



MEMORANDUM

March 18, 2013

TO: Board of Mayor and Alderman

FROM: Eric S. Stuckey, City Administrator
Vernon Gerth, ACA-Community and Economic Development
Chris Bridgewater, Director Building and Neighborhood Services

SUBJECT: A Resolution Amending Resolution 2012-53 Relative to Non-residential Building Plan Review Alternatives for the City of Franklin, Tennessee

Purpose:

The purpose of Resolution 2013-12 is to amend the original resolution 2012-53 to allow a streamlined process for identifying third party plan review (large non-residential building plans) consultants by use of a handbook.

Background:

The resolution passed by the Board of Mayor and Aldermen in 2012 that provided for third party plan reviews (larger non-residential building plans) called for outside plan review consultants to be identified through a Request for Qualifications (RFQ) process. Instead of publishing an RFQ, the qualifications for consultants have been placed in a handbook that is subject to revision by the City Administrator. As new consultants are identified for inclusion in this program, the criteria in the handbook would be used for approval. This change would reduce the administrative burden placed upon the applicant to provide third party plan review consultant services, and allow increased responsiveness to add new consultants.

Options

The Board may adopt, amend or decline the proposed resolution.

Financial Impact:

There is no direct financial impact on the City. The modification does not change the impact from the previously adopted resolution (2012-53).

Recommendation:

The Building and Neighborhood Services Department recommends approval.

RESOLUTION 2013-12

A RESOLUTION AMENDING RESOLUTION 2012-53 RELATIVE TO NON-RESIDENTIAL BUILDING PLAN REVIEW ALTERNATIVES FOR THE CITY OF FRANKLIN, TENNESSEE

WHEREAS, to promote the public health, safety, comfort, convenience, and general welfare of the people of Franklin, Tennessee the Board of Mayor and Aldermen is authorized to prescribe regulations, standards, and processes that guide the design, quality of materials, and construction of buildings and structures within the City; and

WHEREAS, the Board of Mayor and Aldermen realize that to promote public safety and preserve the quality and value of property within the community, coordinated development review processes are essential to insuring adopted, nationally-recognized minimum building codes and best practices are incorporated into buildings and structures; and

WHEREAS, in providing timely and thorough development services, the Board of Mayor and Aldermen provided in Resolution 2012-53 that a list of approved nonresidential building plan review consultants will be established by the City by a formal request for qualifications; and

WHEREAS, the Board of Mayor and Aldermen believes it is in the best interest of the City of Franklin to establish this list by submittals as set forth in a Building Plan Review Third-Party Consultant Handbook, rather than an annual formal request for qualifications.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FRANKLIN BOARD OF MAYOR AND ALDERMEN, AS FOLLOWS:

Section 1: Resolution 2012-53 is hereby amended to delete the following text noted with a strikethrough; to add the following text noted in bold; and is approved to read as follows:

Non-residential Plan Review Alternatives

To facilitate the timely processing and coordinated review of non-residential building permit applications among the City's technical staff, the Building and Neighborhood Services Department offers applicants plan review alternatives. Each of the alternatives insures the City's technical staff reviews each project for compliance with approved development plans, adopted building codes, and applicable municipal codes. For the purposes of the section, "Non-residential" pertains to all buildings and structures except detached, single-family and two-family dwellings.

(1) *Standard Plan Review Alternative*

The Standard Plan Review alternative is performed by the City's technical staff and based on non-residential building permit applications reviewed on a first-in/first-out priority with each application reviewed for code compliance and processed as quickly and thoroughly as possible. In support of the adopted Policy, the City Administrator has established a performance standard for non-residential plan review through the Building and Neighborhood Services Department of a maximum twenty (20) working days for the initial submittal and a maximum of ten (10) working days for subsequent re-submittals of the initial plan. Plans that are incompletely reviewed within the established maximum timelines will be stamped "Released for Construction" and returned to the applicant as submitted. The plans released will be deemed not to represent a code compliant

installation, and the project will be inspected as constructed to determine compliance with adopted construction codes.

Plan review fees, as specified in Title 22-Comprehensive Fees and Penalties, shall be paid at time of submittal. This fee shall cover the initial submittal and one (1) re-submittal. Approved construction plans will be valid for one (1) year from the date of approval unless an exceptional circumstance, as determined by the Building and Neighborhood Services Department Director, exists and authorizes an extension. The City Administrator and department leadership will review these performance standards regularly and seek to maintain responsive service consistent with Board Policy and direction.

(2) *On-Request Plan Review Alternative*

The On-Request Plan Review alternative is available for initial non-residential building permit reviews only and based on the City's Technical Staff availability to work overtime. Requests for the On-Request Plan Review shall be made to the Building Official or their designee. Based upon the City's Technical Staff availability, the applicant shall be provided with an estimated review completion date and additional cost.

The applicant shall pay the Plan Review Fees as specified in Title 22 –Comprehensive Fees and Penalties in addition to the staff incurred overtime based on the average overtime rate of the City's Technical Staff computed on the basis of one and one-half times the regular rate of pay as determined by the City's Finance Department.

Approved construction plans will be valid for one (1) year from the date of approval unless an exceptional circumstance, as determined by the Building and Neighborhood Services Department Director, exists and authorizes an extension.

(3) *Consultant Plan Review Alternative and Mandatory Building Size*

New non-residential buildings and structures totaling ten thousand (10,000) square feet or more shall be reviewed by a third party consultant. The applicant shall select a consultant from a City-approved list of professional building plan review consultants as obtained through a process **outlined in a Building Plan Review Third-Party Consultant Handbook approved by the City Administrator, a copy of which will be maintained in the Department of Building and Neighborhood Services.** ~~After the initial consultant qualifications have been established and consultants selected, additional~~ Consultants may be added to the City-approved list upon application to the Building Official and provided their minimum qualifications and supporting documentation has been approved by the Building Official. **The City Administrator may modify the Building Plan Review Third-Party Consultant Handbook as necessary.**

Building Permit applicants shall be responsible for paying all consultant incurred fees directly to the consultant in addition to Zoning Review and Permit Processing fees as specified in Title 22-Comprehensive Fees and Penalties to the Building and Neighborhood Services Department. Upon receipt of a consultant-approved set of plans and compliance with other applicable development conditions and regulations, the reviewed plans shall be reviewed by Building and Neighborhood Services staff for building code compliance. The performance standard established by the City Administrator for the Building and Neighborhood Services Department to process the building permit shall strive to be a maximum of five (5) working days.

Nothing shall prohibit an applicant or Building Official from selecting a City-approved plan review consultant to review commercial building permit applications for building and structures less than

ten thousand (10,000) square feet in size with the cost associated with the review the responsibility of the applicant.

Approved construction plans will be valid for one (1) year from the date of approval unless an exceptional circumstance, as determined by the Building and Neighborhood Services Department Director, exists and authorizes an extension.”

Section 2. This Resolution shall become effective immediately upon adoption.

IT IS SO RESOLVED AND DONE, this the ____ day of _____, 2013.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
ERIC S. STUCKEY
City Administrator/Recorder

By: _____
DR. KEN MOORE
Mayor