

ORDINANCE 2013-44

TO BE ENTITLED “AN ORDINANCE TO REZONE +/- 9.04 ACRES FROM ESTATE RESIDENTIAL (ER) DISTRICT TO HIGH RESIDENTIAL (R-3) DISTRICT FOR THE PROPERTY LOCATED AT 3003 DEL RIO PIKE.”

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 their present zoning classification of Estate Residential District (ER) to High Residential District (R-3):

Zoning Reference Number: 13-14:

Map-Group-Parcel	Acres
064---01300	±9.04
TOTAL	±9.04

Property Description

**3003 DEL RIO PIKE
TAX MAP 64, PARCEL 13.00**

Being a Tract of land in the 5th Civil District of Williamson County, Tennessee and being Tax Map 64, Parcel 13.00, being property of Dwight Lynch, Mike Lynch and Todd Lynch of record in Record Book 5716, Page 695, being bounded on the north by Del Rio Pike, on the east by Chapman property of record in Deed Book 189, page 241, on the south by Lots 22-25 Cornerstone Subdivision of record in Plat Book P38, page 57 and on the west by Lot 46 (Open Space) said Plat, Melz Commercial Properties, LLC property of record in Record Book 4067, page 124, Gill property of record in Record Book 4751, page 759, Billy and Elizabeth Lynch property of record in Deed Book 661, page 264 and Carlisle Lane and being more particularly described as follows:

Beginning at a point in the southerly margin of Del Rio Pike at the northwest corner of Chapman and being the northeast corner of the herein described tract;

Thence with Chapman’s west line, S 06 deg. 40’ 08” W, 1200.00’ to an iron pin old and corner of Lots 21 & 22 said Plat;

Thence, with the north line of Lots 21-25, N 84 deg. 53' 28" W, 332.00' to An iron pin old and being the southwest corner of the herein described tract and a corner with Lot 46 (Open Space) of said Plat;

Thence, with the east line said Lot 46, Melz Commercial Properties, LLC, Gill and Billy and Elizabeth Lynch, N 06 deg. 29' 41" E, 968.80' to a point in the margin of Carlisle Lane;

Thence, with the easterly margin of Carlisle Lane for the following 2 calls:
N 30 deg. 07' 37" E, 49.37' to a point;
N 13 deg. 42' 37" E, 186.30' to the Point of Beginning and containing 393,795 square feet, or 9.04 acres, more or less.

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: _____ BY: _____
ERIC S. STUCKEY DR. KEN MOORE
CITY ADMINISTRATOR/RECORDER MAYOR

PLANNING COMMISSION RECOMMENDED APPROVAL: 8/22/13_
PASSED FIRST READING: _____
PUBLIC HEARING HELD: _____
PASSED SECOND READING: _____
PASSED THIRD READING: _____

FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

NAME OF PROJECT: Ordinance 2013-44, An Ordinance to Rezone +/- 9.04 Acres from Estate Residential (ER) to High Residential District (R-3)

LOCATION: 3003 Del Rio Pike

APPLICANT: Greg Gamble, Gamble Design Collaborative

OWNER: Mike Lynch

TYPE OF REVIEW: Rezoning

RECOMMENDATION: Favorable Recommendation to the BOMA

PROJECT INFORMATION	
Existing Land Use	Vacant
Proposed Land Use	Detached Residential
Existing Zoning	ER
Proposed Zoning	R-3
Acreage	9.04 acres
Development Standard	Either
Character Area Overlay	WHCO-2
Other Applicable Overlays	None
Minimum Landscape Surface Ratio	.40 in R-3

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Agricultural	AG
<i>South</i>	Detached Residential	R-3
<i>East</i>	Detached Residential	R-3
<i>West</i>	Detached Residential	ER

LAND USE PLAN RECOMMENDATIONS

The West Harpeth Character Area contains 6,120 acres located on the northwestern edge of the UGB. New Highway 96 West transverses the area, and Hillsboro Road is near the eastern boundary. The area is bound to the northeast by the Harpeth River and to the west and northwest by the West Harpeth River. The Central Franklin Character Area is to the east, and the Southall Character Area bounds the area to the south.

The forces that may have the greatest impact on the future character of the West Harpeth Character Area include the improvement of infrastructure. Both the completion of Mack Hatcher Parkway and expanded power lines will open the area to additional development. A sewer line is being constructed to handle the future needs of the area.

The West Harpeth area will be an exemplary model for the way in which new development can be accommodated while preserving open space, sensitive environmental features and historic farmsteads. It will be an area of high quality guided by design standards and mixed-use developments.

SPECIAL AREA 2

1. Smaller lots should not be located on the exterior of a proposed development adjacent to, or across the street from, larger lots of an existing development. However, if the applicant proposes an alternative, and if potential conflicts will be created, the applicant shall give justification as to how they will be mitigated or avoided.
2. Neighborhood Retail is appropriate at the southeast quadrant of Horton Lane and Willow Springs Boulevard, but only in conjunction with other uses.
3. Although Design Concepts other than TND are appropriate, nonresidential uses should have buildings that front the street, with parking to the side or rear of the structures, and shall be incorporated in a location that promotes pedestrian access.

PROJECT BACKGROUND: This rezoning is requested for the property at 3003 Del Rio Pike in order to provide detached residential units at a density equal to or less than 3 units/acre. The property currently contains one detached residential dwelling and sits just north of the Cornerstone Subdivision.

PROJECT REVIEW

STAFF RECOMMENDATION: Favorable Recommendation to the BOMA.

COMMENTS: None.

PROCEDURAL REQUIREMENTS:

1. The city's project identification number shall be included on all correspondence with any city department relative to this project.
2. Fifteen (15) half-size copies of the Rezoning Plan shall be submitted to the Department of Planning and Sustainability by 9am on the Monday after the Planning

Commission meeting in order to be placed on the Board of Mayor and Aldermen Agenda.

***PROJECT CONSIDERATIONS:**

1. None;

* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

FRANKLIN MUNICIPAL PLANNING COMMISSION (FMPC) PROCESS AND PROCEDURES

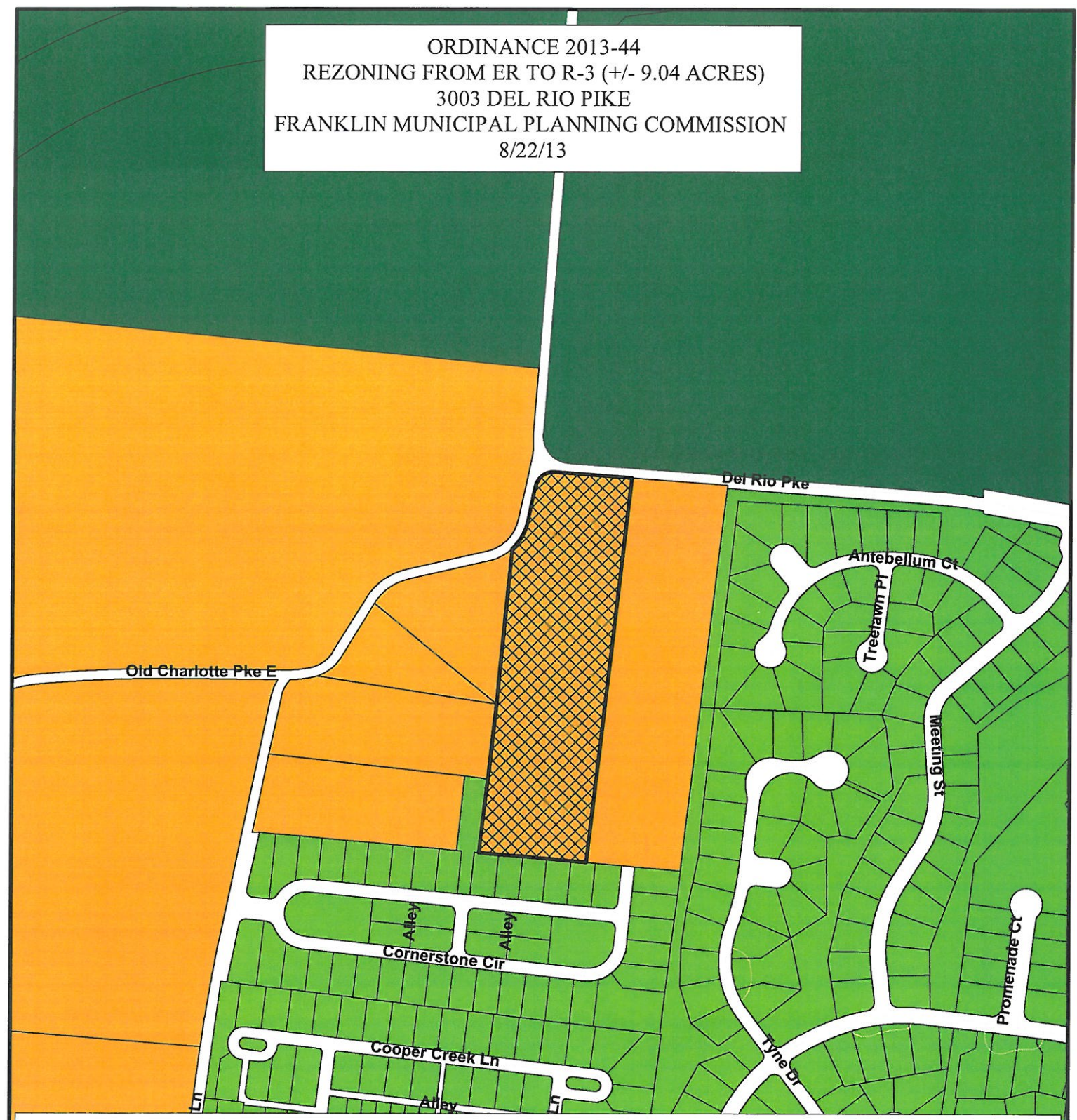
If the applicant has questions about, or is in disagreement with, a condition of approval, they shall contact the project planner within the Department of Planning and Sustainability prior to the FMPC meeting. If the applicant fails to notify the Department of Planning and Sustainability of an objection to a condition of approval by one (1) day prior to the FMPC Meeting and raises their objection at the FMPC meeting, staff shall recommend deferral of the item until the next available Agenda.


















The following is the process for an item to be heard by the FMPC during their monthly meetings:

1. Staff Presentation,
2. Public Comments,
3. Applicant presentation, and
4. Motion/discussion/vote.

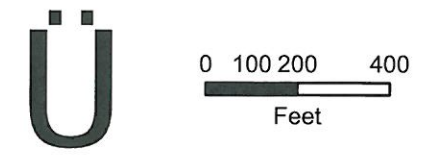
This format has been established to facilitate a more orderly FMPC meeting. The process is intentionally designed in order for any applicant questions or disagreements about conditions of approval to be resolved prior to the meeting, rather than during the FMPC meeting. Only when disagreements about conditions of approval cannot be resolved by the applicants and staff prior to the meeting should those issues be raised during the FMPC meeting.

ORDINANCE 2013-44
 REZONING FROM ER TO R-3 (+/- 9.04 ACRES)
 3003 DEL RIO PIKE
 FRANKLIN MUNICIPAL PLANNING COMMISSION
 8/22/13



- Zoning**
-  3003 Del Rio Pike
 -  AG Agricultural District
 -  ER Estate Residential
 -  R-3 Residential District
 -  Historic Core Residential District
 -  RX Residential Variety
 -  OR Office Residential District
 -  GO General Office District
 -  CC Central Commercial District
 -  NC Neighborhood Commercial District
 -  GC General Commercial District
 -  MN Neighborhood Mixed-Use District
 -  ML Local Mixed-Use District
 -  MX Regional Mixed-Use District
 -  LI Light Industrial District
 -  HI Heavy Industrial District
 -  CI Civic and Institutional District

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HISTORIC
FRANKLIN
TENNESSEE

ITEM #9
WRKS
09/10/13

MEMORANDUM

August 23, 2013

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

SUBJECT: Ordinance 2013-44, a rezoning request for 3003 Del Rio Pike from Estate Residential District (ER) to High Residential District (R-3) on 9.04 acres

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen with information regarding a rezoning request for 3003 Del Rio Pike from Estate Residential District (ER) to High Residential District (R-3) on 9.04 acres.

Background

Please see attached FMPC Report for the Background on this project.

This rezoning request was recommended for approval unanimously (7-0) by the Planning Commission at the August 22, 2013 FMPC meeting.

Financial Impact

Not applicable to this item.

Options

Not applicable to this item.

Recommendation

Approval of the rezoning is recommended.