




HISTORIC  
FRANKLIN  
TENNESSEE

ITEM #10  
WRKS  
10/08/13

## MEMORANDUM

September 27, 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  
Jonathan Langley, Long Range Planning Supervisor

**SUBJECT: ORDINANCE 2013-37, TO BE ENTITLED “AN ORDINANCE TO REZONE ±.29 ACRES FROM HISTORIC CORE RESIDENTIAL DISTRICT (R-6) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTY LOCATED AT 411 CUMMINS STREET.”**

### Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding a rezoning request for 411 Cummins Street from R-6 Historic Core to RX Residential Variety on ±.29 acres.

### Background

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

This rezoning request was recommended for approval unanimously (7-0) by the Planning Commission at the September 26, 2013, FMPC meeting.

### Financial Impact

The addition of two single family residences will result in the payment of building permit fees and add to the property tax base.

### Options

Not applicable to this item.

### Recommendation

Approval of the rezoning is recommended.

**ORDINANCE 2013-37**

**TO BE ENTITLED "AN ORDINANCE TO REZONE ±.29 ACRES FROM HISTORIC CORE RESIDENTIAL DISTRICT (R-6) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTY LOCATED AT 411 CUMMINS STREET."**

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 Historic Core Residential District (R-6) to Residential Variety District (RX):

Zoning Reference Number: 13-11:

Map-Group-Parcel	Acres
078F-B02300 (portion of)	.29
TOTAL	.29

Description

Lot 3 of the Margie Tirey Subdivision, Recorded on Plat Book P57, Page 56

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:  
PASSED FIRST READING:  
PUBLIC HEARING HELD:  
PASSED SECOND READING:  
PASSED THIRD READING:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT**

**NAME OF PROJECT:** Ordinance 2013-37, An Ordinance to Rezone +/- .29 Acres from R-6 (Historic Core Residential District) to RX (Residential Variety District)

**LOCATION:** 411 Cummins Street

**APPLICANT:** Dustin Briggs, Gresham Smith and Partners

**OWNER:** McGowan Family Limited Partnership

**TYPE OF REVIEW:** Rezoning

**RECOMMENDATION:** Favorable Recommendation to BOMA

---

<b>PROJECT INFORMATION</b>	
<b>Existing Land Use</b>	Vacant
<b>Proposed Land Use</b>	Detached Residential
<b>Existing Zoning</b>	R-6
<b>Proposed Zoning</b>	RX
<b>Acreage</b>	.29 acres
<b>Development Standard</b>	Traditional
<b>Character Area Overlay</b>	CFCO-7
<b>Other Applicable Overlays</b>	N/A

<b>SURROUNDING ZONING AND LAND USE</b>		
<b>Location</b>	<b>Land Use</b>	<b>Zoning</b>
<i>North</i>	Detached Residential	R-6
<i>South</i>	Detached Residential	R-6
<i>East</i>	Detached Residential	R-3
<i>West</i>	Commercial/Detached Residential	CC

## 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 by making attention to massing and scale a priority. 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. The area will include a diversity of housing choices, including mixed income housing.

The area consists of a mixed use commercial corridor with traditional neighborhoods that surround. Commercial and institutional uses are located along Columbia Avenue. Located to the east of Cummins Street are established traditional neighborhoods. The historic Hincheyville and Natchez neighborhoods are located to the west. The area is contiguous to the downtown core and is positioned to receive additional redevelopment and infill in the future. Future development should reflect the character of the area, including traditional elements found in the downtown core.

Columbia Avenue has developed with mix of commercial, civic, institutional and residential uses. Located to the south of Fowlkes Street is a node of important historic and civic uses that includes the Carter House and Williamson County Community Services Center. Future uses will include commercial, but retail is limited to local and neighborhood retail. Attached and detached residential and civic and institutional uses are considered appropriate. Accessory dwellings are appropriate in the area.

**PROJECT BACKGROUND:** This request is to rezone the property at 411 Cummins Street from R-6 to RX to permit residential densities as proposed through the PUD Development Plan process. Please see the recommendations above that apply to this Special Area from the Franklin Land Use Plan.

## PROJECT REVIEW

**STAFF RECOMMENDATION:** Favorable Recommendation to BOMA.

**COMMENTS:** None;

## **PROCEDURAL REQUIREMENTS:**

1. The city's project identification number shall be included (and updated) 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.

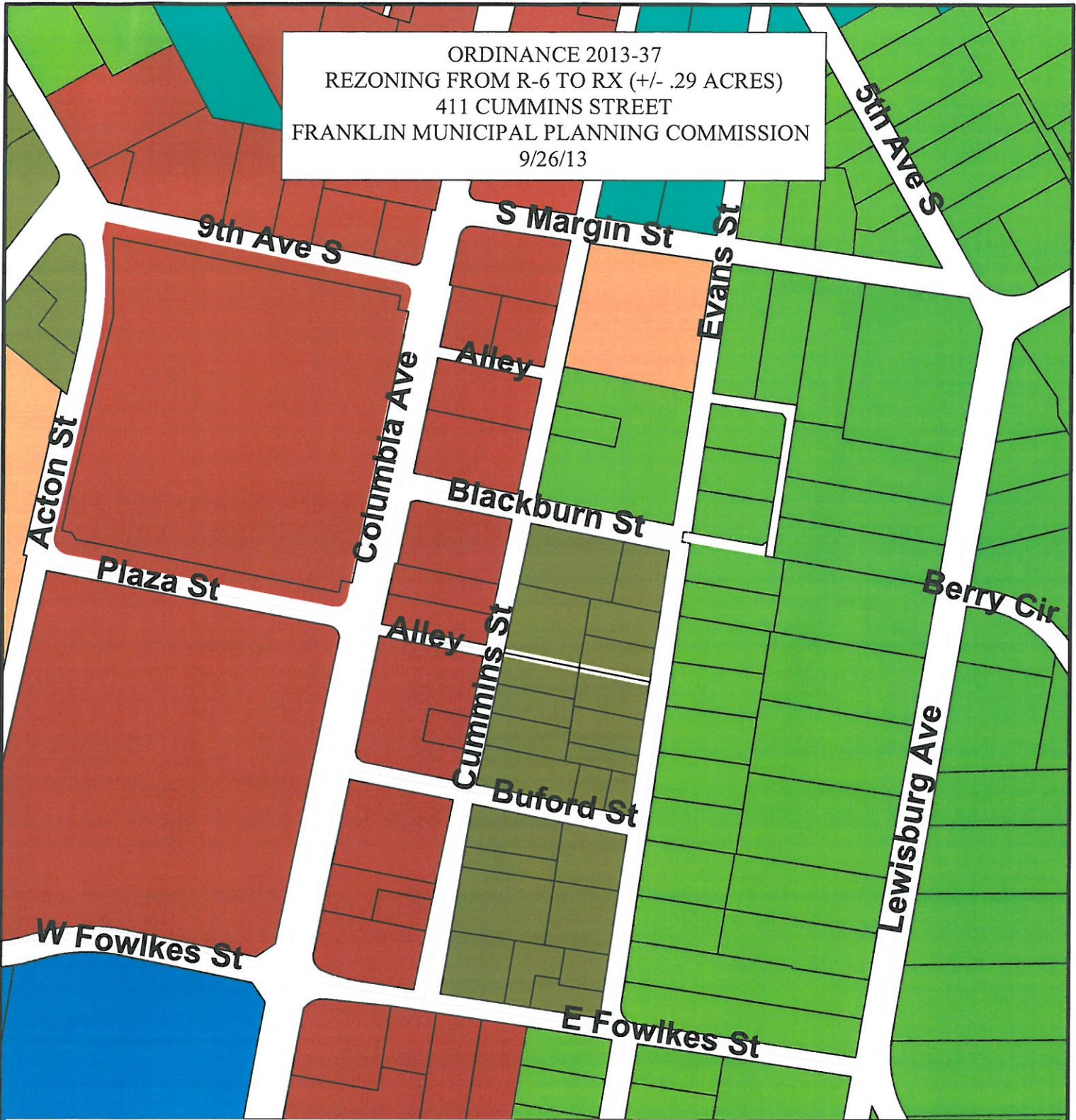
The following is the process for an item to be heard by the FMPC during their monthly meetings:

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 2013-37  
 REZONING FROM R-6 TO RX (+/- .29 ACRES)  
 411 CUMMINS STREET  
 FRANKLIN MUNICIPAL PLANNING COMMISSION  
 9/26/13



**Legend**

-  411 Cummins Street
- Zoning**
-  AG Agricultural District
-  ER Estate Residential
-  R-1 Residential District
-  R-2 Residential District
-  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

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 2013. All rights reserved.

