

ORDINANCE 2012-39

TO BE ENTITLED "AN ORDINANCE TO REZONE ±.96 ACRES FROM LOW RESIDENTIAL DISTRICT (R-1) TO HIGH RESIDENTIAL DISTRICT (R-3) FOR THE PROPERTY LOCATED AT 711 HILLSBORO 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 are hereby, rezoned from its present zoning classification of Low Residential District (R-1) to High Residential District (R-3):

Zoning Reference Number: 12-07:

Map-Group-Parcel	Acres
063-G-09.00	±.96
TOTAL	±.96

Land located in the 8th Civil District of Williamson County, Tennessee, on the Hillsboro highway and described as follows:

Beginning at a point in the west margin of the Hillsboro Highway, the northeast corner of Lot No. 2 acquired by Bogbie et ux from Crawford et ux by deed dated sixth day of October 1945 and registered in Deed Book No. 84, Page 254, ROWCT. Acquired by Crawford and et ux from Watson in Deed Book No. 84, Page 298, ROWCT, thence along the west margin of said highway, south 16 east 200 feet to a stake, thence south 72 west 210 feet to a stake in Reese's line, thence north 16 west with said line 200 feet to a stake, thence northwest corner of said Lot No. 2, thence north 72 east 210 feet to the beginning, being a part of said Lot No. 2, acquired by Crawford et ux, under the deed above referred to.

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

BY: _____
Dr. Ken Moore
Mayor

PLANNING COMMISSION RECOMMENDED DISAPPROVAL: 6/28/12

PASSED FIRST READING: 7/24/12

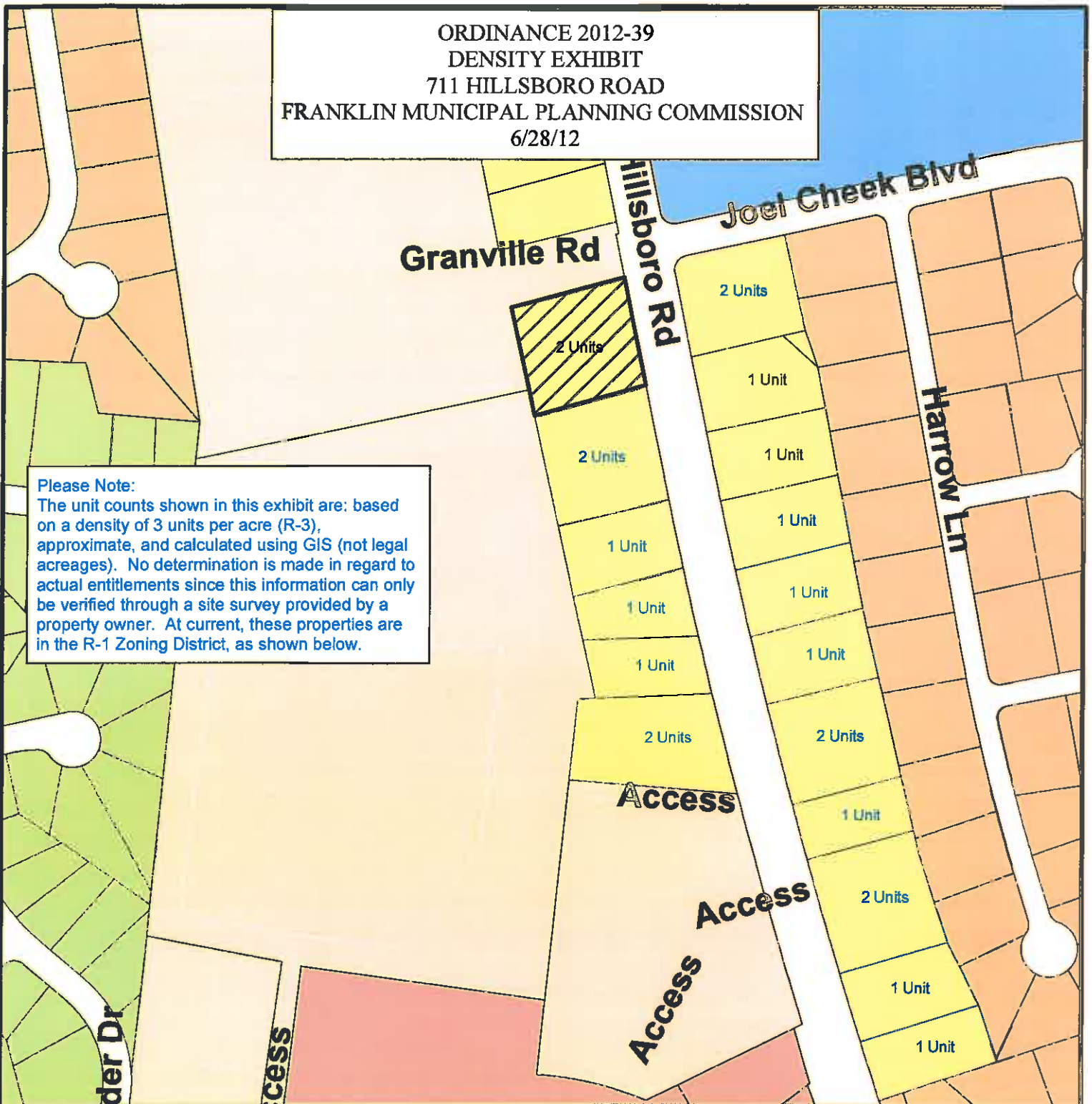
PUBLIC HEARING HELD: 8/28/12

PASSED SECOND READING: _____

PASSED THIRD READING: _____

ORDINANCE 2012-39
 DENSITY EXHIBIT
 711 HILLSBORO ROAD
 FRANKLIN MUNICIPAL PLANNING COMMISSION
 6/28/12

Please Note:
 The unit counts shown in this exhibit are: based on a density of 3 units per acre (R-3), approximate, and calculated using GIS (not legal acreages). No determination is made in regard to actual entitlements since this information can only be verified through a site survey provided by a property owner. At current, these properties are in the R-1 Zoning District, as shown below.



Legend

- | | |
|---|---|
|  711 Hillsboro Road |  GO General Office District |
| Zoning |  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 herein. All data and materials (c) copyright 2012. All rights reserved.

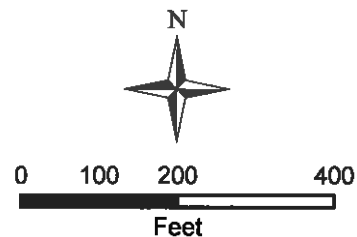


Exhibit 1 - West Side - Hillsboro Road - North to Joel Creek Blvd			
Density			
	Acreage (All Lots)	Units per Acre	Possible Units *
R-3	4.44	3	13
R-2	4.44	2	8
R-1	4.44	1	4
Lot Width			
	Lot Widths (All Lots)	Minimum Lot Width	Possible Units
R-3	944	60	15
R-2	944	75	12
R-1	944	100	9
Lot Size			
	Lot Sizes (All Lots)	Minimum Lot Size	Possible Units
R-3	193,406	9,000	21
R-2	193,406	15,000	12
R-1	193,406	30,000	6
Exhibit 1 - East Side - Hillsboro Road - North to Joel Creek Blvd			
Density			
	Acreage (All Lots)	Units per Acre	Possible Units *
R-3	7.32	3	21
R-2	7.32	2	14
R-1	7.32	1	7
Lot Width			
	Lot Widths (All Lots)	Minimum Lot Width	Possible Units
R-3	1,534	60	25
R-2	1,534	75	20
R-1	1,534	100	15
Lot Size			
	Lot Sizes (All Lots)	Minimum Lot Size	Possible Units
R-3	318,859	9,000	35
R-2	318,859	15,000	21
R-1	318,859	30,000	10

* The minimum number of possible units applies (shown in green) to each scenario since this figure is the limiting criteria.

Exhibit 2 - West Side - Hillsboro Road - Joel Creek Blvd to Rebel Circle			
Density			
	Acreage (All Lots)	Units per Acre	Possible Units *
R-3	4.30	3	12
R-2	4.30	2	8
R-1	4.30	1	4
Lot Width			
	Lot Widths (All Lots)	Minimum Lot Width	Possible Units
R-3	881	60	14
R-2	881	75	11
R-1	881	100	8
Lot Size			
	Lot Sizes (All Lots)	Minimum Lot Size	Possible Units
R-3	187,308	9,000	20
R-2	187,308	15,000	12
R-1	187,308	30,000	6

* The minimum number of possible units applies (shown in green) to each scenario since this figure is the limiting criteria.

Exhibit 3 - West Side - Hillsboro Road - Franklin High School to Mack Hatcher			
Density			
	Acreage (All Lots)	Units per Acre	Possible Units *
R-3	7.58	3	22
R-2	7.58	2	15
R-1	7.58	1	7
Lot Width			
	Lot Widths (All Lots)	Minimum Lot Width	Possible Units *
R-3	1,616	60	26
R-2	1,616	75	21
R-1	1,616	100	16
Lot Size			
	Lot Sizes (All Lots)	Minimum Lot Size	Possible Units *
R-3	330,185	9,000	36
R-2	330,185	15,000	22
R-1	330,185	30,000	11
Exhibit 3 - East Side - Hillsboro Road - Franklin High School to Mack Hatcher			
Density			
	Acreage (All Lots)	Units per Acre	Possible Units *
R-3	5.24	3	15
R-2	5.24	2	10
R-1	5.24	1	5
Lot Width			
	Lot Widths (All Lots)	Minimum Lot Width	Possible Units *
R-3	954	60	15
R-2	954	75	12
R-1	954	100	9
Lot Size			
	Lot Sizes (All Lots)	Minimum Lot Size	Possible Units *
R-3	228,254	9,000	25
R-2	228,254	15,000	15
R-1	228,254	30,000	7

* The minimum number of possible units applies (shown in green) to each scenario since this figure is the limiting criteria.

Exhibit 1



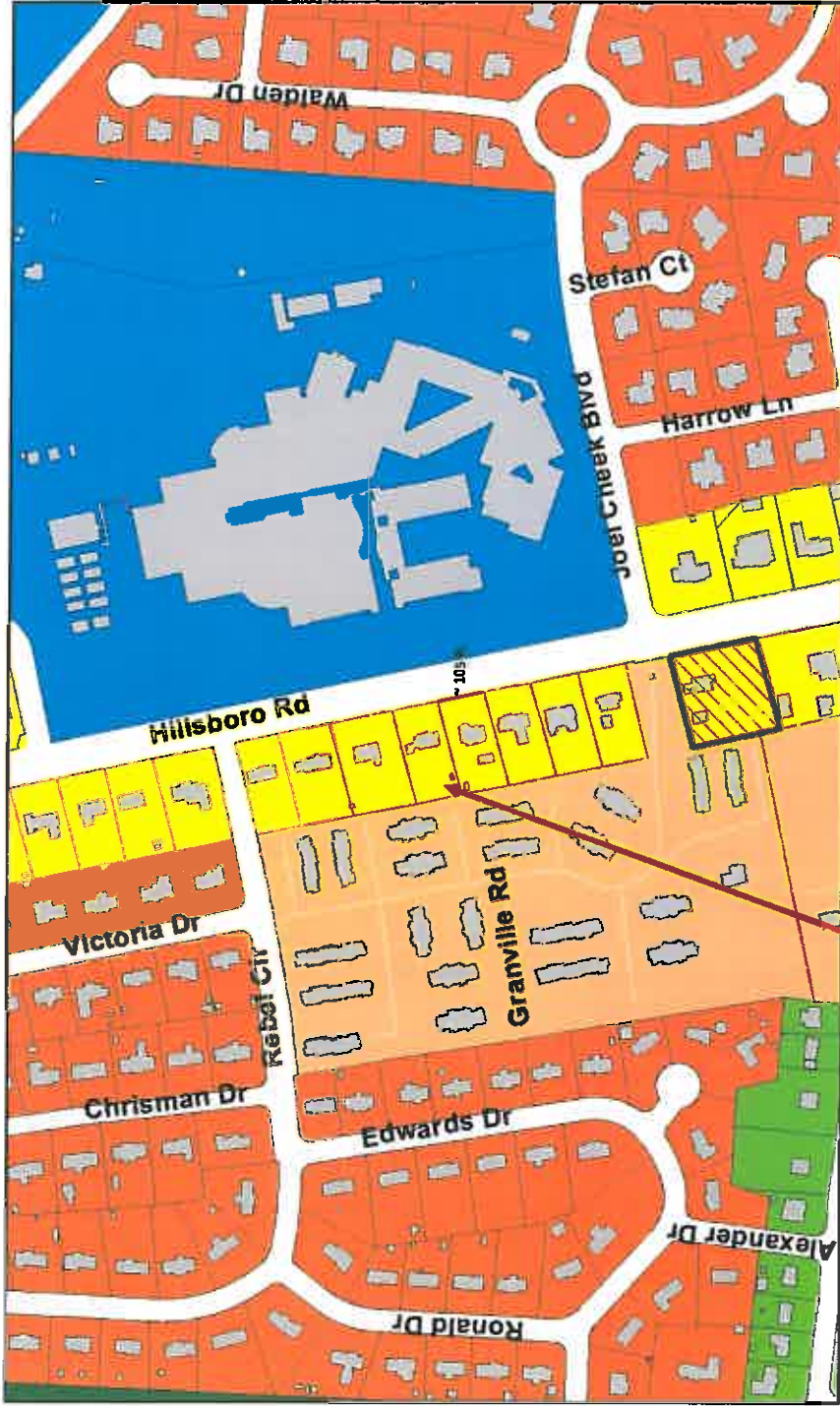
The base district density is more limiting than both the minimum lot width and minimum lot size. See attached spreadsheet for calculations.

West Side - Hillsboro Road - North to Joel Creek Blvd			
Density			
	Acreage (All Lots)	Units per Acre	Possible Units
R-3	4.44	3	13
R-2	4.44	2	8
R-1	4.44	1	4
Existing Lots			6

The base district density is more limiting than both the minimum lot width and minimum lot size. See attached spreadsheet for calculations.

East Side - Hillsboro Road - North to Joel Creek Blvd			
Density			
	Acreage (All Lots)	Units per Acre	Possible Units
R-3	7.32	3	21
R-2	7.32	2	14
R-1	7.32	1	7
Existing Lots			11

Exhibit 2



West Side - Hillisboro Road - Joel Cheek to Rebel Circle			
Density			
	Acres (All Lots)	Units per Acre	Possible Units
R-3	4.30	3	12
R-2	4.30	2	8
R-1	4.30	1	4
Existing Lots			8

The base district density is more limiting than both the minimum lot width and minimum lot size. See attached spreadsheet for calculations.

Exhibit 3



The base district density is more limiting than both the minimum lot width and minimum lot size. See attached spreadsheet for calculations.

West Side - Hillsboro Road - Franklin High School to Mack Hatcher			
Density			
	Acres (All Lots)	Units per Acre	Possible Units
R-3	7.58	3	22
R-2	7.58	2	15
R-1	7.58	1	7
Existing Lots *			15

* Excludes the lots acquired as a result of the Mack Hatcher Extension

The base district density is more limiting than both the minimum lot width and minimum lot size. See attached spreadsheet for calculations.

East Side - Hillsboro Road - Franklin High School to Mack Hatcher			
Density			
	Acres (All Lots)	Units per Acre	Possible Units
R-3	5.24	3	15
R-2	5.24	2	10
R-1	5.24	1	5
Existing Lots			7

WS #15
7/10/12

MORTON STEIN
317 MAIN STREET, SUITE 201
FRANKLIN, TN 37064

To: Franklin Planning Commission

From: Morton Stein, AICP

Subject: Hardcastle Rezoning Request to R-3

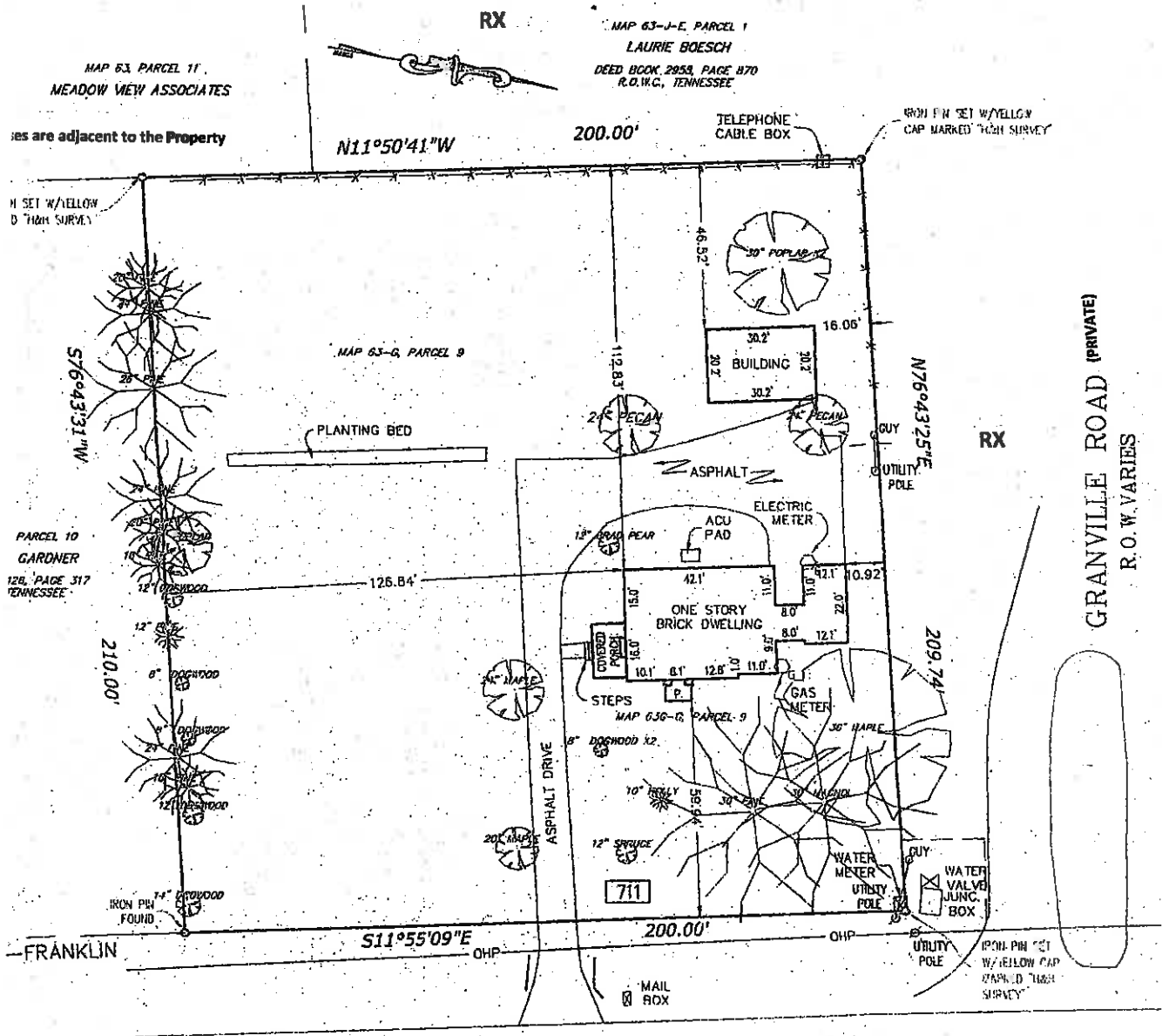
Date: May 11, 1012

The reason for this request to rezone the property at 711 Hillsboro Road to R-3 is to allow the owner to subdivide his property into two lots and build a house on the second lot. Presently the lots fronting Hillsboro Road in this area are zoned R-1. The property to the rear and side of this lot are zoned RX. The minimum lot size for the R-1 district is 30,000 square feet. Most of the lots on Hillsboro Road in this area are less than 30,000 square feet. Dividing this lot into two 20,000 plus square feet with 100 foot width will be in character with the present development on this portion of Hillsboro Road. The owners plan to build a new house on the lot to conform to the existing houses on Hillsboro Road.

Statement of Impacts:

The addition of one house will not have any impact on the existing water and sewer facilities and minimal impact on other facilities such as street network, drainage, police and fire, recreation and schools. Refuse collection will use the standard pick up containers for residential use. Deed restriction will require that the house be single family with construction size and materials consistent with existing houses fronting on Hillsboro Road.

Attached Residential Uses are adjacent to the Property



HILLSBORO ROAD
80' RIGHT-OF-WAY

Owner: Loy & Cathy Hardcastle
901 Fair St., Franklin TN 37064
794-7400 hardcast@realtracs.com

R-1

Existing Zoning: R-1
Character Area: Central Franklin Special Area 4
Development Standard: Conventional
Proposed Zoning: R-3

HARDCASTLE I
Project No. ___
Prepared by:

REA = ±41,962 S.F. OR 0.96 AC.



HISTORIC
FRANKLIN
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MEMORANDUM

July 10, 2012

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Vernon Gerth, Assistant City Administrator for Community and Economic Development
Catherine Powers, Planning and Sustainability Director
Jonathan Langley, Long-Range Planning Supervisor

SUBJECT: Ordinance 2012-39, an ordinance to rezone ± 0.96 acres from Low Residential District (R-1) to High Residential District (R-3) for the property located at 711 Hillsboro Road

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding an ordinance to rezone ± 0.96 acres from Low Residential District (R-1) to High Residential District (R-3) for the property located at 711 Hillsboro Road.

Background

On June 28, 2012, the FMPC voted (6-1) to recommend disapproval of this rezoning request. The project information and comments from the FMPC staff report are included below.

PROJECT INFORMATION	
Existing Land Use	Detached Residential
Proposed Land Use	Detached Residential
Existing Zoning	R-1
Proposed Zoning	R-3
Acreage	0.96 acres
Proposed Number of Lots	N/A
Proposed Dwelling Units	N/A
Proposed Nonresidential Square Footage	N/A
Proposed Open Space	<i>Formal Open Space: N/A Informal Open Space: N/A Total Open Space: N/A</i>
Physical Characteristics	Fairly level site; an existing house is on a portion of the lot.
Character Area Overlay/ Development Standard	CFCO-4 / Conventional
Other Applicable Overlays	None;
Proposed Building Height	N/A
Minimum Landscape Surface Ratio	.50 in R-1, .40 in R-3



SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Attached Residential	RX
<i>South</i>	Detached Residential	R-1
<i>East</i>	Detached Residential	R-1
<i>West</i>	Attached Residential	RX

INFRASTRUCTURE AVAILABILITY	
Water	Available;
Sewer	Available;
Reclaimed Water	Not Available;

LAND USE PLAN RECOMMENDATIONS

The Central Franklin Character Area will continue to function as the central core having a unique quality that capitalizes on the history of the area and the diversity of the land uses. The area's small-town identity will be preserved through attention to massing and scale. Neighborhoods and existing residential uses will be protected by providing a consistent appearance and quality within and outside the Historic Preservation Overlay. Compatible infill development is encouraged in the downtown core with attention to context sensitive design, particularly with respect to existing residential uses and structures.

In particular, the predominant uses in Special Area 4 will include detached and attached residential development. Within Special Area 4, commercial, civic, and institutional uses will only occur at nodes located at major intersections of collector and arterial streets. Established single family residential uses along Hillsboro Road should be preserved and commercial intrusion and attached residential should be discouraged.

PROJECT MEETS FRANKLIN'S

LAND USE PLAN:

Yes

GREENWAY/OPEN SPACE PLAN: N/A

HISTORIC DISTRICT GUIDELINES: N/A

PROJECT REVIEW

STAFF RECOMMENDATION:

Disapproval.

COMMENTS:

This rezoning request is submitted in order to rezone the property at 711 Hillsboro Road from R-1 to R-3. The lot is approximately .96 acres, which means that given the existing zoning of the property only one unit is permitted. If this request is granted, the R-3 Zoning District would permit a maximum of 2 units in this location. As the map accompanying this item illustrates, the property is located in a unique area that contains a mix of uses including: detached



residential, attached residential, commercial, and institutional. Additionally, the lot is unique in that a subdivision could occur to permit one additional detached residential unit, yet remain compatible with the existing character along Hillsboro Road. However, the challenge with this request relates to the overall zoning plan for the area. As the included map shows, most of the detached residential properties along Hillsboro Road are within the R-1 Zoning District. From a consistency standpoint, the City has interest in maintaining a zoning plan that provides contiguity between zoning districts. Therefore, while infill in this location seems appropriate, a rezoning to the R-3 Zoning District will change the consistency of the zoning currently in place along Hillsboro Road, where a similar zoning district is not present on adjacent properties. If the FMPC determines that a rezoning to R-3 is appropriate in this instance, staff recommends that this section of Hillsboro Road (both east and west, up to Joel Creek Boulevard) be further studied for possible rezoning to R-3 to maintain consistency in the City's zoning plan for this area.

CONDITIONS OF APPROVAL:

PLANNING:

1. None;

PLANNING (LANDSCAPE):

2. None;

ENGINEERING:

3. None;

BUILDING AND NEIGHBORHOOD SERVICES:

4. None;

FIRE:

5. None;

PARKS:

6. None;

WATER/SEWER:

7. None;

Financial Impact

Not applicable to this item.

Options

Not applicable to this item.

Recommendation

Disapproval of Ordinance 2012-39 is recommended.



December 19, 2012

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator *ES*
Vernon Gerth, Assistant City Administrator for Community and Economic Development
Catherine Powers, Planning and Sustainability Director
Jonathan Langley, Long-Range Planning Supervisor

SUBJECT: Ordinance 2012-39 - To Be Entitled "An Ordinance To Rezone ±.96 Acres From Low Residential District (R-1) To High Residential District (R-3) For The Property Located At 711 Hillsboro Road."

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with an update on the rezoning request at 711 Hillsboro Road. At the August 28, 2012, BOMA Meeting, the BOMA voted to defer the Second Reading of this item until the January 8, 2013, BOMA Meeting. This deferral allowed City staff time to hold a neighborhood meeting with residents along the Hillsboro Road Corridor and for the BOMA to consider several options discussed at the September 18, 2012, BOMA work session and to consider new options.

Background

As noted above, a neighborhood meeting was held on October 11 at Franklin High School to give an overview of the background relating to the rezoning request at 711 Hillsboro Road and to discuss the options, primarily rezoning, presented at the September 18 BOMA work session. The general consensus from the residents (approximately 30) in attendance was to leave the R-1 along the Hillsboro Road as it currently exists and to address the request at 711 Hillsboro Road with a more limited scope. As it related to the issue of constructing an additional unit on the lot in question, most residents were amenable to the request.

Since City staff was directed to provide options at the September 18 BOMA work session, the section below revisits these items and updates them based on feedback from the neighborhood meeting to assist the BOMA in determining how to handle this request at Second Reading. While several options are still available, the present ordinance under consideration would rezone the property at 711 Hillsboro Road to R-3. Therefore, if the BOMA determines that one of the options below is appropriate, a new request would need to be submitted by the property owner and a new ordinance would need to be prepared to that effect.

Options Updated From the September 18 BOMA Worksession (ranked from most preferred to least preferred by City staff)

- 1) Rezoning the property at 711 Hillsboro Road to RX and review a Development Plan for the property – under this option, the property owner could create two single-family lots and maintain consistency with the base zoning district of adjacent properties. However, RX would permit attached residential units, which is not currently supported by the *Land Use Plan* and would impact the existing character along Hillsboro Road. Considering the feedback from the neighborhood meeting, the scale of the rezoning needed, and the time required of the applicant and staff, this option is the most preferred alternative.
- 2) Rezoning the properties along the west and east sides of Hillsboro Road, north to Joel Cheek Boulevard, to R-2 – this option would avoid creating an inconsistency in the Zoning Plan for the area, but would require the owner to obtain .04 acres (~1,743 square feet) in order to construct two detached units on the property. Since this option would require rezoning multiple parcels, it is likely that this option would need to be



initiated by the City. Additionally, based on feedback at the neighborhood meeting, neighborhood residents were not in favor of broad changes to the existing zoning under this option.

- 3) **Rezone the property at 711 Hillsboro Road to R-2** – under this option, the property owner would still need to acquire .04 acres (~ 1,743 square feet) in order to construct two detached units on the property. While this option would create an inconsistency in the overall Zoning Plan for the area, it is more appropriate than a rezoning to R-3 since there are no R-3 zoned properties in the immediate vicinity.
- 4) **Address this issue from a broader viewpoint to address infill development inside the Mack Hatcher “loop”** – under this option, City staff would take a broader approach to rezoning requests in infill areas since this decision would set a precedent for many similarly situated properties in the core of Franklin. It is important to note that staff meets several times per year with residents and applicants who seek an “upzoning” to accommodate both attached and detached residential development. This option would need to be a part of a larger discussion related to the RX Zoning District, which might allow for a more comprehensive solution to the infill issue. Since the issue is complex, an overall, in-depth study of density and for the RX Zoning District with City staff, developers, Planning Commission and the Board of Mayor and Aldermen would take several months to develop. Additionally, a change to the RX Zoning District might not accommodate this particular situation.

Land Use Plan Recommendation

For some additional context, the *Franklin Land Use Plan* was revised in late 2009 to update the Central Franklin Character Areas. The Hillsboro Road corridor was included in Special Area 4, which extends from the intersection at Del Rio Pike and Hillsboro Road, north to the intersection of Hillsboro Road and Mack Hatcher Parkway. The land use recommendations for this area call for nonresidential uses to be located in nodes at major intersections of collector or arterial streets. Outside of these nodes, the Plan recognizes that established single-family residential uses should be preserved and both commercial and attached residential uses should be discouraged. Furthermore, a Key Area was created at Del Rio Pike and Hillsboro Road to take advantage of potential mixed-use redevelopment opportunities (see exhibit below).





HISTORIC
FRANKLIN
TENNESSEE

MEMORANDUM

Recommendation

Staff recommends disapproval of this rezoning request since Ordinance 2012-39 would rezone the property to R-3 and staff feels this is the least preferred option to maintain consistency with the overall Zoning Plan for this area. Staff does support and would recommend a rezoning to RX with a Development Plan depicting a second single-family residential unit.

Again, as noted above, if the BOMA feels any of the options above are appropriate (other than the original request to rezone to R3), a new request should be submitted (either by the applicant or the City) and a new ordinance prepared.