



HISTORIC  
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ITEM #5  
WRK S 01/12/10

## MEMORANDUM

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December 30, 2009

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator  
Vernon Gerth, Assistant City Administrator—Community/Economic Development  
Gary Luffman, Interim Planning Director

SUBJECT: Discussion of Non-residential Building Height and Buffer Widths Adjacent to Residential Zoning Districts

### **Purpose**

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with general information of the relationship of height of buildings to adjoining uses as outlined in the existing *Franklin Zoning Ordinance* and possible alternatives to these requirements.

### **Background**

On December 11, 2009, the Board of Mayor and Aldermen asked the planning staff to look at building heights in relation to adjoining zoning districts, especially residential districts. This came after discussion on Ordinance 2009-52, a text amendment to place footnotes in a correct location in Table 3-5 of the *Franklin Zoning Ordinance*. The footnotes refer to allowing an additional fourth floor in Planned Unit Developments of General Commercial, Mixed-use Local, and Mixed-use Regional Zoning Districts. NOTE: It has presently been allowed in several other zoning districts and this text amendment would allow this additional floor in the most predominant zoning districts where larger building heights are found.

There is one advantage and one disadvantage with the new Zoning Ordinance. The advantage is the amount of materials in the buffer has increased, but the minimum buffer distance has not changed. The disadvantage is the rear yard setbacks decreased from 40 feet to 25 feet. Based on the acreage of a project, it is possible that the landscape buffer will be greater than the setback requirement.

Where a developing parcel is adjacent to a vacant parcel, the developing parcel shall provide 100 percent of the perimeter buffer adjacent to the vacant land. In the case of a residential parcel being proposed next to an already developed commercial parcel, then NO buffer is required according to Table 5-6. A buffer can also be reduced by 25 percent if a wall, fence, or berm is installed.

### **Financial Impact**

The case of incompatible uses next to each other is inevitable, but lessening the impact is the goal. Larger buildings vertically not only reduces sprawl, but provides a healthy tax base for the city and generally requires less services. The future location of these buildings could be detrimental to growth. Finding a common ground is important for our business community, as well as our citizens.



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### **Options**

1. Create a transition height zone for all buildings over two stories next to residential districts.
2. Increase the minimum building setback zone for each incompatible use buffer classification next to residential districts.
3. Increase the minimum landscape buffer distance based on the number of stories of an adjacent building.
4. The building setback shall be measured from the minimum landscape buffer.
5. The building setback shall increase one foot for every foot over 35 feet and measured from the minimum landscape buffer.
6. Take to a joint workshop with the Franklin Planning Commission for further study.

### **Recommendation**

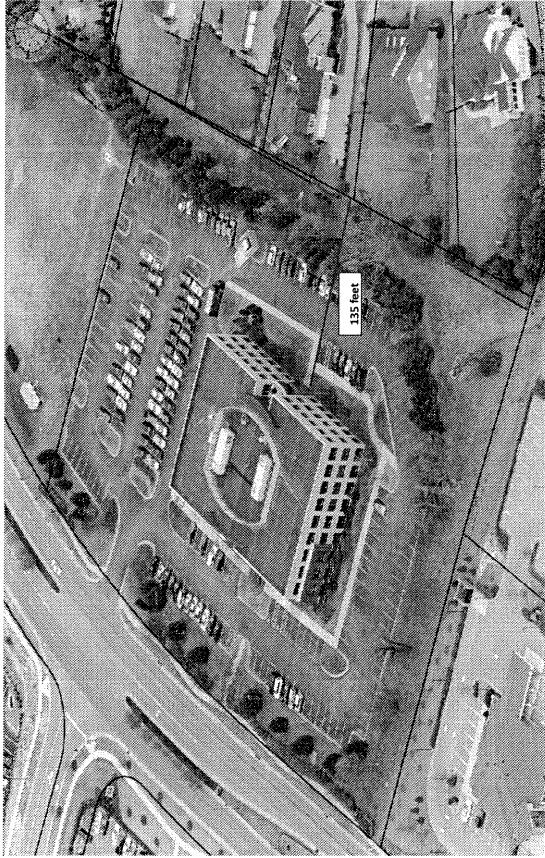
It is recommended that this issue be brought to a joint workshop of BOMA and the Franklin Planning Commission. This will allow for a more complete discussion and collaboration between the two bodies. From a staff perspective, many other issues have surfaced beyond just the height issue that can for included in a workshop discussion. Please review the attached drawings and pictures for future discussion.

**Brentwood Music, Inc., located along Cool Springs Boulevard**

**Building Height**  
3 stories—45 feet

	Old Zoning Requirements	New Zoning Requirements
Zoning District	IC (Interstate Commercial)	GC (General Commercial)
Minimum Rear Yard Setback Required	40 feet (133 feet provided)	25 feet
Incompatible Use Buffer Requirement	70 feet (52 feet provided)*	46 feet*

\* The buffer width can be reduced by 25 percent if a wall, fence, or berm is provided.

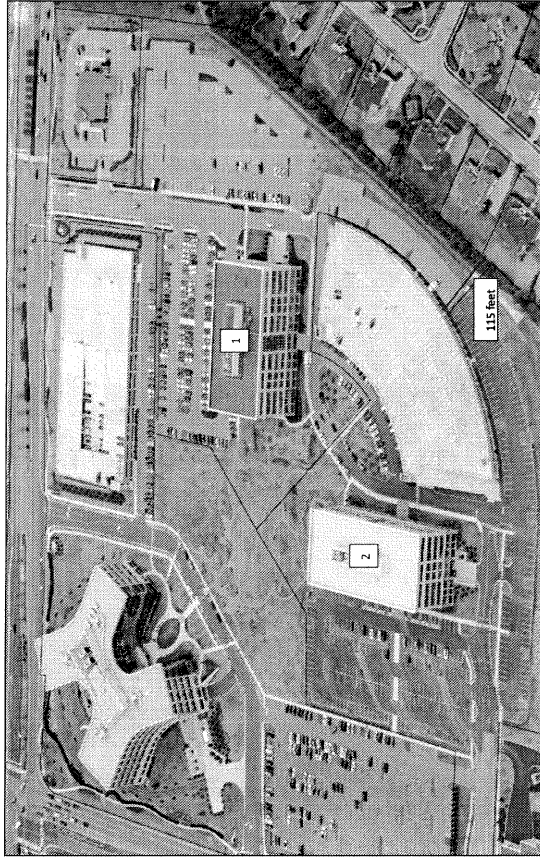


**Highwoods Office Park, located at Cool Springs Boulevard and Carothers Parkway**

**Building Height**  
Building 1—6 stories, 95 feet  
Building 2—6 stories, 95 feet

	Old Zoning Requirements	New Zoning Requirements
Zoning District	IC (Interstate Commercial)	GC (General Commercial)
Minimum Rear Yard Setback Required	40 feet (115 feet provided)	25 feet
Incompatible Use Buffer Requirement	70 feet (52 feet provided)*	70 feet*

\* The buffer width can be reduced by 25 percent if a wall, fence, or berm is provided.

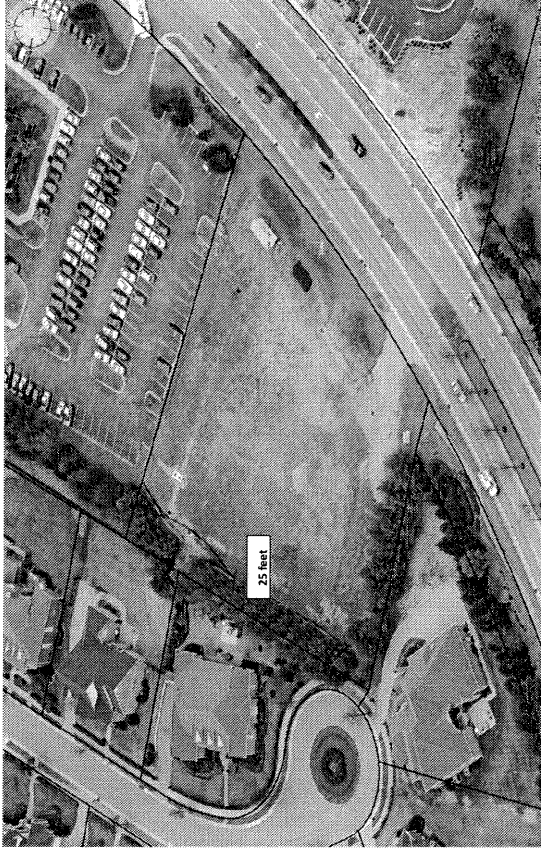


**Alliant Bank, located along Cool Springs Boulevard**

**Building Height**  
**3 stories — 52 feet**

	Old Zoning Requirements	New Zoning Requirements
Zoning District	IC (Interstate Commercial)	GC (General Commercial)
Minimum Rear Yard Setback Required	40 feet (43 feet provided)	25 feet
Incompatible Use Buffer Requirement	18 feet	33 feet*

\* The buffer width can be reduced by 25 percent if a wall, fence, or berm is provided.



**00' Buffer with Trees 25' Tall**

**Building Height is 81'**

