

ORDINANCE 2013-15

TO BE ENTITLED “AN ORDINANCE TO REZONE +/- 80.88 ACRES TO THE HEIGHT OVERLAY DISTRICT (HTO) FOR THE PROPERTY LOCATED AT THE SOUTHEAST QUADRANT OF EAST MCEWEN DRIVE AND SOUTH CAROTHERS PARKWAY.”

SECTION I: BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that the following described properties shall be, and are hereby, rezoned to the Height Overlay District (HTO):

Zoning Reference Number: 13-06:

Map-Group-Parcel	Acres
062---01800 (part)	±75.88
062---01803	±5.00
TOTAL	±80.88

Being land in the City of Franklin, Eighth Civil District, Williamson County, Tennessee, located in the southeasterly quadrant of the intersection of East McEwen Drive and South Carothers Parkway, also being a portion of property conveyed to SS McEwen, LLC, by deed of record in Deed Book 5770, Page 198, R.O.W.C. and a portion of the property conveyed to Highwoods Realty Limited Partnership by deed of record in Deed Book 5770, Page 191, R.O.W.C., and being more particularly described as follows:

Commencing, at a right-of-way monument (old) on the southerly right-of-way line of East McEwen Drive at the northwesterly corner of the City of Franklin by deed of record in Deed Book 1629, Page 71, R.O.W.C.;

THENCE, with said southerly right-of-way N 81°55'33" W, 417.72 feet to the true point of beginning of the herein described Height Overlay District;

THENCE, leaving the southerly right-of-way of said East McEwen Drive with the herein described Height Overlay District the following calls:

S 06°42'28" W, 1088.05 feet;
N 86°12'08" W, 377.26 feet;

With a curve to the right, having a central angle of 15°39'10", a radius of 100.00 feet, a tangent of 13.75 feet, and a chord of N 78°22'33" W, 27.23 feet for an arc length of 27.32 feet;

N 70°32'58" W, 7.68 feet;

With a curve to the right, having a central angle of $74^{\circ}20'50''$, a radius of 500.00 feet, a tangent of 379.16 feet, and a chord of $S 56^{\circ}37'27'' W$, 604.23 feet for an arc length of 648.80 feet;

$N 86^{\circ}12'08'' W$, 687.42 feet;

With a curve to the right, having a central angle of $35^{\circ}17'54''$, a radius of 800.00 feet, a tangent of 254.53 feet, and a chord of $N 68^{\circ}33'11'' W$, 485.10 feet for an arc length of 492.86 feet; $N 50^{\circ}54'14'' W$, 497.94 feet to a point on the easterly right-of-way line of Carothers Parkway;

Thence, with the easterly right-of-way line of said Carothers Parkway the following calls:
 $N 39^{\circ}00'00'' E$, 39.00 feet; $N 51^{\circ}00'00'' W$, 20.00 feet;

$N 06^{\circ}00'00'' W$, 24.04 feet;
 $N 39^{\circ}00'00'' E$, 173.64 feet;

With a curve to the left, having a central angle of $12^{\circ}46'11''$, a radius of 1971.86 feet, a tangent of 220.65 feet, and a chord of $N 32^{\circ}58'05'' E$, 438.57 feet for an arc length of 439.48 feet;

With a curve to the left, having a central angle of $07^{\circ}12'30''$, a radius of 1983.86 feet, a tangent of 124.96 feet, and a chord of $N 25^{\circ}25'17'' E$, 249.42 feet for an arc length of 249.58 feet;

With a curve to the left, having a central angle of $08^{\circ}32'08''$, a radius of 1989.86 feet, a tangent of 148.49 feet, and a chord of $N 14^{\circ}48'06'' E$, 296.16 feet for an arc length of 296.43 feet;

$N 10^{\circ}32'02'' E$, 24.26 feet;
 $N 57^{\circ}46'54'' E$, 60.98 feet to a right-of-way monument (old) on the southerly right-of-way line of East McEwen Drive;

Thence, with the southerly right-of-way line of East McEwen Drive the following calls:

$S 87^{\circ}42'54'' E$, 85.93 feet;

With a curve to the right, having a central angle of $05^{\circ}40'14''$, a radius of 1948.50 feet, a tangent of 96.50 feet, and a chord of $S 84^{\circ}52'47'' E$, 192.76 feet for an arc length of 192.84 feet;

$S 82^{\circ}02'40'' E$, 527.63 feet;

With a curve to the right, having a central angle of $02^{\circ}23'40''$, a radius of 2951.00 feet, a tangent of 61.67 feet, and a chord of $S 80^{\circ}50'50'' E$, 123.32 feet for an arc length of 123.32 feet;

$S 79^{\circ}39'00'' E$, 56.36 feet;
 $S 10^{\circ}21'00'' W$, 12.00 feet;
 $S 79^{\circ}39'00'' E$, 31.55 feet;

S 59°33'44" E, 164.02 feet;
N 68°59'39" E, 131.32 feet;
S 79°39'00" E, 336.27 feet;

With a curve to the left, having a central angle of 02°16'33", a radius of 5778.58 feet, a tangent of 114.78 feet, and a chord of S 80°47'16" E, 229.51 feet for an arc length of 229.53 feet;

S 81°55'33" E, 146.31 feet to the true point of beginning.

Containing 3,168,400 Square Feet, or 72.74 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 S. STUCKEY
CITY ADMINISTRATOR/RECORDER

BY: _____
DR. KEN MOORE
MAYOR

PLANNING COMMISSION RECOMMENDED APPROVAL: _____

PASSED FIRST READING: _____

PUBLIC HEARING HELD: _____

PASSED SECOND READING: _____

PASSED THIRD READING: _____



HISTORIC
FRANKLIN
TENNESSEE

MEMORANDUM

April 12, 2013

TO: Paul Holzen, P. E., Director of Engineering
Catherine Powers, AICP, Director of Planning & Sustainability
Dan Allen, P. E., Assistant Director of Engineering

FROM: Carl Baughman, P. E., Traffic/Transportation Engineer

COPY TO: Dwight Kiser, Kiser+Vogrin Design LLC

SUBJECT: Pickering Property Rezoning
Review of Preliminary Traffic Impact Study

Purpose

This memorandum is prepared as a Staff Report on the Pickering Property Rezoning item for the April 25, 2013 Planning Commission meeting. It specifically comments on the Preliminary Traffic Impact Study (TIS) that was submitted by the applicant on April 4, 2013 after deferral from the March meeting in the absence of a traffic study.

Background

The Pickering property in the southwest quadrant of the Carothers at McEwen intersection is a major parcel of land to be developed in the Carothers Parkway corridor. On March 26, 2013 the BOMA adopted the Integrated Growth Plan (IGP) as Resolution 2013-15 to give guidance for transportation infrastructure improvements in the area. The IGP utilized base development levels in generating trips onto the study area network. At the rezoning stage for the Pickering project it is appropriate to compare the proposed development level to the base utilized in the IGP.

Data

The Preliminary TIS provided the various types of Land Uses, development intensity levels, and projected trips to be generated. The latest edition of the Trip Generation Manual published by the Institute of Transportation Engineers provided the trip rates for all proposed Land Uses except Hotel, which used local studies of two hotels to identify trip generation characteristics. While the local study utilized total rooms rather than occupied rooms as its basis for generating trips, we can still make a reasonable comparison to the IGP trips, as the hotel component of the total trips is only about four percent (4%). [A condition has been established for the applicant to update the study to account for occupied hotel rooms; this can be done in the final TIS.] The other components of the trip activity are Multi-Family Residential ($\pm 14\%$), Office ($\pm 38\%$), and Retail ($\pm 44\%$).

Both the Preliminary TIS and the IGP identified trip generation from this parcel during three time periods, these being daily trips (24 hours), AM peak hour trips, and PM peak hour trips. Peak hour trips tend to constitute a range of between 8-12 percent of the daily trips. The lower this ratio the more dispersed throughout the day is the trip making activity, even though daily trips may seem high. A principle of good trip management is to disperse trips onto the network during less intensive time periods.



The Preliminary TIS Report gives the comparison of the Pickering and IGP trip generations shown below. My analysis of these data is shown below in the last two rows.

TRIP GENERATION COMPARISON SCENARIO

	DAILY TRAFFIC	GENERATED TRAFFIC			
		AM PEAK		PM PEAK	
		Enter	Exit	Enter	Exit
Pickering Development TIS	20,476	1,475	381	685	1,686
Integrated Growth Plan (Parcel D)	14,467	1,197	313	598	1,596
DIFFERENCE	6,009	278	68	87	90
Percent Diff (Parcel D)	+41%	+23%	+22%	+14%	+6%
Overall Study Area					
Percent Diff	+8%	+4%	+3%	+3%	+1%

The percent differences for Parcel D appear significant, but when these trips are considered in the context of the general study area, they make little difference. Any road improvements needed to accommodate these trips will most likely be in the immediate area of the site, because the impact lessens as the trips disperse from the site. Finally, as the report states, a significant amount of secondary roadway connectivity is planned. This connectivity was unaccounted for in the Integrated Growth Plan and is expected to provide considerable benefit and capacity to the overall network. For instance, the loop roadway proposed between McEwen Drive at Resource Parkway and Carothers Parkway at Huffines Ridge Road will enable some traffic to bypass the Carothers & McEwen intersection. Based on these factors, it is my professional judgment that the development levels as proposed in the rezoning can be considered acceptable.

Options

Option 1 - Consider the proposed rezoning acceptable for adoption based on the Preliminary TIS as submitted. Have the applicant update the Hotel trip generation for the final TIS.

Option 2 - Seek the updated Hotel trip generations before making any recommendations on the rezoning request.

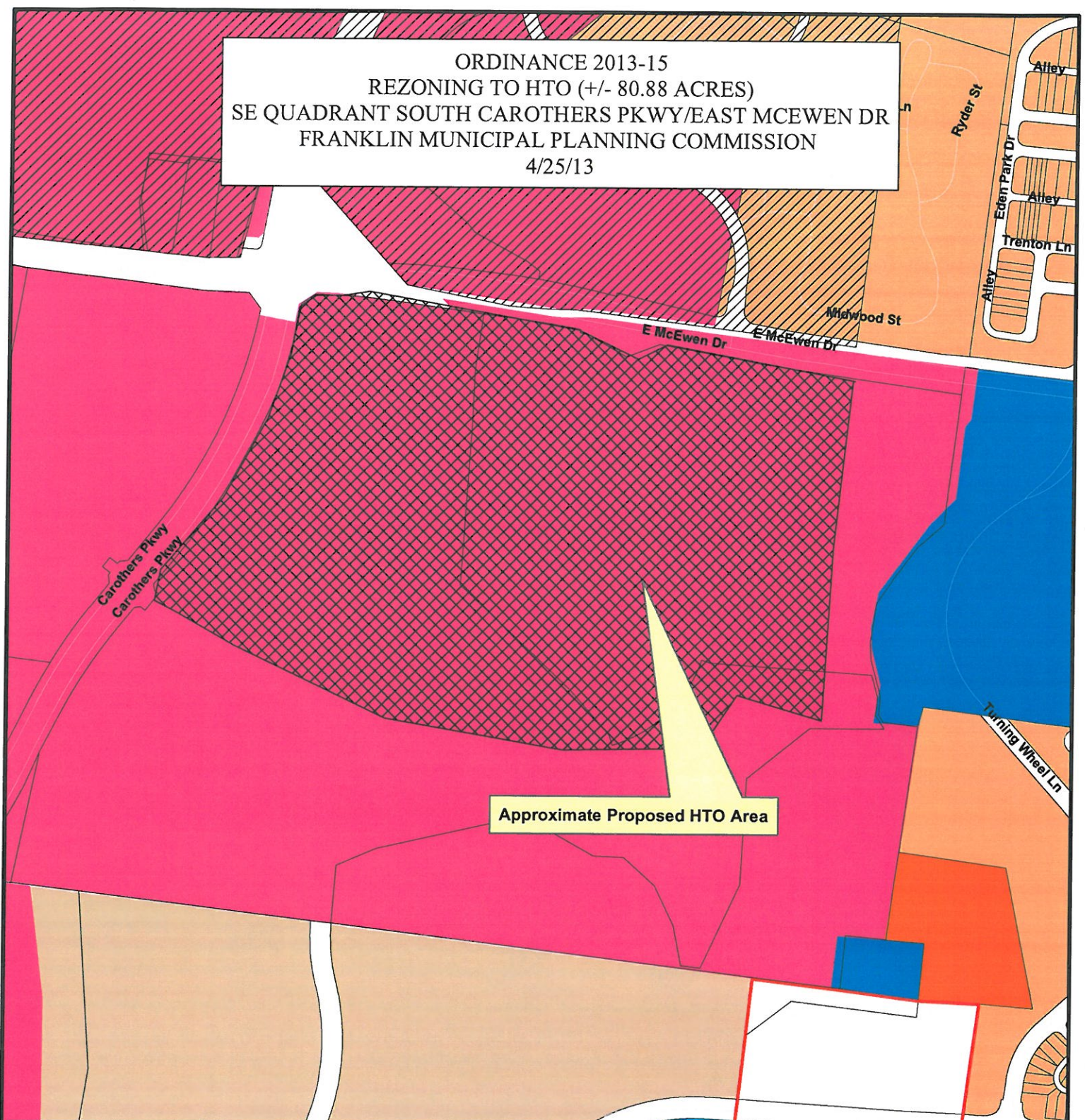
Financial Impact

Unknown at this time.

Recommendation

Accept Option 1.

ORDINANCE 2013-15
REZONING TO HTO (+/- 80.88 ACRES)
SE QUADRANT SOUTH CAROTHERS PKWY/EAST MCEWEN DR
FRANKLIN MUNICIPAL PLANNING COMMISSION
4/25/13



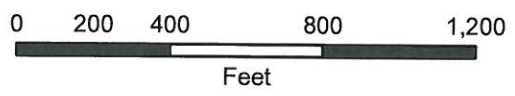
Approximate Proposed HTO Area

Legend

Zoning

- | | |
|------------------------------------|-------------------------------------|
| AG Agricultural District | CC Central Commercial District |
| ER Estate Residential | NC Neighborhood Commercial District |
| R-1 Residential District | GC General Commercial District |
| R-2 Residential District | MN Neighborhood Mixed-Use District |
| R-3 Residential District | ML Local Mixed-Use District |
| Historic Core Residential District | MX Regional Mixed-Use District |
| RX Residential Variety | LI Light Industrial District |
| OR Office Residential District | HI Heavy Industrial District |
| GO General Office 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 2013. All rights reserved.





HISTORIC
FRANKLIN
TENNESSEE

MEMORANDUM

May 6, 2013

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator *ES*
Vernon Gerth, Assistant City Administrator for Community and Economic Development
Catherine Powers, Planning and Sustainability Director

SUBJECT: Ordinance 2013-15, an ordinance to rezone ± 80.88 acres to the Height Overlay (HTO) District for the property located at the southeast quadrant of East McEwen Drive and South Carothers Parkway

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding an ordinance to rezone ± 80.88 acres to the Height Overlay (HTO) District for the property located at the southeast quadrant of East McEwen Drive and South Carothers Parkway

Background

This ordinance was favorably recommended to the BOMA by the Planning Commission with a 7-0 vote at the April 25, 2013, FMPC Meeting. The project information and comments from the FMPC staff report are included below.

PROJECT INFORMATION	
Existing Land Use	Vacant
Proposed Land Use	Commercial/Office
Existing Zoning	GC
Proposed Zoning	Add Height Overlay (HTO)
Acreage	80.08 acres
Development Standard	Either
Character Area Overlay	MECO-4
Other Applicable Overlays	HHO/FFO/FWO

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Attached Residential/Vacant	RX/GC
<i>South</i>	Vacant	RX
<i>East</i>	Civic/Detached Residential	CI/RX
<i>West</i>	Vacant	GC



LAND USE PLAN RECOMMENDATIONS

The McEwen Character Area encompasses 6,680 acres and four major interchanges with I-65: Cool Springs Boulevard, McEwen Drive, and Murfreesboro Road, and part of a fourth interchange, at Moores Lane. It is bound on the north by the UGB, to the west by the Berrys Chapel and Central Franklin Character Areas, to the south by the Harpeth River, and to the east by the Seward Hall Character Area. The McEwen Area is the principal regional commercial area in the UGB. It includes 3,713 acres and nearly 12 million square feet of commercial, office and industrial space. It is also the principal location for Attached Residential, with 3,520 attached units. This area is clearly the major economic engine for the City.

The McEwen Character Area will continue to be the major economic driver for the City of Franklin. However, economically productive development will respect the residential neighborhoods. High-quality design and people-friendly environments will be encouraged through heightened standards and site design to reinforce the small-town appeal of Franklin.

Special Area 4

A mixture of Attached and Detached Residential and Neighborhood or Local Retail uses is recommended, either in separate structures (proximate mixed uses) or with multiple uses in the same building on different floors (vertical mixed uses).

Retail uses, mid-rise commercial and hotels should be of higher intensity adjacent to I-65 and transition to less intensive uses further away from the interstate.

Local Retail may be located as a transitional land use between the Regional Retail and surrounding residential neighborhoods.

Attached Residential is also appropriate as a transition to residential uses to the east.

All big box retail shall be located west of I-65.

PROJECT BACKGROUND: This rezoning request is made in order to request the Height Overlay (HTO) for a significant portion of the property at the Southeast Quadrant of South Carothers Parkway and East McEwen Drive (Pickering Property).



PROJECT REVIEW

STAFF RECOMMENDATION: Favorable Recommendation to the BOMA.

COMMENTS:

Staff is recommending approval of this rezoning request. However, a memo from the Engineering Department is attached to this staff report that address the concerns from last month relating to the traffic impact study for the property.

Also, relating to the proposed HTO boundary line, at the initial submittal, the applicant proposed extension of the HTO east to the property boundary. However, after discussions with staff, the proposed HTO boundary was shifted west by the applicant to match the current HTO boundary just north of this site. Given the location of the HTO on the site to the north, staff feels that the proposed location, as shown, is appropriate and meets the intent of the Land Use Plan, as noted above. If approved, staff feels that it is important for the applicant to work with staff during the Development Plan and/or Site Plan stages to incorporate design elements that provide some height transition along the eastern area of the site. Therefore, at the Development Plan or site plan submittal stage (whichever applicable), staff will recommend that the building height transition downward as one moves to the east side of this site. The applicant should work with staff to incorporate an appropriate transition to the adjacent City park and nearby single-family residential area.

PROCEDURAL REQUIREMENTS:

1. The city's project identification number shall be included on all correspondence with any city department relative to this project.

***PROJECT CONSIDERATIONS:**

1. None;

* 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.



HISTORIC
FRANKLIN
TENNESSEE

MEMORANDUM

Financial Impact

Not applicable to this item.

Options

Not applicable to this item.

Recommendation

Approval of Ordinance 2013-15 is recommended.