

RESOLUTION 2024-PC-04

AN RESOLUTION OF THE MOUNT PLEASANT PLANNING COMMISSION TO RECOMMEND AMENDING THE STREET MAP OF THE ZONING ORDINANCE TO ACCEPT A PORTION OF MAGNOLIA DRIVE AS A CITY STREET

WHEREAS, Brightland Homes of Tennessee, LLC (“Brightland Homes”) has requested the City of Mount Pleasant accept ownership and maintenance of **a portion of Magnolia Drive** that crosses Brightland Homes’ property (Deed Book R3010, Page 216, Register’s Office of Maury County), consisting of approximately 17,435 square feet and running in a southwesterly direction from Canaan Road; and,

WHEREAS, upon information and belief, the City constructed and paved Magnolia Drive, has maintained and policed Magnolia Drive and that Magnolia Drive has been used for public use since its construction in 1989; and,

WHEREAS, notwithstanding the above, this portion of Magnolia Drive is currently included in the legal description for the property owned by Brightland Homes and Brightland Homes desires to transfer the legal ownership of the portion of Magnolia Drive that crosses its property to the City; and,

WHEREAS, Brightland Homes prepared a legal description of the portion of Magnolia Drive that it wishes to dedicate to the City of Mount Pleasant which incorporated herein as **Exhibit A**; and,

WHEREAS, acceptance of a street must be considered by the Planning Commission pursuant to TCA 13-4-104 and, therefore, requires a recommendation from the Planning Commission to the City Commission; and,

WHEREAS, it also alters the street map, which is part of the City’s Zoning Ordinance; and,

WHEREAS, the City of Mount Pleasant Municipal Planning Commission held a public hearing on the proposed zoning amendment pursuant to section 4.7 of the City’s Zoning Ordinance on October 8, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MOUNT PLEASANT MUNICIPAL PLANNING COMMISSION AS FOLLOWS:

Section 1. The City of Mount Pleasant Municipal Planning Commission recommends that the City accept the transfer of and ownership of said portion of Magnolia Drive as such acceptance is in the best interest of the City of Mount Pleasant.

Section 2. Pursuant to 4.7(C)(1), the planning commission in its review and recommendation and the Mount Pleasant commission in its deliberations shall make specific findings with regard to the following grounds for an amendment:

- i. The amendment is in agreement with the land use plan for the area.
- ii. There will be no adverse effect upon adjoining property owners, unless such effect can be justified by the overwhelming public good or welfare.
- iii. No property owner or small group of property owners will benefit materially from the change to the detriment of the general public.
- iv. Conditions affecting the area have changed to a sufficient extent to warrant an amendment to the area's land use plan and subsequently, the zoning map.

Section 3. This Resolution shall take effect upon final passage.

Approved this 8th day of October, 2024.

JOHN HUNTER, CHAIRMAN

ATTEST:

PAM JOHNSON, SECRETARY

LEGAL FORM APPROVED:

KORI BELDSOE JONES, ATTORNEY