

**ORDINANCE 2011-20**

**TO BE ENTITLED "AN ORDINANCE TO REZONE 0.94 ACRES FROM RESIDENTIAL VARIETY (RX) TO GENERAL OFFICE (GO) FOR PROPERTY LOCATED AT 222 MALLORY STATION ROAD."**

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 Residential Variety (RX) to General Office (GO):

Zoning Reference Number: 11-02:

Map-Parcel	Acres
053---10400	5.25
TOTAL	5.25

Beginning on the north margin of Mallory Road in the southeast corner of the owner's purchase from Doggett, at a point in line with owner's south and east boundary fences, and running thence with said east boundary fence N 3 degrees, E 480 feet; thence parallel with said road N 88 degrees, W 480 feet to an iron pin; thence S 3 degrees, W 480 feet to said south boundary fence; thence with said south boundary fence S 88 degrees, E 480 feet to the point of beginning, containing 5 ¼ acres, more or less.

Being a part of the same property conveyed to the London Broadcasting, Inc. by deed of Williamson County Broadcasting Company, of record in Deed Book 344, page 366, register's Office of Williamson County, Tennessee.

The above property is conveyed subject to a Deed of Trust of record in Book 344, page 369, Register's Office of Williamson County, Tennessee.

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

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

PLANNING COMMISSION RECOMMENDED APPROVAL: 5/26/11

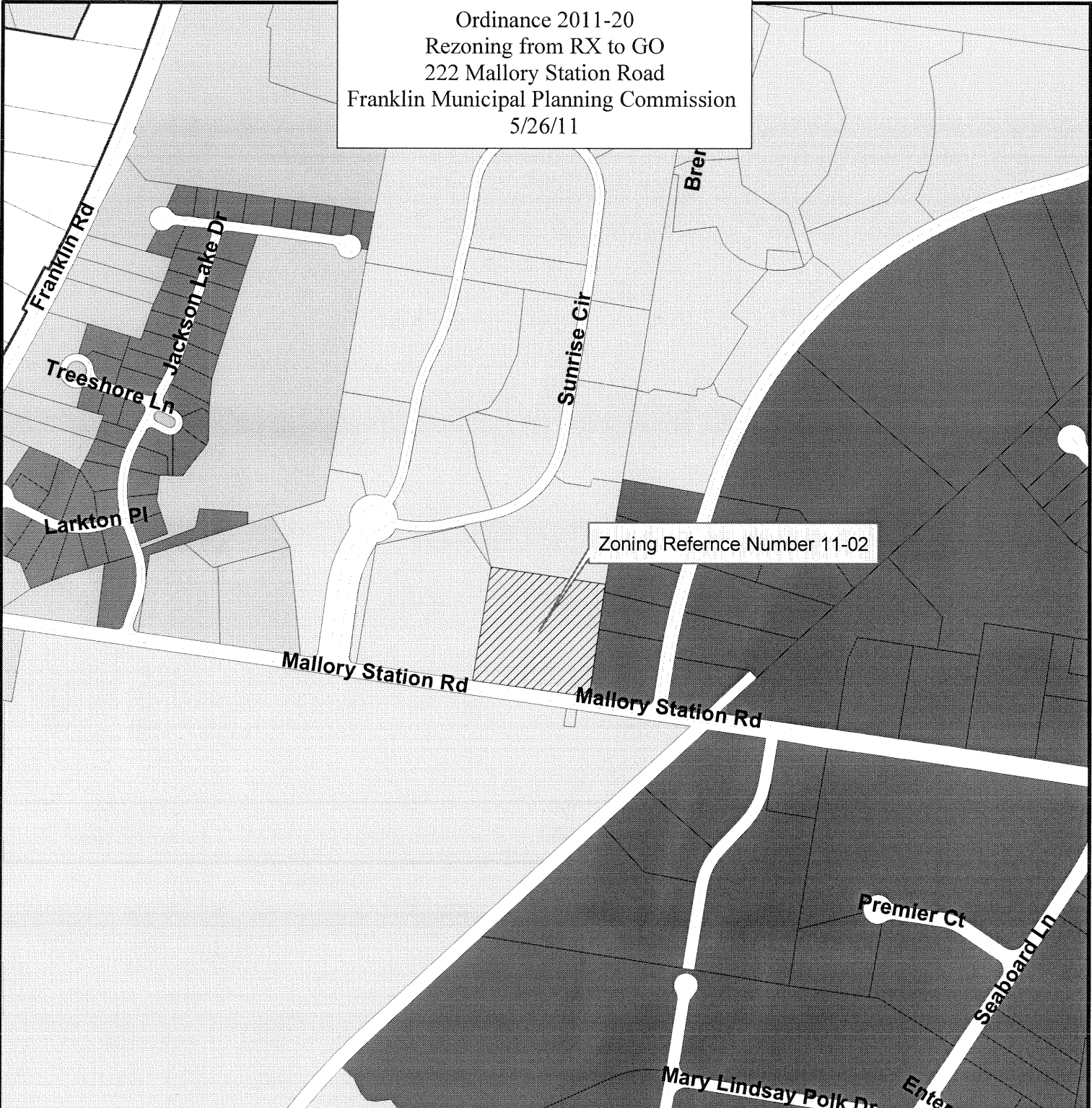
PASSED FIRST READING: \_\_\_\_\_

PUBLIC HEARING HELD: \_\_\_\_\_




















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

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

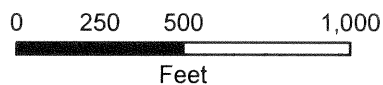
Ordinance 2011-20  
 Rezoning from RX to GO  
 222 Mallory Station Road  
 Franklin Municipal Planning Commission  
 5/26/11



**Legend**

 222_Mallory_Station_Road	 GO General Office District
<b>Zoning</b>	 CC Central Commercial District
 AR 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
 R-6 Residential District	 LI Light Industrial District
 RX Residential Variety	 HI Heavy Industrial District
 OR Office Residential 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 2010. All rights reserved.



**FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT**

**NAME OF PROJECT:** Ordinance 2010-20  
**LOCATION:** 222 Mallory Station Road  
**PROJECT DESCRIPTION:** Proposed Rezoning from Residential Variety (RX) to General Office (GO)  
**APPLICANT:** Charles Dibrell, Franklin Radio Associates, Inc.  
**OWNER:** Franklin Radio Associates, Inc.  
**PROJECT STAFF:** Catherine Powers  
**TYPE OF REVIEW:** Rezoning Request  
**RECOMMENDATION:** Favorable recommendation to the BOMA.

<b>PROJECT INFORMATION</b>	
Existing Land Use	Office
Proposed Land Use	Office
Existing Zoning	RX
Proposed Zoning	GO
Acreage	5.25 acres
Proposed Number of Lots	N/A
Proposed Dwelling Units	N/A
Proposed Nonresidential Square Footage	N/A
Proposed Open Space	Formal Open Space: N/A Informal Open Space: N/A Total Open Space: N/A
Physical Characteristics	Fully built out, graded site;
Character Area Overlay/ Development Standard	BCCO-3 / Conventional
Other Applicable Overlays	N/A
Proposed Building Height	N/A
Minimum Landscape Surface Ratio	Existing .10/Proposed .30

<b>SURROUNDING ZONING AND LAND USE</b>		
Location	Land Use	Zoning
North	Attached Residential	RX

<i>South</i>	Recreational	RX
<i>East</i>	Office	LI
<i>West</i>	Mixed Residential	RX

<b>INFRASTRUCTURE AVAILABILITY</b>	
<b>Water</b>	Available;
<b>Sewer</b>	Available;
<b>Reclaimed Water</b>	N/A;

<b>LAND USE PLAN RECOMMENDATIONS</b>
<p>This site is located in Berrys Chapel Character Area, Special Area 3. Recommendation for this Special Area include:</p> <ol style="list-style-type: none"> <li>1. The character of most of this area is largely established.</li> <li>2. Future developments shall reflect the existing character.</li> <li>3. Setbacks for new buildings on property fronting on Franklin Road shall be based on the average building setback between Country Road to the north and Berrys Chapel Road to the south in order to preserve the Rural Character of this corridor.</li> <li>4. The property on the northeast and northwest corners of Franklin Road and Mack Hatcher Parkway is recommended as a planned unit development pursuant to a Master Plan. The planning and development of this area shall be coordinated with development south of Mack Hatcher Parkway through a Special Area Plan that recognizes the gateway of this intersection.</li> </ol>

**PROJECT MEETS FRANKLIN'S**

**LAND USE PLAN:**

**Yes**

**GREENWAY/OPEN SPACE PLAN:**

**N/A**

**HISTORIC DISTRICT GUIDELINES:**

**N/A**

### **PROJECT REVIEW**

**STAFF RECOMMENDATION:** Favorable recommendation to the BOMA.

**COMMENTS:**

The land use plan describes this area as being largely established and recommends that future developments reflect existing character. A rezoning to General Office allows for uses that provide a continued transition from light industrial uses to the east to the mixture of residential uses to the west.

**CONDITIONS OF APPROVAL:**

**PLANNING:**

1. None;

**PLANNING (LANDSCAPE):**

2. None;

**ENGINEERING:**

3. None;

**BUILDING AND NEIGHBORHOOD SERVICES:**

4. None;

**FIRE:**

5. None;

**PARKS:**

6. None;

**WATER/SEWER:**

7. None;

**PROCEDURAL REQUIREMENTS:**

1. N/A

**\*PROJECT CONSIDERATIONS:**

1. N/A

\* 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.

Date: 4 May, 2011

Memorandum to: Franklin Municipal Planning Commission Staff  
From: Franklin Radio Associates, Inc., Charles C. Dibrell, Sr., President  
Re: Requested Rezoning of 222 Mallory Station Road, Franklin, TN 37067

Attached you will find the following responses to your Rezoning Checklist:

Section A:

1. The FMPC/Administrative Project Application Form (completed)
2. The Rezoning Application Fee (delivered 4/11/2011)

Section C:

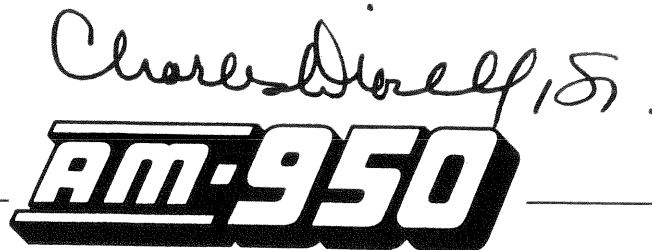
14. A copy of the Deed from the Williamson County Register of Deeds
15. Existing Zoning is Residential X. Requested Rezoning is General Office
20. 5.25 acres
21. Franklin Radio Associates, Inc., Charles C. Dibrell, Sr., President  
222 Mallory Station Road, Franklin, TN 37067  
phone: (615) 794-1594, e-mail: [wakm950@comcast.net](mailto:wakm950@comcast.net)
- 22: To the west: Mrs. Margaret C. White  
To the north: Morningside of Franklin  
To the east: Everitt E. Lang, Jr.  
To the south: Vanderbilt Legends Club
24. To the west: residential  
To the north: residential  
To the east: light industrial  
To the south: golf course

Section D:

29. Water facilities: an unused water tap from Mallory Valley Water Utility District,  
plus a working well on the property
30. Sewer facilities: city sewer is available, a septic tank is in use
31. Street network: No streets or thoroughfares are on the property

Additional requested information:

Distance to closest Franklin Police Headquarters: 900 Columbia Ave., 3.68 miles  
Distance to closest Franklin Fire Station (#3): 298 Mallory Station Road, .45 miles  
Distance to closest recreational facility: Aspen Grove Park, Aspen Grove Drive, .86 miles  
Garbage Collection: Weekly City of Franklin Collection using city provided residential size  
rolling container  
Mineral Rights: There are no mineral rights encumbrances on the property



**RADIO STATION WAKM**

222 Mallory Station Road • Franklin, TN 37067  
(615) 794-1594 • Fax (615) 794-1595






HISTORIC  
FRANKLIN  
TENNESSEE

MEMORANDUM

June 7, 2011

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 2011-20, an ordinance to rezone 0.94 acres from Residential Variety (RX) to General Office (GO) for property located at 222 Mallory Station Road

**Purpose**

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding an ordinance to rezone 0.94 acres from Residential Variety (RX) to General Office (GO) for property located at 222 Mallory Station Road (Ordinance 2011-20).

**Background**

This ordinance was favorably recommended onto the BOMA by the Planning Commission by a unanimous vote (6-0) at the May 26, 2011, FMPC Meeting.

PROJECT INFORMATION	
Existing Land Use	Office
Proposed Land Use	Office
Existing Zoning	RX
Proposed Zoning	GO
Acreage	5.25 acres
Proposed Number of Lots	N/A
Proposed Dwelling Units	N/A
Proposed Nonresidential Square Footage	N/A
Proposed Open Space	Formal Open Space: N/A Informal Open Space: N/A Total Open Space: N/A
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Character Area Overlay/ Development Standard	BCCO-3 / Conventional
Other Applicable Overlays	N/A
Proposed Building Height	N/A
Minimum Landscape Surface Ratio	Existing .10/Proposed .30



SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
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INFRASTRUCTURE AVAILABILITY	
<b>Water</b>	Available;
<b>Sewer</b>	Available;
<b>Reclaimed Water</b>	N/A;

LAND USE PLAN RECOMMENDATIONS
<p>This site is located in Berrys Chapel Character Area, Special Area 3. Recommendation for this Special Area include:</p> <ol style="list-style-type: none"> <li>1. The character of most of this area is largely established.</li> <li>2. Future developments shall reflect the existing character.</li> <li>3. Setbacks for new buildings on property fronting on Franklin Road shall be based on the average building setback between Country Road to the north and Berrys Chapel Road to the south in order to preserve the Rural Character of this corridor.</li> <li>4. The property on the northeast and northwest corners of Franklin Road and Mack Hatcher Parkway is recommended as a planned unit development pursuant to a Master Plan. The planning and development of this area shall be coordinated with development south of Mack Hatcher Parkway through a Special Area Plan that recognizes the gateway of this intersection.</li> </ol>

<b>PROJECT MEETS FRANKLIN'S</b>	<b>LAND USE PLAN:</b>	<b>Yes</b>
	<b>GREENWAY/OPEN SPACE PLAN:</b>	<b>N/A</b>
	<b>HISTORIC DISTRICT GUIDELINES:</b>	<b>N/A</b>

PROJECT REVIEW

**STAFF RECOMMENDATION:** Favorable recommendation to the BOMA.



## MEMORANDUM

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### COMMENTS:

The land use plan describes this area as being largely established and recommends that future developments reflect existing character. A rezoning to General Office allows for uses that provide a continued transition from light industrial uses to the east to the mixture of residential uses to the west.

### CONDITIONS OF APPROVAL:

#### PLANNING:

1. None;

#### PLANNING (LANDSCAPE):

2. None;

#### ENGINEERING:

3. None;

#### BUILDING AND NEIGHBORHOOD SERVICES:

4. None;

#### FIRE:

5. None;

#### PARKS:

6. None;

#### WATER/SEWER:

7. None;

### PROCEDURAL REQUIREMENTS:

1. N/A

#### Financial Impact

Not applicable to this item.

#### Options

Not applicable to this item.

#### Recommendation

Approval of the rezoning request is recommended.