

ORDINANCE 2012-54

**TO BE ENTITLED "AN ORDINANCE TO REZONE ±17.40 ACRES FROM MEDIUM RESIDENTIAL DISTRICT (R-2) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTY LOCATED AT 567 FRANKLIN ROAD."**

SECTION I: BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that the following described property shall be, and is hereby, rezoned from its present zoning classification of Medium Residential District (R-2) and High to Residential Variety District (RX):

Zoning Reference Number: 12-12:

Map-Group-Parcel	Acres
053---3.00	17.40
TOTAL	17.40

**Legal Description Map 53 Par 3**

Being a tract of land lying in Franklin, Williamson County, Tennessee and being more particularly described as follows:

Beginning on the westerly right-of-way line of Franklin Road, width varies, at the southeast corner of Gateway Village, Section 1, Residential of record in Plat Book 42, page 38 at the Register's Office for Williamson County, Tennessee;

Thence with the southerly line of said Section 1 for the following five calls:

- 1) North 56 deg 01 min 15 sec West, 185.93 feet to a point,
- 2) With a curve to the right having a radius of 35.00 feet, a curve length of 30.40 feet and a chord bearing and distance of North 80 deg 58 min 40 sec West, 29.45 feet to a point,
- 3) North 56 deg 06 min 03 sec West, 233.00 feet to a point,
- 4) With a curve to the right having a radius of 35.00 feet, a curve length of 27.60 feet and a chord bearing and distance of North 33 deg 30 min 53 sec West, 26.89 feet to a point,
- 5) North 56 deg 14 min 49 sec West, 166.18 feet to a corner common with Gateway Village, Section 2, Residential of record in Plat Book 45, page 86;

Thence with the southerly line of said Section 2 for the following two calls:

- 1) North 56 deg 25 min 09 sec West, 336.50 feet to a point,
- 2) North 56 deg 14 min 50 sec West, 125.00 feet to a corner common with the property conveyed to Gateway Village Residential, LLC of record in Book 4201, page 446;

**Thence with the southerly line of Gateway Village Residential, LLC for the following four calls:**

- 1) North 56 deg 18 min 10 sec West, 139.49 feet to a point,
- 2) North 57 deg 03 min 21 sec West, 268.17 feet to a point,
- 3) North 56 deg 40 min 59 sec West, 373.35 feet to a point,
- 4) North 56 deg 23 min 02 sec West, 149.24 feet to a point on the easterly line of Treemont Subdivision of record in Plat Book 44, Page 85;

Thence with the easterly line of Treemont, South 09 deg 52 min 09 sec West, 742.64 feet to a point on the northerly line of Clearview Baptist Church of record in Book 4201, page 446; Thence with the northerly line of Clearview Baptist Church for the following seven calls:

- 1) South 84 deg 15 min 52 sec East, 147.37 feet to a point,
- 2) South 76 deg 42 min 02 sec East, 206.10 feet to a point,
- 3) South 63 deg 25 min 11 sec East, 104.00 feet to a point,
- 4) South 71 deg 35 min 36 sec East, 125.80 feet to a point,
- 5) South 67 deg 07 min 37 sec East, 509.86 feet to a point,
- 6) North 23 deg 32 min 18 sec East, 205.61 feet to a point,
- 7) South 60 deg 24 min 30 sec East, 756.46 feet to a point on the westerly right-of-way line of Franklin Road;

Thence with the westerly right-of-way of Franklin Road for the following two calls:

- 1) North 31 deg 41 min 56 sec East, 146.73 feet to a point,
- 2) North 56 deg 01 min 15 sec West, 33.46 feet to the point of beginning; containing 17.4 acres more or less.

Being part of the property conveyed to Cumberland Park, LLC of record in Book 3234, page 422 at the Register's Office for Williamson County, Tennessee.

SECTION II: BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of

Franklin, Tennessee, that this Ordinance shall take effect from and after its passage on third and final reading, the health, safety, and welfare of the citizens requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

BY: \_\_\_\_\_  
ERIC S. STUCKEY  
CITY ADMINISTRATOR/RECORDER

BY: \_\_\_\_\_  
DR. KEN MOORE  
MAYOR

PLANNING COMMISSION RECOMMENDED:

9/27/12

PASSED FIRST READING:

10/9/12

PUBLIC HEARING HELD:

\_\_\_\_\_

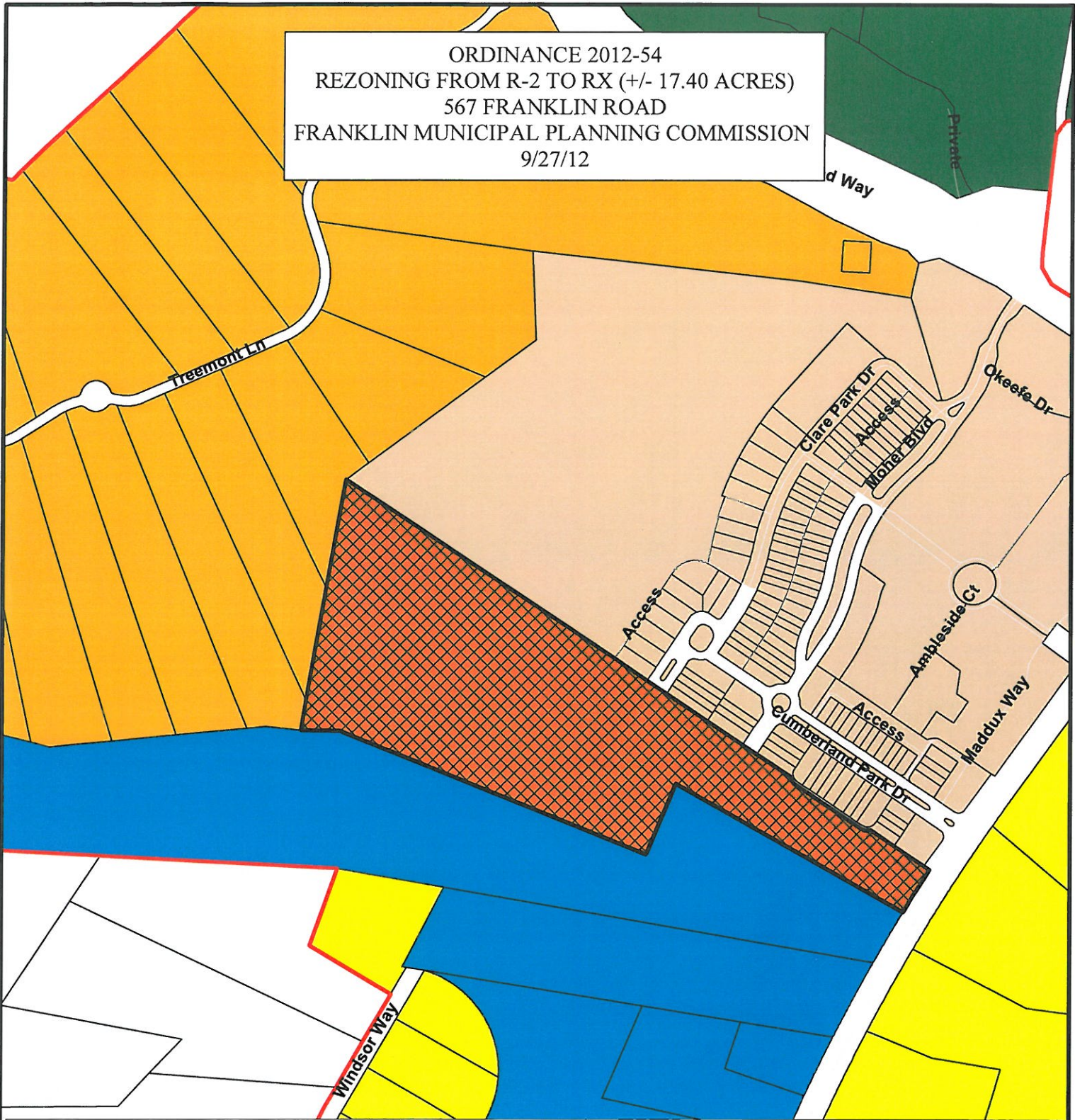
PASSED SECOND READING:

\_\_\_\_\_

PASSED THIRD READING:

\_\_\_\_\_

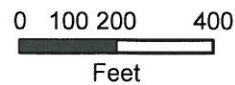
ORDINANCE 2012-54  
 REZONING FROM R-2 TO RX (+/- 17.40 ACRES)  
 567 FRANKLIN ROAD  
 FRANKLIN MUNICIPAL PLANNING COMMISSION  
 9/27/12



**Legend**

- |                                    |                                     |
|------------------------------------|-------------------------------------|
| Rezoning Area                      | GO General Office District          |
| <b>Zoning</b>                      | CC Central Commercial District      |
| AG Agricultural District           | NC Neighborhood Commercial District |
| ER Estate Residential              | GC General Commercial District      |
| R-1 Residential District           | MN Neighborhood Mixed-Use District  |
| R-2 Residential District           | ML Local Mixed-Use District         |
| R-3 Residential District           | MX Regional Mixed-Use District      |
| Historic Core Residential District | LI Light Industrial District        |
| RX Residential Variety             | HI Heavy Industrial District        |
| OR Office Residential District     | CI Civic and Institutional District |

This map was created by the Franklin Planning Department. It was compiled from the most authentic information available. The City is not responsible for any errors or omissions contained hereon. All data and materials (c) copyright 2012. All rights reserved.





# MEMORANDUM

September 28, 2012

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator *Eric Stuckey*  
 Vernon Gerth, Assistant City Administrator for Community and Economic Development  
 Catherine Powers, Planning and Sustainability Director

SUBJECT: Ordinance 2012-54, an ordinance to rezone ± 17.40 acres from Medium Residential (R-2) District to Residential Variety (RX) for the property located at 567 Franklin Road

### Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding an ordinance to rezone ± 17.40 acres from Medium Residential (R-2) District to Residential Variety (RX) for the property located at 567 Franklin Road.

### Background

This ordinance was favorably recommended to the BOMA by the Planning Commission with a 7-0 vote at the September 27, 2012, FMPC Meeting. The project information and comments from the Franklin Municipal Planning Commission (FMPC) staff report are included below.

## PROJECT INFORMATION

**Existing Land Use:** Vacant  
**Proposed Land Use:** Residential Attached  
**Existing Zoning:** R-2 Medium Residential District  
**Proposed Zoning:** RX Residential Variety District  
**Acreage:** 17.4  
**Proposed Number of Lots:** 46  
**Proposed Dwelling Units:** 42  
**Proposed Nonresidential Square Footage:** 0  
**Proposed Open Space:** Formal Open Space: 0.26  
 Informal Open Space: 14.13  
 Total Open Space: 14.39

**Physical Characteristics:** On the eastern portion of the property, the site is relatively flat. On the western portion, significant slopes exist.  
**Character Area Overlay/Development Standard:** BCCO Berrys Chapel Character Area Overlay District Traditional  
**Other Applicable Overlays:** HHO  
**Proposed Building Height:** 3  
**Minimum Landscape Surface Ratio:** 0.1

## SURROUNDING ZONING AND LAND USE

Location	Land Use	Zoning
North	Attached/Detached	Residential ML
South	Institutional	CI
East	Detached	Residential R-1
West	Detached	Residential ER

## INFRASTRUCTURE AVAILABILITY

**WATER:** Mallory Valley Utility District  
**SEWER:** Available from City of Franklin  
**RECLAIMED WATER:** Not Available



## TRANSPORTATION

**Site Access:**

Access provided from Moher Blvd and Clare Park Blvd.

**Trip Generation:**

Weekday 7am-9am: 28.14 trips

Weekday 4pm-6pm: 32.76 trips

**PROJECT MEETS FRANKLIN'S LAND USE PLAN: YES**

**GREENWAY/OPEN SPACE PLAN: N/A**

**HISTORIC DISTRICT GUIDELINES: N/A**

## Project Review

**STAFF RECOMMENDATION:**

Favorable recommendation to the BOMA

**COMMENTS: Land Use Plan Recommendations**

The Berrys Chapel Character Area comprises approximately 3,534 acres in the north-central portion of the Urban Growth Boundary (UGB). The northern boundary of the area is the UGB, Sims Lane and Lynnwood Way. Mack Hatcher Parkway is the southern boundary, and the Harpeth River is the primary west edge of the area. It is bound to the east by the McEwen Character Area. The primary existing land use in the area is single-family residential, with pockets of civic/institutional and retail uses along Franklin and Hillsboro Roads. In the northeast section of the area there are over 900 multifamily units and a developing mixed use center that provides a variety of housing options.

The Gateway Commons property encompasses two Special Areas – 2 and 4 – within Berrys Chapel Character Area. In Special Area 2, existing uses are predominantly agricultural and detached residential. [A significant portion of the Gateway Commons site in Special Area 2 contains steep slopes and falls within the HHO]. In Special Area 4, existing uses are predominantly high density, mixed use development, consisting of Attached and Detached Residential, Institutional, Neighborhood, and Local Retail and Office uses. This area should follow standards for the Mixed Use Design Concept.

**PROCEDURAL REQUIREMENTS:**

1. If the plan receives BOMA approval, the applicant shall upload the corrected plan to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>) and submit one (1) complete and folded set and a .pdf file of corrected development plan to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). All revisions to the approved plans shall be "clouded." A response letter addressing each condition of approval shall be included with the .pdf upload and the set of corrected plans.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.

**Financial Impact**

Not applicable to this item.

**Options**

Not applicable to this item.

**Recommendation**

Approval of Ordinance 2012-54 is recommended.