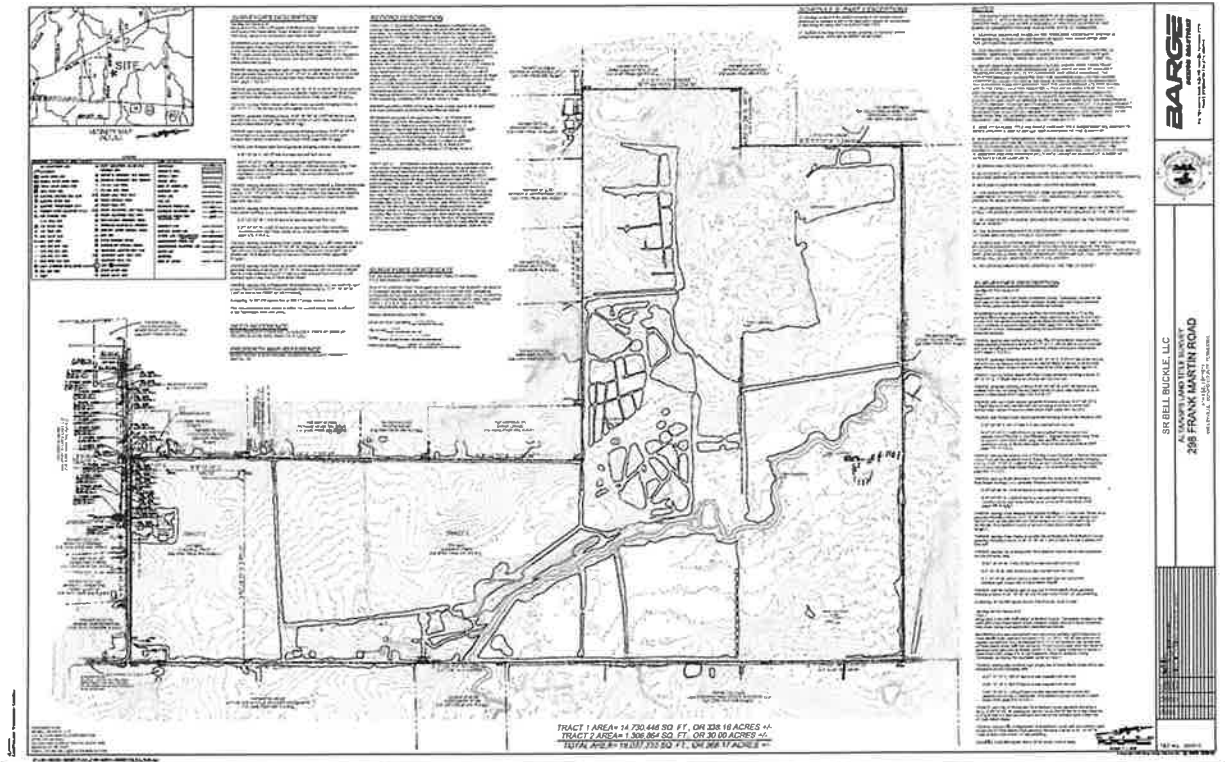
NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Shelbyville, Tennessee that the following Plan of Services for the subject parcel is hereby adopted:

- a. **Police** - Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment, will be provided by the City of Shelbyville Police Department on the effective date of annexation.
- b. **Fire** -Fire protection will be provided by the City of Shelbyville Fire Department using present personnel and equipment, on the effective date of annexation
- c. **Waste Management** - Waste Management services will be provided by the Shelbyville Public Works Department on the effective date of annexation.

- d. **Roads** – Maintenance, including roads, signage and related street improvements on Frank Martin Road will continue to be provided by the City of Shelbyville.
- e. **Street Lighting** – Street lighting will be under the rules and regulations of Shelbyville Power, Water and Sewer and the City of Shelbyville.
- f. **Recreation** - The annexation is for industrial uses and will not have an impact on City of Shelbyville Parks and Recreational facilities and services.
- g. **Sewer** - Sanitary sewer service is available from Shelbyville Power, Water, and Sewer. Should the property owner develop the subject parcel, an agreement between the property owner and Shelbyville Power, Water, and Sewer shall be required to provide sanitary sewer service, including the extension and/or installation of utility infrastructure improvements that may be necessary to serve the subject.
- h. **Water** - Water service is available by Bedford County Utility District (BCUD). Should the property owner develop the subject parcel, an agreement between the property owner and BCUD shall be required to provide water service, including the extension and/or installation of utility infrastructure improvements that may be necessary to serve the subject.
- i. **Electricity** - Electric service is available from Duck River Electric Membership Corporation. Should the property owner develop the subject parcel, an agreement between the property owner and Duck River Electric Membership Corporation shall be required to provide electric service, including the extension and/or installation of utility infrastructure improvements that may be necessary to serve the subject property.
- j. **Planning and Zoning** - Planning and zoning services will be provided by the City of Shelbyville on the effective date of annexation.

PASSED AND ADOPTED in regular session of the City Council of the City of Shelbyville, Tennessee, on -----, 2022.

Exhibit A



A RESOLUTION TO ANNEX CERTAIN TERRITORY UPON WRITTEN CONSENT OF THE OWNERS AND TO INCORPORATE THE SAME WITHIN THE BOUNDARIES OF THE CITY OF SHELBYVILLE, TENNESSEE. THIS PROPERTY IS A 30.00 (+/-) ACRE TRACT OF LAND LOCATED ON THE WESTSIDE OF 231 NORTH BUSINESS PARK AND REFERENCED ON BEDFORD COUNTY AS TRACT 2, TAX MAP 050, PARCEL 8.00 AND OWNED BY SILICON RANCH CORPORATION.

WHEREAS, the City of Shelbyville, Tennessee, having been petitioned by interested persons, proposes the extension of its corporate limits by the annexation of certain territory into the city limits; and

WHEREAS, the owners of all property within the territory proposed for annexation have given their written consent by notarized petition so that a referendum is not required; and

WHEREAS, the owners of this property have indicated their intention to develop this property for industrial uses; and

WHEREAS, a copy of this resolution, describing the territory proposed for annexation, was promptly sent by the City of Shelbyville, Tennessee to the last known address listed in the office of the property assessor for each property owner of record within the territory proposed for annexation, with such being sent by first class mail and mailed no later than fourteen (14) calendar days prior to the scheduled date of the hearing on the proposed annexation by owner consent; and

WHEREAS, this resolution was also published by posting copies of it in at least three (3) public places in the territory proposed for annexation and in a like number of public places in the City of Shelbyville, Tennessee, and by publishing notice of the resolution at or about the same time in the Shelbyville Times-Gazette, a newspaper of general circulation in such territory and the City of Shelbyville, Tennessee; and

WHEREAS, a plan of services for the area proposed for annexation has been approved by Resolution _____, dated _____, which plan of services addresses the same services and timing of services as required in Tennessee Code Annotated § 6-51-102; and

WHEREAS, the proposed annexation and plan of services were submitted to the Shelbyville Municipal Planning Commission for study, and it has recommended the same; and

WHEREAS, notice of the time, place and purpose of a public hearing on the proposed annexation and the plan of services was published in a newspaper of general circulation in the City of Shelbyville, Tennessee, not less than fifteen (15) days before the hearing, which notice included the locations of a minimum of three (3) copies of the plan of services for public inspection during all business hours from the date of notice until the public hearing; and

WHEREAS, a public hearing on the proposed annexation and plan of services was held by the governing body on-----, 2022.

NOW, THEREFORE, BE IT RESOLVED by the City of Shelbyville, Tennessee as follows:

- A. That the following territory is hereby annexed and incorporated into boundaries of the City of Shelbyville, Tennessee, to be effective as of -----, 2022 to wit:
Referenced on Bedford County Tract 2 Tax Map 50 Parcel 8.00, as illustrated in Exhibit A attached hereto, and owned by Silicon Ranch Corporation.
- B. That the plan of services for this territory which has been approved by Resolution hereto is approved and the same is hereby adopted.

- C. That this territory shall be included in the 4th Ward/District
- D. That the Mayor shall cause a copy of this resolution, as well as the adopted plan or services, to be forwarded to the Mayor of Bedford County.
- E. That a copy of the election certification shall be sent to the mayor of County upon receipt from the election commission
- F. That a copy of this resolution shall be recorded with the Bedford County Register of Deeds, and a copy shall also be sent to the Tennessee Comptroller of the Treasury and the Bedford County Assessor of Property, following certification by the election commission that the annexation was approved.
- G. That a copy of this resolution, as well as the portion of the plan of services related to emergency services and a detailed map of the annexed area, shall be sent to any affected emergency communication district, following certification by the election commission that the annexation was approved.
- H. That a revised map of the voting precincts shall be sent to the office of local government and to the office of management information services for the Tennessee General Assembly, following certification by the election commission that the annexation was approved.
- I. That the Tennessee Department of Revenue shall be notified, for the purpose of tax administration, that the annexation took place.

WHEREUPON, the Mayor declared the resolution adopted, affixed a signature and the date thereto, and directed that the same be recorded.

PASSED AND ADOPTED in regular session of the City council of the City of Shelbyville, Tennessee, on _____ 2022.

APPROVED

Wallace Cartwright, Mayor

ATTEST:

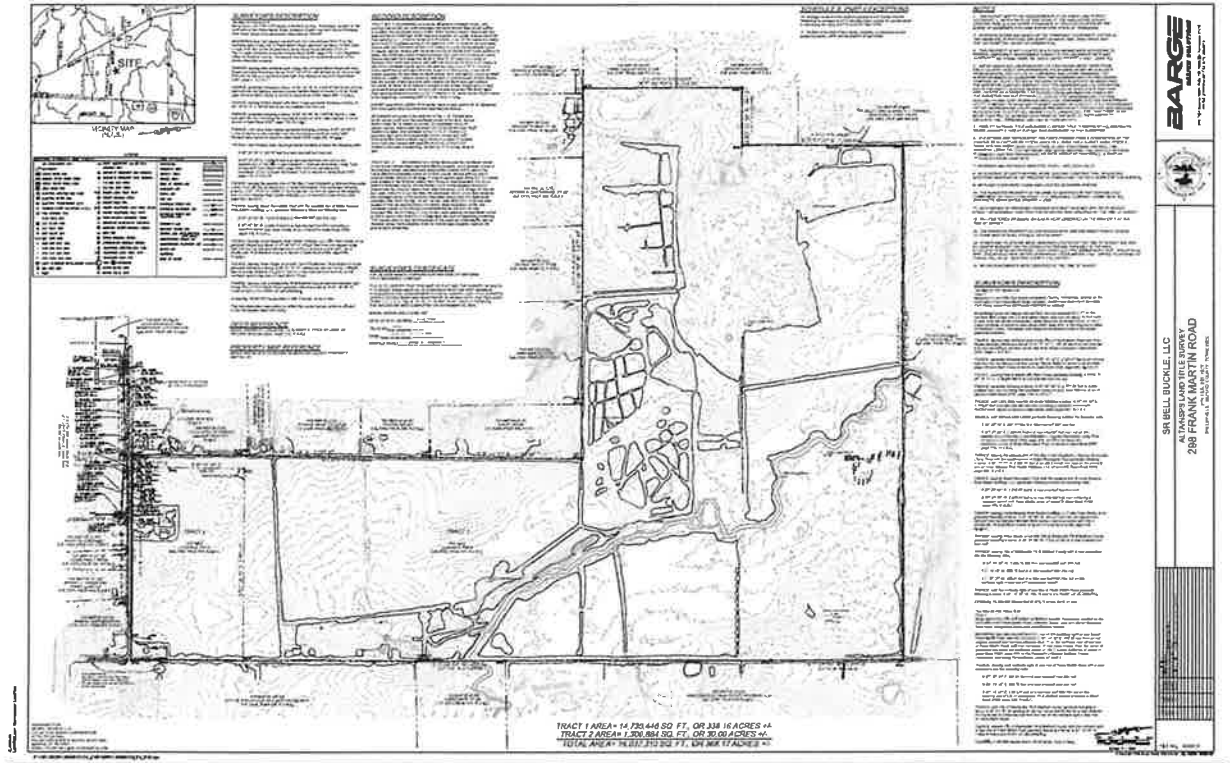
Lisa Smith, City Recorder

1st Reading: _____
Public Hearing: _____
2nd Reading: _____

APPROVED AS TO FORM:

Ginger B. Shofner, City Attorney

Exhibit A



CITY OF SHELBYVILLE PLANNING

FINAL COMMENT SHEET

Date of Circulation for Review: Wednesday, February 9, 2022
Date of Pre-Planning Meeting: N/A
Date Comments Sent: Friday, February 11, 2022
Type of Project: Rezoning
Type of Approval: City Council

Project Name: Annexation of Tract 2, Tax Map 50 Parcel 8.00
Project Description: The Applicant is requesting the rezoning of 30.00 (+/-) acres located on the west side of 231 North Business Park from Bedford County A-1 (Agricultural and Forestry) to Heavy Industrial (I-3)
Applicant: Gina Brown & Reagan Farr
Property Owner: Silicon Ranch Corporation
Zoning: Bedford County A-1 (Agricultural and Forestry)
Requested Zoning: Heavy Industrial (I-3)
Parcel ID: Tract 2, Tax Map 50 Parcel 8.00

Police Department:

1. No Review Comments.

Fire Department:

1. No Review Comments.

Shelbyville Power, Water, and Sewer:

1. The property cannot be served by gravity sewer at this time.
2. A pump station along with additional infrastructure would be required.
3. The owner or City would have to acquire a funding source to accommodate this growth.
4. The capacity is limited for the Industrial Park and could only serve the Phase one flow that was proposed.

5. The flow proposed was Preliminary in nature and a more detailed analysis will be required to verify this information.
6. Shelbyville Power Water System does not provide water or power to the Airport Industrial Park area.
7. BCUD provides water and gas to this area.
8. DREM provides power.

Building and Codes:

1. No Review Comments.

Public Works:

1. No Review Comments.

Engineering:

1. No Review Comments.

Planning:

PROPERTY DESCRIPTION ZONING AND USES

The original parcel is located in Bedford County and is zoned A-1 (Agricultural and Forestry). Most of the original parcel is vacant and is being used mainly for agricultural purposes. However, based on the areal photos (**Please see Page 4 below: Aerial Photo**), a single-family home and two or more structures appear to be located within the southern portion of the parcel. Tax Map 50 Parcel 8.00, the original parcel, has an area of approximately 370.5 acres and is referred to as 298 Frank Martin Road.

SURROUNDING LAND USES

The properties located to the north and west are all located within Bedford County and are zoned A-1 (Agricultural and Forestry). The properties located immediately south, south of Frank Martin Road, are located in Bedford County and zoned A-1 (Agricultural and Forestry). The properties located further to the south are located in the City of Shelbyville and are zoned for industrial uses.

It should be noted that the original parcel is immediately adjacent to 210 Frank Martin Road (also known as 231 North Business Park) (**Please see Page 5 below: 231 North Business Park Map**). The property known as 231 North Business Park (Tax Map 50 Parcel 26.00) is currently zoned Heavy Industrial (I-3) and is vacant.

THE CURRENT FUTURE LAND USE MAP

The Shelbyville Comprehensive Plan (2008) and the Future Land Use Map contained within the Comprehensive Plan designate the majority of the property as “Corporate Development” (**Please see Page 6: Future Land Use Map**). The corporate development classification allows for large tract of industrial sites.

THE PROPOSED FUTURE LAND USE MAP

The Proposed (not-Adopted) Shelbyville Comprehensive Plan and the proposed (not-adopted) Future Land Use Map designate the future use of the subject parcel as “North Gateway Character Area” **(Please see Page 7 below: Future, Not-Adopted, Land Use Map)**. “The North Gateway Character Area” lists I-1 (Light Industrial), I-2 (Light Industrial), I-3 (Heavy Industrial) as appropriate uses.

OVERVIEW OF REQUEST

The request for rezoning is regarding (Tract 2, Tax Map 50 Parcel 8.00). Tract 2, Tax Map 50 Parcel 8.00) is contiguous to the Shelbyville City Limits and is located within the Shelbyville Urban Growth Boundary and is the subject for an annexation request that was applied for at the same time of the application for the annexation. The subject property is identified as (Tract 2), and it constitutes the southernmost thirty (30) acres of the original parcel (Tax Map 50 Parcel 8.00) **(Please see Page 8 below: Location Map)**. The westernmost seventy-five (75) feet along Frank Martin Road are not proposed to be annexed in the City to allow road frontage for the remainder of the original parcel that is not proposed to be annexed **(Please see Page 9 below: Property Survey)**. No portion of the 30.00 acre tract of land is located within a flood hazard area. The intent of this request is, if the annexation request and the rezoning request are approved, to combine the severed parcel and combine it with a portion of the property located within the 231 North Industrial Park to create a new parcel suitable for a future industrial park.

STAFF RECOMMENDATION:

The proposed I-3 (Heavy Industrial) zone, if rezoning is approved, is consistent with the land use designation for this area as shown on both the Future Land Use Map and the, not-adopted, Future Land Use Map.

Therefore, staff recommends that the Planning Commission provides a favorable recommendation to the Shelbyville City Council regarding the annexation of Tract 2, Tax Map 50 Parcel 8.00 with the procedural notification listed below.

Procedural Notifications:

1. The rezoning annexation is a separate request on the agenda for this Special Planning Commission Meeting.

Arial Photo



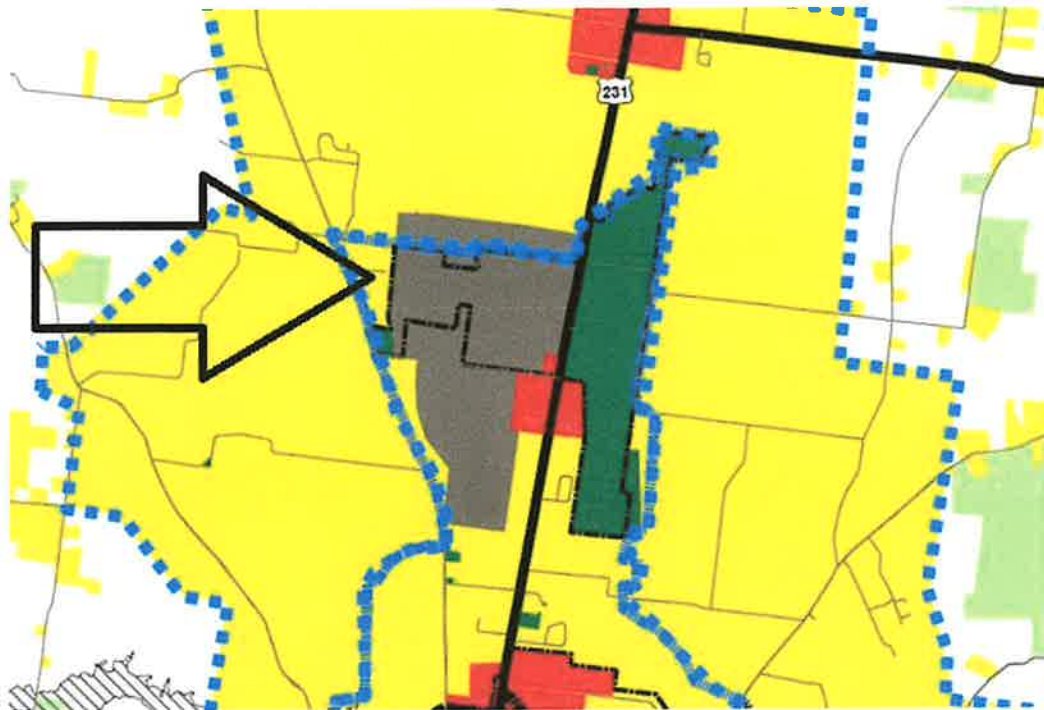
Arial Photo showing the existing house and two or more structures

231 North Business Park Map



231 North Business Park Map
(Indicated by the blue color)

Future Land Use Map



LEGEND

URBAN GROWTH BOUNDARY

- SHELBYVILLE UGB
- SHELBYVILLE EXPANDED UGB

CORPORATE LIMITS

- CORPORATE LIMITS

FLOODPLAIN AND FLOODWAY

- 100 YR FLOOD PLAIN
- FLOODWAY

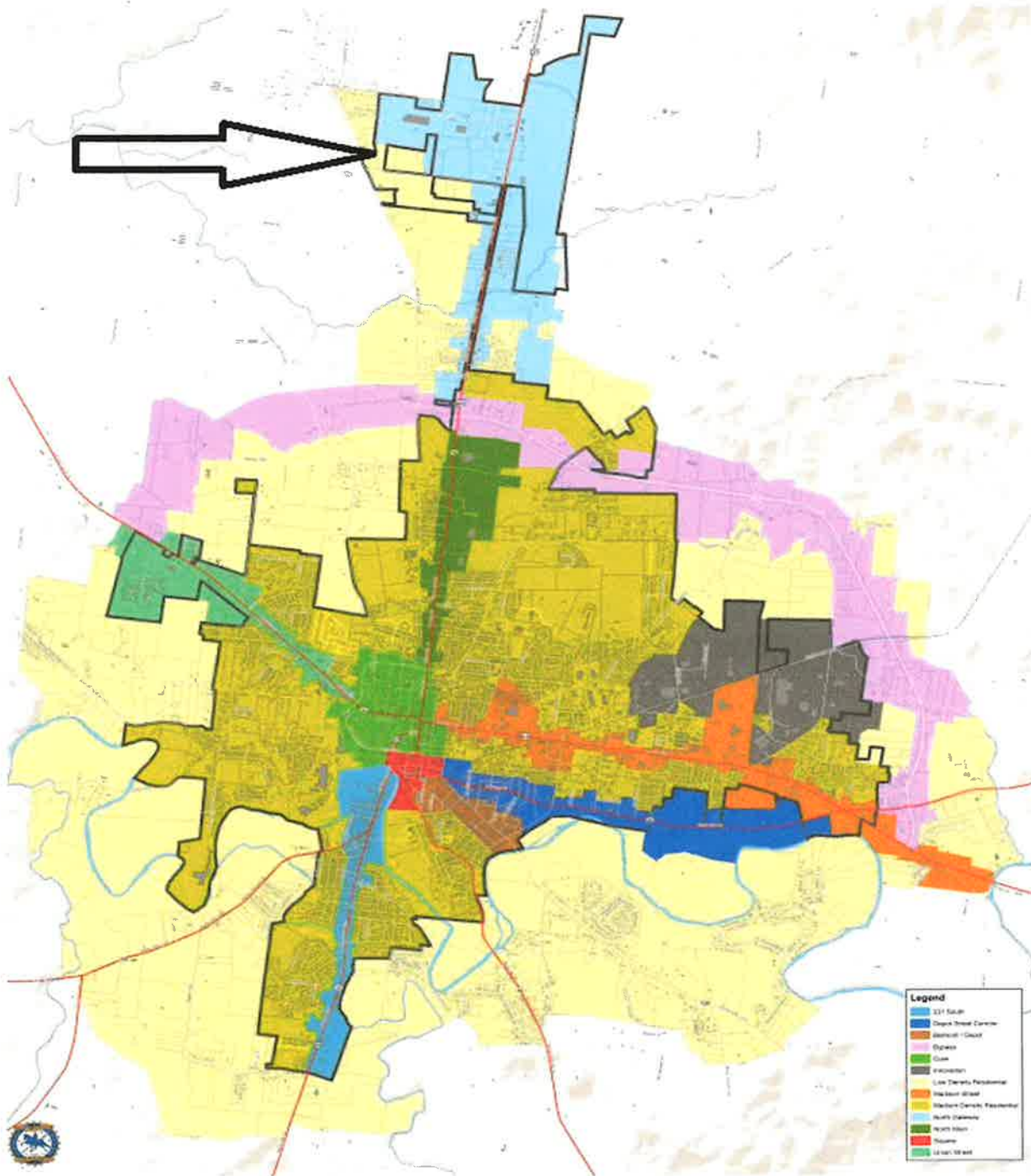
LAND USE

- AGRICULTURAL/VACANT
- FARM (IN GREENBELT)
- COMMERCIAL
- CENTRAL BUSINESS DISTRICT
- OFFICE
- INDUSTRIAL
- CORPORATE DEVELOPMENT
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL HIGH DENSITY
- PUBLIC/SEMI-PUBLIC
- UTILITIES

Creating a better life by design.
BWSC BARGE, WADDNER, SUMNER & GANNON, INC.

2008 Future Land Use Map
 (Arrow is pointing at the subject property)
 Future Land Use Classification: Corporate Development

Future, Not-Adopted, Land Use Map



Future, Not-Adopted, Land Use Map
(Arrow is pointing at the subject property)
Future Land Use Classification: North Gateway Character Area

Location Map

The southernmost thirty (30) acres of the Land, offset from the western property boundary by seventy-five (75) feet.



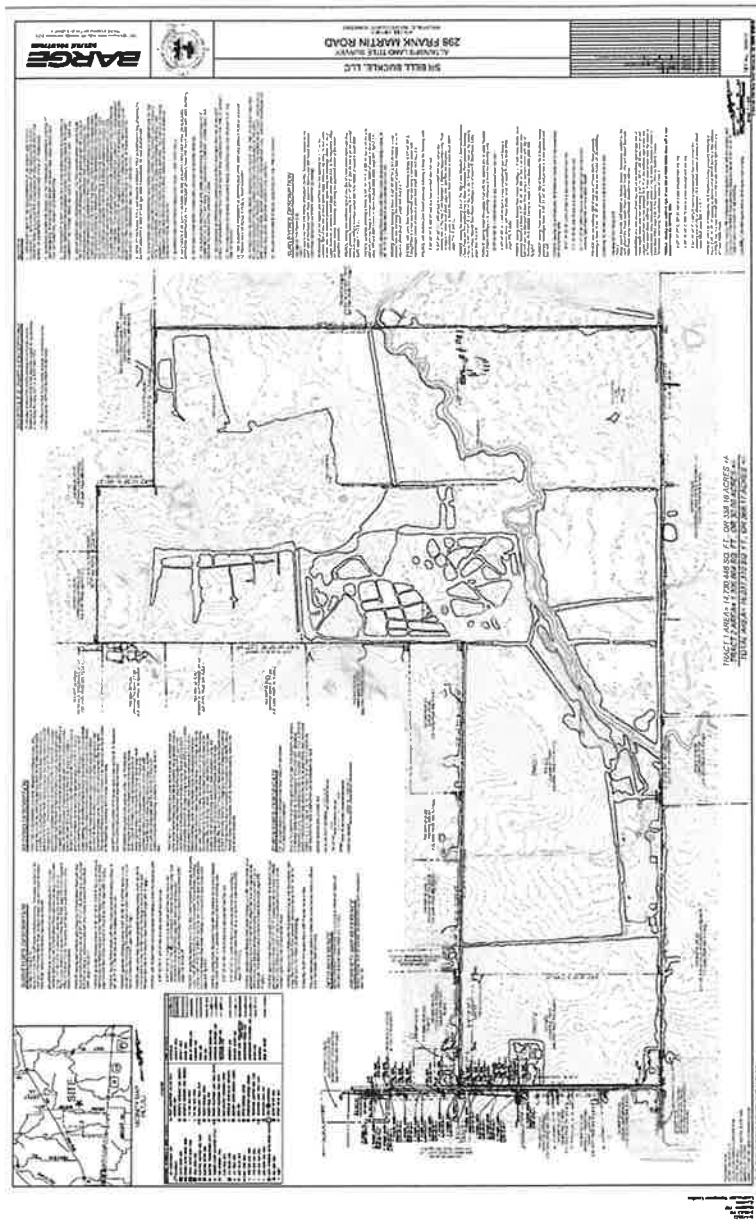
Location Map

30 Acres in Size

659.93' in length (depth)

1,492.34' in width

Property Survey



Property Survey

30 Acres in Size

659.93' in length (depth)

1,492.34' in width

ORDINANCE _____

AN ORDINANCE OF THE OF THE CITY OF SHELBYVILLE, TENNESSEE TO APPROVE THE REZONING OF 30.00 (+/-) ACRES OWNED BY SILICON RANCH CORPORATION, LOCATED ON THE WESTSIDE OF 231 NORTH BUSINESS PARK AND REFERENCED ON BEDFORD COUNTY AS TRACT 2, TAX MAP 050, PARCEL 8.00 FROM A-1 (AGRICULTURAL AND FORESTRY) TO I-3 (HEAVY INDUSTRIAL), AND REPEALING ANY ORDINANCE OR PORTION OF ORDINANCE IN CONFLICT THEREWITH.

WHEREAS, the requested zoning district of I-3 (Heavy Industrial) is in compliance with the Future Land Use Map designation of “Corporate Development” as found in the Shelbyville Comprehensive Plan (2008); and

WHEREAS, the Municipal Planning Commission of the City of Shelbyville provided favorable recommendation for this rezoning from the County’s A-1 zoning district to the City’s I-3 zoning district at the February 16, 2022 special meeting;

Now, THEREFORE, LET IT BE ORDAINED THAT:

1. The City Council of the City of Shelbyville approves the rezoning of Tract 2, Tax Map 50 Parcel 8.00, the area along 1,492.34 feet road frontage of Frank Martin Road, to a depth of 659.46 feet and a total size of 30.00 acres (+/-), as illustrated in Exhibit A attached hereto, to the I-3 (Heavy Industrial) zoning district; and
2. This Ordinance will take effect 15 days after its final approval.

APPROVED:

Wallace Cartwright, Mayor **Date**

APPROVED AS TO FORM:

City Attorney Ginger Shofner **Date**

ATTESTED:

Lisa Smith, City Recorder **Date**

Exhibit A

