

ORDINANCE 2014-18

TO BE ENTITLED "AN ORDINANCE TO REZONE 77.7 ACRES FROM GENERAL COMMERCIAL (GC) TO SPECIFIC DEVELOPMENT-VARIETY DISTRICT (SD-X 12.23/480,000/450) FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EAST MCEWEN DRIVE AND CAROTHERS PARKWAY."

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 General Commercial (GC) to Specific Development-Variety District (SD-X 12.23/480,000/450):

Zoning Reference Number: 14-03:

Map-Group-Parcel	Acres
062---01804 (portion of)	Not provided
062---01805 (portion of)	Not provided
TOTAL	77.7

SURVEYOR'S DESCRIPTION

PUD Boundary

Being a PUD Boundary in the City of Franklin, Eighth Civil District, Williamson County, Tennessee, located in the southeasterly quadrant of the intersection of East McEwen Drive and South Carothers Parkway, also being on a portion of property conveyed to Highwood Realty, LP by deed of record in Deed Book 5770, Page 191, R.O.W.C. and to SS McEwen, LLC by deed of record in Deed Book 5770, Page 198, .O.W.C. said PUD Boundary being more particularly described as follows: Beginning in the southerly right-of-way line of East McEwen Drive at its intersection with the easterly right-of-way line of Carothers Boulevard; THENCE, with said southerly right-of-way line of East McEwen Drive the following calls: S 87°42'54" E, 85.93 feet to a right-of-way monument (old); With a curve to the right an arc distance of 192.84 feet to a right-of-way monument (old), said curve having a central angle of 05°40'14", a radius of 1,948.50 feet, a tangent of 96.50 feet, and a chord of S 84°52'47" E, 192.76 feet; S 82°02'40" E, 237.73 feet; THENCE, leaving said right of way and crossing said property the following calls: S 11°15'06" E, 258.40 feet; S 06°49'01" W, 212.51 feet; S 27°06'37" E, 77.54 feet; S 10°18'55" E, 37.24 feet; S 17°44'43" E, 172.12 feet; S 17°44'43" E, 172.12 feet; S 19°13'07" W, 37.49 feet; S 24°40'38" W, 163.38 feet; S 75°16'46" W, 40.38 feet; S 14°40'36" E, 126.73 feet; N 75°19'36" E, 75.21 feet; S 46°47'40" E, 445.26 feet; S 41°14'13" E, 220.77 feet; S 16°51'44" E, 40.00 feet; With a curve to the left an arc distance of 468.51 feet, said curve having a central angle of 53°41'14", a radius of 500.00 feet, a tangent of 253.05 feet, and a chord of N 46°17'39" E, 451.56 feet; S 70°32'58" E, 7.68 feet; With a curve to the left an arc distance of 27.32 feet, said curve having a central angle of 15°39'10", a radius of 100.00 feet, a tangent of 13.75 feet, and a chord of S 78°22'33" E, 27.23 feet; S 86°12'08" E, 518.10 feet; With a curve to the left an arc distance of 89.04 feet, to the westerly line of property conveyed to the City of Franklin by deed of record in Deed Book 1629, Page 71, R.O.W.C., said curve having a central angle of 10°12'12", a radius of 500.00 feet, a tangent of 44.64 feet, and a chord of N 88°41'46" E, 88.92 feet; THENCE, with said City of Franklin property the following calls: S 15°04'13" E, 89.00 feet; S 05°30'24" W, 65.92 feet; S 32°24'21" E, 33.93 feet; S 63°07'25" E, 128.11 feet to the westerly line of Open Space and P.U.D.E. as shown on McKay's Mill P.U.D. Subdivision, Section 34, of record in Plat Book 46, Page 49A, R.O.W.C.; THENCE, with the westerly line of said McKay's Mill and with the westerly line of property conveyed to Ernest C. & Patricia O. Kuhlo by deed of record in Deed Book 996, Page 89, R.O.W.C., S 07°56'16" W, 794.17 feet to an iron rod (old) in the northerly line of property conveyed to the City of Franklin by deed of record in Deed Book 993, Page 493, R.O.W.C.; THENCE, with said City of Franklin Property the following calls: N 84°30'12" W, 152.36 feet to an iron rod (old); S 05°30'48" W, 196.54 feet to an iron rod (old) in the northerly line of property conveyed to the City of Franklin by deed of record in Deed Book 580, Page 648, R.O.W.C.; THENCE, with the northerly line of said City of Franklin property and with the northerly line of Waterford Subdivision, of record in Plat Book 55, Page 28, R.O.W.C. N 83°03' 22" W, 1,689.69; THENCE, leaving said northerly line and crossing said property of Highwood Realty, LP and SS McEwen, LLC, the following calls: N 03°47'52" E, 65.90 feet; With a curve to the left an arc distance of 125.64 feet, said curve having a central angle of 14°46'00", a radius of 487.50 feet, a tangent of 63.17 feet, and a chord of N 03°35'08" W, 125.29 feet; N 10°58'09" W, 103.44 feet; With a curve to the right an arc distance of 115.10 feet, said curve having a central angle of 15°59'16", a radius of 412.50 feet, a tangent of 57.93 feet, and a chord of N 02°53'30" W, 114.73 feet; With a curve to the right an arc distance of 21.72 feet, said curve having a central angle of 10°06'55", a radius of 123.00 feet, a tangent of 10.83 feet, and a chord of N 10°04'35" E, 21.69 feet; N 15°08'03" E, 322.36 feet; N 77°43'08" W, 62.25 feet; N 71°21'23" W, 21.87 feet; S 15°08'03" W, 37.16 feet; With a curve to the right an arc distance of 308.29 feet, said curve having a central angle of 21°59'49", a radius of 803.00 feet, a tangent of 156.06 feet, and a chord of N 61°34'18" W, 306.40 feet; N 50°54'14" W, 464.48 feet to the easterly right-of-way line of Carothers Parkway; THENCE, with the easterly right-of-way of Carothers Parkway the following calls: N 39°00'00" E, 44.55 feet; N 51°00'00" W, 20.00 feet; N 06°00'00" W, 24.04 feet; N 39°00'00" E, 173.54 feet; With a curve to the left an arc distance of 439.48 feet, said curve having a central angle of 12°46'11", a radius of 1,971.86 feet, a tangent of 220.65 feet, and a chord of N 32°58'05" E, 438.57 feet; With a curve to the left an arc distance of 249.58 feet, said curve having a central angle of 07°12'30", a radius of 1,963.86 feet, a tangent of 124.96 feet, and a chord of N 25°25'17" E, 249.42 feet; With a curve to the left an arc distance of 296.43 feet, said curve having a central angle of 08°32'08", a radius of 1,969.66 feet, a tangent of 148.49 feet, and a chord of N 14°48'06" E, 295.16 feet; N 10°32'02" E, 24.26 feet; N 57°46'54" E, 60.98 feet to the Point of Beginning; Containing 3,383,264 Square Feet, or 77.67 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: \_\_\_\_\_  
ERIC S. STUCKEY  
CITY ADMINISTRATOR/RECORDER

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

PLANNING COMMISSION RECOMMENDED APPROVAL: 5/22/14

PASSED FIRST READING: \_\_\_\_\_

BOMA PUBLIC HEARING: \_\_\_\_\_

PASSED SECOND READING: \_\_\_\_\_

PASSED THIRD READING: \_\_\_\_\_

**FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT**

**NAME OF PROJECT:** Ordinance 2014-18, Ovation Subdivision Rezoning

**LOCATION:** Southeast corner of East McEwen Drive and Carothers Parkway

**PROJECT DESCRIPTION:** Request to rezone 77.7 acres from General Commercial (GC) to Specific Development-Variety with a residential density of 12.23, a nonresidential square footage of 480,000, and 450 hotel rooms (SD-X 12.23/480,000/450)

**APPLICANT:** Gary Vogrin, Kiser + Vogrin Design

**OWNER:** Glenn McGehee and Glenn Wilson, SS McEwen, LLC

**PROJECT STAFF:** Emily Hunter

**TYPE OF REVIEW:** Rezoning Request

**RECOMMENDATION:** Favorable recommendation to BOMA

PROJECT INFORMATION	
<b>Existing Land Use</b>	Vacant
<b>Proposed Land Use</b>	Mixed Use
<b>Existing Zoning</b>	GC
<b>Proposed Zoning</b>	SD-X (12.23/480,000/450)
<b>Acreage</b>	77.7
<b>Proposed Dwelling Units</b>	950
<b>Proposed Nonresidential Square Footage</b>	480,000 square feet plus 450 hotel rooms
<b>Physical Characteristics</b>	The southern portion of the site lies within the HHO and 500' HHO Buffer. Some of the northern portion of the site near McEwen Drive is located in the 100-year floodplain/FFO. A natural water resource runs along the eastern boundary of the site.
<b>Development Standard</b>	Conventional
<b>Character Area Overlay</b>	MECO-4
<b>Other Applicable Overlays</b>	HHO, HTO, FFO, FWO
<b>Water Utility District</b>	Mallory Valley
<b>Minimum Landscape Surface Ratio</b>	.20
<b>Trip Generation</b>	29,735 trips per day (including potential office use in the remaining GC area)

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Vacant/Attached Residential	GC/RX
<i>South</i>	Vacant/Civic and Institutional	ML/CI
<i>East</i>	Vacant	CI/GC
<i>West</i>	Vacant/Office	GC

**LAND USE PLAN RECOMMENDATIONS**

The McEwen Area is the principal regional commercial area in the UGB. It includes 3,713 acres and nearly 12 million square feet of commercial, office and industrial space. It is also the principal location for Attached Residential, with 3,520 attached units. There are about 1,100 vacant acres that have development potential. Most of this land is in large parcels under limited ownership. This area is clearly the major economic engine for the City.

The Carothers Parkway area is the backbone of a major employment corridor and connects to Murfreesboro Road to the south. This corridor is enhanced by landscaped medians and landscaped parking lots.

The McEwen Character Area will continue to be the major economic driver for the City of Franklin. However, economically productive development will respect the residential neighborhoods. High-quality design and people-friendly environments will be encouraged through heightened standards and site design.

More specifically, Special Area 4 of the McEwen Character Area is appropriate for a mixture of Attached and Detached Residential and Neighborhood or Local Retail uses either in separate structures (proximate mixed uses) or with multiple uses in the same building on different floors (vertical mixed uses). Retail uses, mid-rise commercial and hotels should be of higher intensity adjacent to I-65 and transition to less intensive uses further away from the Interstate.

**PROJECT BACKGROUND:** A preliminary plat was recently approved for the entire 145 acre site, which includes an area to remain General Commercial (GC) proposed for future office uses. This rezoning request is for the other 77.7 acres, which is proposed for a mixture of uses including attached and detached residential, retail, restaurant, hotel, and office.

**PROJECT REVIEW**

**STAFF RECOMMENDATION:** Favorable recommendation to BOMA;

**COMMENTS:** None;

### **PROCEDURAL REQUIREMENTS:**

1. Fifteen (15) half-size copies of the Rezoning 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.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.

### **\*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**

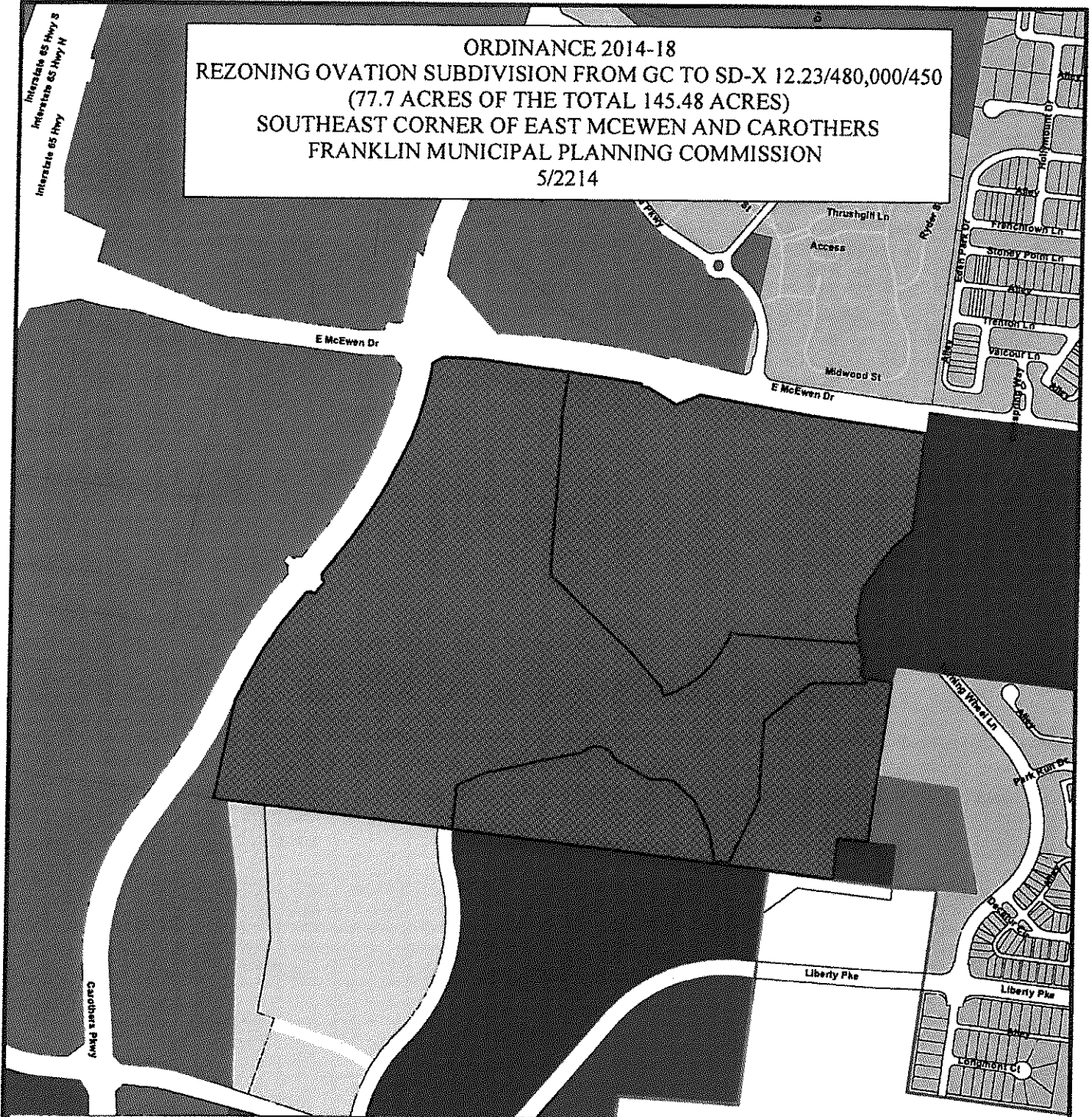
If the applicant has questions about, or is in disagreement with, a condition of approval, they shall contact the project planner within the Department of Planning and Sustainability prior to the FMPC meeting. If the applicant fails to notify the Department of Planning and Sustainability of an objection 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.

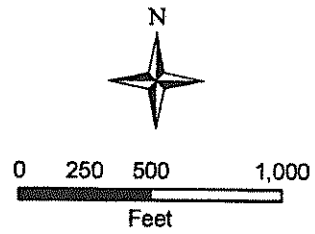
**ORDINANCE 2014-18**  
**REZONING OVATION SUBDIVISION FROM GC TO SD-X 12.23/480,000/450**  
**(77.7 ACRES OF THE TOTAL 145.48 ACRES)**  
**SOUTHEAST CORNER OF EAST MCEWEN AND CAROTHERS**  
**FRANKLIN MUNICIPAL PLANNING COMMISSION**  
**5/2214**



**Legend**

- |                                    |                                     |
|------------------------------------|-------------------------------------|
| Ovation Subdivision                | 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 |

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HISTORIC  
FRANKLIN  
TENNESSEE

ITEM #6  
WRKS  
06/10/14

## MEMORANDUM

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May 22, 2014

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  
Emily Hunter, Planning Supervisor

SUBJECT: Ordinance 2014-18, a rezoning request for the property located at the southeast corner of East McEwen Drive and Carothers Parkway from General Commercial (GC) to Specific Development – Variety District (SD-X 12.23/480,000/450) on 77.7 acres

### **Purpose**

The purpose of this memorandum is to provide the Board of Mayor and Aldermen with information regarding a rezoning request for the property located at the southeast corner of East McEwen Drive and Carothers Parkway from General Commercial (GC) to Specific Development – Variety District (SD-X 12.23/480,000/450) on 77.7 acres. This zoning would allow the following entitlements for the property: a residential density of 12.23 dwelling units per acre; 480,000 square feet of nonresidential space; and, 450 hotel rooms.

### **Background**

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

This rezoning request was recommended (8-0) by the Planning Commission at the May 22, 2014 FMPC meeting.

### **Financial Impact**

Not applicable to this item.

### **Options**

Not applicable to this item.

### **Recommendation**

Approval of the rezoning.