

ORDINANCE NO. 920.4-07-2011

**AN ORDINANCE REZONING 4.62 ACRES FROM B-4
(HIGHWAY BUSINESS DISTRICT) TO I-1 (LIGHT INDUSTRIAL)
AT 1401 NASHVILLE ROAD**

WHEREAS, Shoppes at Franklin, LLC, a Kentucky limited liability company, (hereafter "Shoppes") owns 4.62 acres of property located at 1401 Nashville Road, Franklin, Kentucky, as described herein below; and,

WHEREAS, Shoppes desires to rezone the 4.62 acres of property from B-4 (Highway Business District) to I-1 (Light Industrial) to construct mini-warehouse storage units and to make the property more productive for the community, and this change is appropriate and consistent with the use of the surrounding properties; and,

WHEREAS, a public hearing was held on April 5, 2011, after due public notice, in the manner provided by law; and

WHEREAS, the Planning & Zoning Commission recommends the granting of said zone changes as it is in agreement with the community's comprehensive plan;

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Franklin, Kentucky as follows:

The following described property is hereby granted a zone change from B-4 (Highway Business District) to I-1 (Light Industrial):

A certain tract of land lying in the City of Franklin in Simpson County, Kentucky. Said parcel being located approximately 903 feet north of the intersection of Macedonia Road and VFW Road. Said parcel being of record as a portion of Lot 5 in Deed Book 276 Page 650 and Plat Book 4 Page 339 in the office of the Simpson County Court Clerk and is more particularly described as follows:

The basis of the bearings shown hereon are the found monuments along the east property line of Lot 5 (S 20°56'46"E - 644.45') as previously recorded in Deed Book 276 Page 650 and Plat Book 4 Page 339. All iron pins (set) are 1/2" x 18" iron pins with 1" yellow plastic cap stamped J.ARNOLD PLS 2934, unless otherwise noted.

Beginning at an iron pin & cap stamped "BAU PLS 3645" in the west Right of Way of Macedonia Road (40' r/w), a corner common to Lowe's Home Center, Lot 1 as recorded in Deed Book 270 Page 35, Plat Book 4 Page 339.

Thence, leaving the right of way and following along the line of Lowe's Home Center, S 76°07'08" W a distance of 268.90' to an iron pin set.

Thence, with new line bisecting the parent tract the following four calls, N 13°52'52" W a distance of 34.34' to an iron pin set.

Thence, with a curve turning to the left, with an arc length of 52.51', with a radius of 70.50', with a chord bearing of N 19°44'42" W, with a chord length of 51.31', to an iron pin set.

Thence, with a reverse curve turning to the right, with an arc length of 33.00', with a radius of 69.50', with a chord bearing of N 27°28'50" W, with a chord length of 32.69', to an iron pin set.

Thence, N 13°52'42" W a distance of 854.60' to an iron pin set in the right-of-way of Macedonia Road.

Thence, leaving the new line and with the right-of-way of said road the following six calls, with a curve turning to the right, with an arc length of 32.80', with a radius of 251.00', with a chord bearing of S 80°11'23" E, with a chord length of 32.78', to a ½' iron pin with plastic cap stamped "Bau PLS 3645".

Thence, S 76°33'04" E a distance of 54.40' to a ½' iron pin with plastic cap stamped "Bau PLS 3645".

Thence, with a curve turning to the right, with an arc length of 13.60', with a radius of 25.00', with a chord bearing of S 60°31'27" E, with a chord length of 13.43', to a ½' iron pin with plastic cap stamped "Bau PLS 3645".

Thence, S 45°14'59" E a distance of 68.65' to a ½' iron pin with plastic cap stamped "Bau PLS 3645".

Thence, with a curve turning to the right, with an arc length of 241.30', with a radius of 570.00', with a chord bearing of S 33°03'34" E, with a chord length of 239.50', to a ½' iron pin with plastic cap stamped "Bau PLS 3645".

Thence, with a curve turning to the right, with an arc length of 13.60', with a radius of 25.00', with a chord bearing of S 60°31'27" E, with a chord length of 13.43', to a ½' iron pin with plastic cap stamped "Bau PLS 3645".

Thence, S 20°56'46" E a distance of 644.45' to the point of beginning containing 4.62 acres (201,180 sq ft) as surveyed by Arnold Consulting Engineering Services, Inc., Jeff Arnold PLS 2934 on November 27, 2007.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holdings shall not affect the validity of the remaining portions of Ordinance.

All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

July 11, 2011 FIRST READING

July 25, 2011 SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on July 25, 2011, on motion made by Commissioner Mason Barnes and seconded by Commissioner Jamie Powell, the foregoing ordinance was adopted, after full discussion, by the following vote:

YES LARRY DIXON

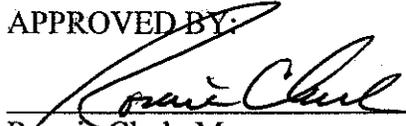
YES JAMIE POWELL

YES MASON BARNES

YES HENRY STONE

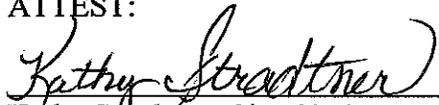
YES RONNIE CLARK, MAYOR

APPROVED BY:



Ronnie Clark, Mayor

ATTEST:



Kathy Stradtner, City Clerk
City of Franklin, Kentucky