


MEMORANDUM

March 9, 2010

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator 
Vernon Gerth, Asst. City Administrator, Community and Economic Development
Catherine Powers, Director of Planning and Sustainability

SUBJECT: Resolution 2010-18, to Reapprove the Concept Plan for Franklin Christian Academy for one year

Purpose

The purpose of this memorandum is to present information to the Board of Mayor and Aldermen (BOMA) to consider Resolution 2010-18, which will reapprove, for one year, the Concept Plan for Franklin Christian Academy that was approved by the BOMA on April 14, 2009.

Background

The *Franklin Zoning Ordinance (FZO)* provides in Section 2.4, Subsection 2.4.2(6)(i)(iii) that if an applicant “does not submit a Regulating Plan or Pattern Book within one year of the date of the Concept Plan approval, BOMA may initiate steps to rehear, reconsider, or revoke the Concept Plan.” Since the applicant for Franklin Christian Academy has not submitted a Regulating Plan or Pattern Book and the *FZO* does not provide a process whereby an applicant can request an extension, Resolution 2010-18 is brought forth to reapprove the Concept Plan for an additional year. A request letter from the applicant is included as part of this item.

If the BOMA feels that a one-year extension is an appropriate extension length for Concept Plans that expire and approves this resolution, the Department of Planning and Sustainability will propose a Zoning Ordinance Text Amendment to outline the Concept Plan extension process to provide applicants with specific steps they need to take if a Regulating Plan or Pattern Book is not submitted and an extension is desired.

Financial Impact

There is no financial impact to the City attributable to approval of this resolution.

Recommendation

Approval of this resolution renewing for one year the Concept Plan for Franklin Christian Academy as presented is recommended.

RESOLUTION 2010-18

A RESOLUTION TO REAPPROVE A CONCEPT PLAN FOR FRANKLIN CHRISTIAN ACADEMY FOR ONE YEAR, ON LAND TOTALING 27.91 ACRES, LOCATED AT 1720 NEW HIGHWAY 96 WEST, BY THE CITY OF FRANKLIN, TENNESSEE.

WHEREAS, on April 14, 2009, the Board of Mayor and Aldermen (BOMA) approved, through resolution, a Concept Plan for Franklin Christian Academy, totaling 27.91 acres, located at 1720 New Highway 96 West; and

WHEREAS, the BOMA, charged by Section 2.4, Subsection 2.4.2(6)(i)(iii) of the *Franklin Zoning Ordinance*, “may initiate steps to rehear, reconsider, or revoke” a Concept Plan within one year of the date of the Concept Plan approval if a Regulating Plan or Pattern Book is not submitted; and

WHEREAS, a Regulating Plan or Pattern Book has not been submitted by the applicant for Franklin Christian Academy, pursuant to Section 2.4, Subsection 2.4.2(6)(i)(iii); and

WHEREAS, the applicant submitted a letter requesting reapproval of the Concept Plan for Franklin Christian Academy for one year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, meeting in regular session this _____ day of _____, 2010:

1. That the legal description of the property is as follows:

Map-Parcel	Acres
64-19.00	27.91

BEING a tract of land lying in the 9th Civil District of Williamson County, Tennessee and being further identified as Parcel 19 on Williamson County Property Assessor’s Map 64 as of record in Deed Book 1899, Page 532, Register’s Office for Williamson County, Tennessee (R.O.W.C.). Said tract is more particularly described as follows:

BEGINNING at an existing concrete monument in the northerly right-of-way margin of New Highway 96 West (120’ R.O.W.), said monument being 749.32 feet north of an existing concrete monument at the intersection of the westerly right-of-way margin of

Carlisle Lane with said northerly right of way of New Highway 96 West;

THENCE, with said right of way of New Highway 96 West, North 87° 44' 39" West, 690.88 feet to an iron rod, said iron rod being the southeasterly corner of Short Properties as of record in Book 1137, Page 603, R.O.W.C. and the southwesterly corner of said herein-described parcel;

THENCE, leaving said New Highway 96 West right of way with the easterly line of Short Properties and with the centerline of a 100'-wide T.V.A. transmission line easement as of record in Book 3536, Page 173, R.O.W.C., North 07° 09' 46" East, 1,640.64 feet to an iron rod, said iron rod being in the southerly right-of-way margin of Old Charlotte Pike East (30' R.O.W.), and being the northwesterly corner of said herein-described tract;

THENCE, with said right of way of Old Charlotte Pike East, North 59° 50' 26" East, 53.76 feet to an iron rod;

THENCE, continuing with said right of way of Old Charlotte Pike East, North 67° 20' 06" East, 704.15 feet to an iron rod, said iron rod being the northwesterly corner of Joseph Meltz as of record in Book 2558, Page 951, R.O.W.C. and being the northeasterly corner of said herein-described tract;

THENCE, leaving Old Charlotte Pike East with the westerly line of Meltz, and being the westerly line of Tomlinson Fort as of record in Book 1269, Page 973, R.O.W.C., South 06° 09' 00" West, 1,964.68 feet to the POINT OF BEGINNING, and containing 27.91 acres, more or less, according to a survey by James L. Terry, Tennessee R.L.S. # 563 dated August 12, 2008.

THIS being the property conveyed to Franklin Freewill Baptist Church, Inc. by deed of record in Book 1899, Page 532, Register's Office for Williamson County, Tennessee.

2. That the overall entitlements for the Franklin Christian Academy PUD Concept Plan are as follows:

Entitlements	Franklin Christian Academy PUD
Base Zone	Civic and Institutional (CI)
Character Area Overlay	West Harpeth Character Area Overlay District #2
Other Zoning Overlays	500 ft. buffer of HHO
Number of Nonresidential Square Footage	±160,000 square feet
Building Height	35 feet Maximum
Development Standard	Conventional
Minimum Total Open Space	± 4.2 acres
Acreage of Site	± 27.91 acres

3. That the Concept Plan, the exhibits accompanying the Concept Plan, and all conditions and restrictions placed upon the Concept Plan by the Franklin Municipal Planning Commission and the BOMA shall be made a part of this Resolution as though copied verbatim herein, and that a permanent record of the Concept Plan, the exhibits accompanying the concept plan, and all such conditions and restrictions shall be kept in the Franklin Planning Department.
4. That the BOMA shall reconsider the Concept Plan within one year from the date of this one-year Concept Plan reapproval if a Regulating Plan or Pattern Book is not submitted.
5. That this Resolution shall take effect from and after its passage on its first and final reading, the health, safety, and welfare of the citizens requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

BY: _____
ERIC STUCKEY
CITY ADMINISTRATOR

BY: _____
JOHN SCHROER
MAYOR

PRELIMINARY CONCEPT MEETING:	<u>10/07/08</u>
PREAPPLICATION CONFERENCE:	<u>10/30/08</u>
CONCEPTUAL PROJECT WORKSHOP:	<u>11/20/08</u>
REQUIRED NEIGHBORHOOD MEETING:	<u>12/02/08</u>
PLANNING COMMISSION RECOMMENDED APPROVAL:	<u>1/22/09</u>
BOMA PASSED/PUBLIC HEARING HELD:	<u>4/19/09</u>
BOMA RECONSIDERATION PASSED:	<u> </u>

RAGAN • SMITH

LAND PLANNERS • CIVIL ENGINEERS
LANDSCAPE ARCHITECTS • SURVEYORS

February 22, 2010

HAND DELIVERED

Mr. Jonathan Langley, AICP
Principal Planner
City of Franklin
City Hall, P.O. Box 305
Franklin, Tennessee 37064

**RE: FRANKLIN CHRISTIAN ACADEMY/FRANKLIN COMMUNITY CHURCH
CONCEPT PLAN APPROVAL/EXTENSION
FRANKLIN, TENNESSEE**

Dear Jonathan:

On behalf of Franklin Christian Academy, we would like to respectfully request extension of our concept plan approval for the referenced project. This concept plan was approved April 14, 2009 and we would like to extend this approval for an additional year to April 14, 2011. We are requesting this in hopes of being heard at the March 9, 2010 BOMA Worksession with extension approval being heard at the March 23 Regular BOMA meeting.

Thank you for your assistance and consideration. If you have questions or require anything further please call.

Sincerely,

RAGAN SMITH AND ASSOCIATES, INC.



Alan Thompson, RLA, LEED AP
Vice President

JAT:ps

Enclosures

c. Catherine Powers
Hugh Harris
Jay Keopf
David Minnigan
Charlie Lowe