

ORDINANCE 2010-33

ORDINANCE 2010-33, TO BE ENTITLED "AN ORDINANCE TO REZONE .46 ACRES FROM HIGH RESIDENTIAL (R-3) TO RESIDENTIAL VARIETY (RX) FOR PROPERTY LOCATED AT 1439 COLUMBIA AVENUE."

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 High Residential (R-3) to Residential Variety (RX):

Zoning Reference Number: 10-02:

Map--Parcel--Group	Acres
78k--23.00--C	.46
TOTAL	.46

BEGINNING at an existing iron pin in the eastern right-of-way of Columbia Avenue, having a variable right-of-way width;

THENCE along the eastern right-of-way of Columbia Avenue N 06°58'46" E for a distance of 80.41' to an existing iron pin at the southwest corner of General's Retreat Dev. property;

THENCE along the southern property line of said General's Retreat Dev. S 83°23'28" E for a distance of 253.63' to an existing iron pin;

THENCE continuing along the south western line of said General's Retreat Dev. S 07°33'24" W for a distance of 80.42' to an existing iron pin it the northern property line of Laura K. Keeter;

THENCE along the northern line of Keeter and along the northern property lines of David H. Davis and Patricia A. Reynolds N 83°23'28" W for a distance of 252.30' to the point of beginning, having an area of 20340 square feet, 0.46 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 STUCKEY
CITY ADMINISTRATOR/RECORDER

BY: _____
JOHN SCHROER
MAYOR

PLANNING COMMISSION UNFAVORABLY RECOMMENDED: 4-22-10

PASSED FIRST READING: _____

PUBLIC HEARING HELD: _____

PASSED SECOND READING: _____

PASSED THIRD READING: _____



HISTORIC
FRANKLIN
TENNESSEE

MEMORANDUM

May 3, 2010

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 2010-33, Rezoning request for property located at 1439 Columbia Avenue, for land to be added to the General's Retreat PUD, from High Residential (R-3) to Residential Variety (RX)

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding a request for a rezoning of 0.46 acres, located at 1439 Columbia Avenue, from High Residential (R-3) to Residential Variety (RX). (Ordinance 2010-33)

Background

The applicant requests to rezone this property from High Residential (R-3) to Residential Variety (RX) in order to construct attached dwelling units on this site. This property is proposed for addition to the General's Retreat PUD that was approved by the BOMA at Third Reading on December 13, 2005. At current, 27 units from the previously approved site plan are constructed on the site.

This rezoning request was unanimously unfavorably recommended onto the Board of Mayor and Alderman by a vote of 6 to 0 at the April 22, 2010, of the Franklin Municipal Planning Commission meeting.

Financial Impact

Not applicable to this item.

Options

Not applicable to this item.

Recommendation

Approval of the rezoning is recommended.

LandDesign.

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April 28, 2010

Ms. Brenda Woods
Franklin Planning Department
109 Third Avenue South
Franklin TN 37065

RE: **Rezoning Plan BOMA Workshop Submittal
General's Retreat
COF # 2021**
LDI Project No.: 3009182

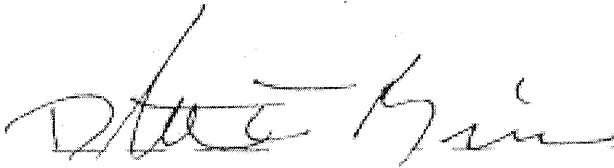
Dear Brenda,

Attached, please find our Rezoning Plan submittal in the form of the information, plan and data as required by the City of Franklin, for the above referenced project to be placed on the May 11 BOMA Workshop Agenda. LandDesign, Inc. is submitting on behalf of our client, Mr. Bill Kottas, Generals Retreat Company LLC.

Please find attached:

- (15) Fifteen copies (Half Size-folded) of the Rezoning Plan Documents.
- (15) Fifteen copies of the Rezoning Application.
- (15) Fifteen copies of Letter to Mayor & Board of Alderman.

Sincerely,



Dwight Kiser, ASLA
Partner
LandDesign, Inc.

Enclosures

cc: Steve Cates/Bill Kottas, Generals Retreat Company LLC

631 Second Avenue South, Suite 100
Nashville, TN 37210

V: 615.591.7164
F: 615.591.9718

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April 28, 2010

Members of the Mayor & Board of Alderman

RE: **Rezoning Plan BOMA Workshop Submittal
General's Retreat
COF # 2021
LDI Project No.: 3009182**

Dear Mayor & Board of Alderman,

Please accept this letter as some clarification elements in regards to the proposed rezoning of the 0.45 acre tract of land along the southern boundary of General's Retreat adjacent Columbia Avenue.

As you know ... this item received a non favorable vote from the FMPC on April 22, 2010. We would like to clarify that this rezoning is for the +/- 0.45 acre parcel along the southern boundary of General's Retreat at Columbia Avenue. The intent is to amend the currently approved General's Retreat Concept plan to include this parcel. A Concept Plan Submittal is currently in the review process tracking parallel with this rezoning request. The Concept Plan proposes 10 dwelling units on this parcel to be rezoned and the addition of 16 units on the General's Retreat site for a total overall increase of 26 dwelling units to the entire project. Please keep in mind that while we are increasing the overall unit count, the number of proposed bedrooms will only increase by 15 bedrooms due to the inclusion of more 1 bedroom units and less 2 and 3 bedroom units. I offer the following calculations:

The currently approved General's Retreat Site Plan: 17-1BR, 17-2BR and 17-3BR for a total of 102 Bedrooms. There are currently 3 bedrooms within the existing homesite on the adjacent 0.45 acre existing home tract.

The proposed Concept Plan Submittal: 43-1BR, 25-2BR and 9-3BR for a total of 120 Bedrooms.

Summary: Total bedroom increase for the overall project equals 15 Bedrooms.

Also, as part of this proposal the applicant will include **3 Workforce Deed Restricted Units into the project in accordance with the approved ordinance.**

In addition, the proposed Concept Plan will be in accordance with the Stormwater Ordinance and will include the use of additional biofiltration swales, water quality cells and permeable pavers to mitigate stormwater leaving the site. Moreso that currently exists on the approved Site Plan.

631 Second Avenue South, Suite 100
Nashville, TN 37210

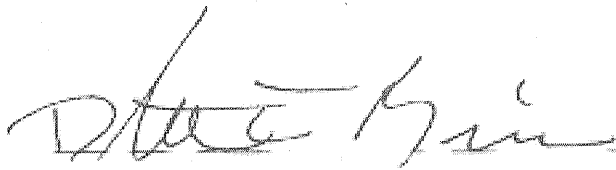
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Please contact me at your convenience if you require additional information or clarification of the attached.

Sincerely,

A handwritten signature in black ink, appearing to read "Dwight Kiser". The signature is fluid and cursive, with a prominent initial "D" and a long, sweeping underline.

Dwight Kiser, ASLA
Partner
LandDesign, Inc.

Enclosures

cc: Steve Cates/Bill Kottas, Generals Retreat Company LLC



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General's Retreat -Legal Description-General's Retreat-Rezoning Plan-COF 2021

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Thence along the southern property line of said General's Retreat Dev. S $83^{\circ}23'28''$ E for a distance of 253.63' to an existing iron pin;

Thence continuing along the south western line of said General's Retreat Dev. S $07^{\circ}33'24''$ W for a distance of 80.42' to an existing iron pin at the northern property line of Laura K. Keeter;

Thence along the northern line of Keeter and along the northern property lines of David H. Davis and Patricia A. Reynolds N $83^{\circ}23'28''$ W for a distance of 252.30' to the point of beginning, having an area of 20340 square feet, 0.46 acres more or less.

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