

RESOLUTION 2013-18

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR HELM SQUARE* PUD SUBDIVISION, LOCATED AT 4419 SOUTH CAROTHERS ROAD, BY THE CITY OF FRANKLIN, TENNESSEE.

WHEREAS, The PUD process is a review procedure that is intended to encourage innovative land planning and design and avoid the monotony sometimes associated with large developments by:

- (a) Reducing or eliminating the inflexibility that sometimes results from strict application of zoning standards that were designed primarily for individual lots;
- (b) Allowing greater freedom in selecting the means to provide access, light, open space, and design amenities;
- (c) Encouraging a sensitive design that respects the surrounding established land use character and natural or man-made features of the site including, but not limited to, trees, historic features, streams, hillsides, and floodplains;
- (d) Promoting quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations, and land uses; and
- (e) Allowing deviations from certain zoning standards that would otherwise apply if not contrary to the general spirit and intent of this ordinance.

WHEREAS, The PUD review process consists of a Development Plan that is reviewed and approved by the BOMA, after a recommendation from the FMPC.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, meeting in regular session this _____ day of _____, 2013:

1. That the legal description of the property is as follows:

Map--Parcel	Acres
089---05001	±33.68
106---18121	±23.55
TOTAL	±57.23

LAND DESCRIPTION - AREA 1

HELMS PROPERTY

TAX MAP 089 PARCEL 50.01

Beginning at a 5/8" diameter iron rebar new with yellow Gresham Smith and Partners cap (N:565,194.820 E:1,726,428.758) in the easterly line of said property and the westerly right-of-way line of the proposed South Carothers Parkway, Deed Book 4971, Page 337, (R.O.W.C.);

Thence, North 09 Degrees 45 Minutes 50 Seconds East 552.22 feet to a 1/2" diameter iron rebar existing, and the southwest corner of the Lillian M. Helm's property, Quit Claim Deed 5616, Page 864(R.O.W.C.);

Thence, with the southerly and easterly lines of the Lillian M. Helms property, the following two (2) calls and distances:

1. South 82 Degrees 48 Minutes 45 Seconds East 196.86 feet to a 1/2" diameter iron rebar existing with a RGB RLS #763 cap;

2. North 10 Degrees 24 Minutes 31 Seconds East 140.71 feet to a 1/2" diameter iron rebar existing with a RGB RLS #763 cap southwest corner of John T. Helm, IV's property, Deed Book 563, Page 726 (Tax Map 89 Parcel 50.02);

Thence with said line the following three (3) calls and distances:

1. North 86 Degrees 27 Minutes 36 Seconds East 247.57 feet to a 1/2" diameter iron rebar existing;

2. North 06 Degrees 06 Minutes 26 Seconds East 256.56 feet to a 1/2" diameter iron rebar existing;

3. North 06 Degrees 06 Minutes 26 Seconds East 20.72 feet to a point in the centerline of the existing South Carothers Road;

Thence, in an easterly direction with the centerline of South Carothers Road, the following four (4) calls and distances:

1. South 82 Degrees 43 Minutes 27 Seconds East, 189.73 feet;

2. South 80 Degrees 57 Minutes 44 Seconds East, 26.87 feet;

3. South 79 Degrees 40 Minutes 38 Seconds East, 18.18 feet;

4. A curve to the right, with a radius of 350.44 feet, an arc length of 122.30 feet, and having a chord bearing and distance of South 69 Degrees 40 Minutes 47 Seconds East, 121.68 feet;

Thence, leaving the centerline of South Carothers Road, with the easterly boundary line of said property, South 05 Degrees 28 Minutes 02 Seconds West 25.00 feet to a 1/2" diameter iron rebar new with yellow Gresham Smith and Partners cap, a common corner with the James R. Southerland property, Deed Book 1645, Page 827 (R.O.W.C.);

Thence with said line South 05 Degrees 28 Minutes 02 Seconds West 372.82 feet to a 1" diameter iron pipe existing, a common corner with the Henry M. Small property, Deed Book 774, Page 756 (R.O.W.C.);

Thence with said line South 06 Degrees 03 Minutes 44 Seconds West, 490.02 feet to a 5/8" diameter iron rebar existing, a common corner with the James E. Emery & Edith Emery property, Deed Book 5410, Page 557 (R.O.W.C.);

Thence with said line the following three (3) calls and distances:

1. South 05 Degrees 53 Minutes 00 Seconds West 169.70 feet to the center of a 24" diameter Hackberry tree;

2. South 82 Degrees 31 Minutes 43 Seconds East 20.74 feet to a 1/2" diameter iron rebar new with yellow Gresham Smith and Partners cap;

3. South 05 Degrees 31 Minutes 02 Seconds West 360.00 feet to a 1" diameter iron rebar existing, a common corner with the Jerry Maxwell Martin property, Deed Book 331 Page 890 (R.O.W.C.);

Thence with said line South 05 Degrees 31 Minutes 01 Seconds West 294.49 feet to a 5/8" iron rebar existing, a common corner with the Larry M. Moore property, Deed Book 1341, Page 988 (R.O.W.C.);

Thence with said line the following three (3) calls and distances:

1. South 05 Degrees 39 Minutes 20 Seconds West 314.97 feet to a 5/8" diameter iron rebar existing;
2. South 05 Degrees 39 Minutes 18 Seconds West 96.49 feet to a 1/2" diameter iron rebar new with yellow Gresham Smith and Partners cap;
3. North 86 Degrees 40 Minutes 06 Seconds East 66.38 feet to a 1/2" diameter iron rebar new with yellow Gresham Smith and Partners cap (witness corner), passing through this point, North 86 Degrees 40 Minutes 07 Seconds East 24.37 feet to a point in a creek common corner with Thomas P. Seigenthaler property, Deed Book 332, Page 329 (R.O.W.C.);

Thence with said line South 03 Degrees 28 Minutes 42 Seconds West 458.64 feet to an existing 1" pipe (witness corner), passing through this point, South 03 Degrees 28 Minutes 41 Seconds West, 37.32 feet for a total distance of 495.96 feet to a point in the Harpeth River in the line of Trillium Farms LP; Thence with said line, North 87 Degrees 16 Minutes 28 Seconds West 162.30 feet to a 1/2" diameter iron rebar new with yellow Gresham Smith and Partners cap in the westerly right-of-way line of the proposed South Carothers Parkway;

Thence, with the westerly line of said right-of-way, the following four (4) calls and distances;

1. North 21 Degrees 06 Minutes 03 Seconds West, 1614 feet, to a 1/2" diameter iron rebar new with yellow Gresham Smith and Partners cap;
2. North 28 Degrees 28 Minutes 57 Seconds East, 38.56 feet to a 1/2" diameter iron rebar new with yellow Gresham Smith and Partners cap;
3. North 21 Degrees 06 Minutes 03 Seconds West, 120.00 feet to a 1/2" diameter iron rebar new with yellow Gresham Smith and Partners cap;
4. North 70 Degrees 41 Minutes 02 Seconds West, 16.08 feet to the Point of Beginning.

The above description contains 1,466,999 sq. ft. (+/-) or 33.68 acres (+/-) according to survey data prepared by Gresham Smith and Partners, 511 Union Street, Nashville, Tennessee 37219-1733, Kenneth D. Church, TN RLS #1004 on October 4th, 2012. Source of North is per Tennessee Grid North (NAD 1983).

LAND DESCRIPTION - AREA 2

HELMS PROPERTY TAX MAP 106 PARCEL 181.21

Beginning at a 5/8" diameter iron rebar new with yellow Gresham Smith and Partners cap (N:564,903.569 E:1,726,383.638) at the northwest corner of said property and the westerly right-of-way line of the proposed South Carothers Parkway, Deed Book 4971, Page 337, (R.O.W.C.);

Thence, with the westerly line of said right-of-way, South 21 Degrees 06 Minutes 01 Seconds East 1532.13 feet to a 5/8" diameter iron rebar new with yellow Gresham Smith and Partners cap, and the northwest corner of the Trillium Farm's, LP property, (R.O.W.C.);

Thence, South 11 Degrees 35 Minutes 23 Seconds West 328.25 feet to a point on the centerline of the Big Harpeth River, passing through a 5/8" iron rebar new with yellow Gresham Smith and Partners Cap at 275.00 feet:

Thence, in a southwesterly direction with the centerline of the Big Harpeth River, the following nineteen (19) calls and distances with the centerline dated 10/03/12 by GPS:

1. South 54 Degrees 55 Minutes 33 Seconds West 76.91 feet;
2. South 47 Degrees 00 Minutes 04 Seconds West 59.25 feet;
3. South 63 Degrees 38 Minutes 23 Seconds West 138.06 feet;
4. South 66 Degrees 13 Minutes 48 Seconds West 71.41 feet;
5. South 66 Degrees 54 Minutes 14 Seconds West, 71.41 feet;
6. South 65 Degrees 15 Minutes 48 Seconds West 34.43 feet;
7. South 85 Degrees 49 Minutes 26 Seconds West 41.43 feet;
8. North 84 Degrees 59 Minutes 10 Seconds West 45.13 feet;
9. North 83 Degrees 09 Minutes 51 Seconds West 45.98 feet ;
10. North 76 Degrees 04 Minutes 55 Seconds West 45.39 feet ;
11. North 74 Degrees 54 Minutes 04 Seconds West 83.60 feet ;
12. North 71 Degrees 55 Minutes 55 Seconds West 116.81 feet ;

13. North 84 Degrees 39 Minutes 26 Seconds West 32.12 feet ;
 14. North 65 Degrees 42 Minutes 28 Seconds West 39.63 feet ;
 15. North 69 Degrees 16 Minutes 48 Seconds West 54.81 feet ;
 16. South 89 Degrees 16 Minutes 31 Seconds West 72.34 feet ;
 17. North 81 Degrees 53 Minutes 36 Seconds West 18.69 feet ;
 18. South 86 Degrees 44 Minutes 43 Seconds West 26.10 feet ;
 19. South 87 Degrees 49 Minutes 59 Seconds West 14.50 feet to a common corner with Carothers Land Co., LLC, Deed Book 4740, Page 414 (R.O.W.C.);
 Thence with said line the following eight (8) calls and distances:
 1. North 15 Degrees 42 Minutes 34 Seconds East 69.11 feet to a ½" diameter iron rebar existing with RLS 2039 cap;
 2. North 15 Degrees 41 Minutes 32 Seconds East 88.47 feet to an existing wood fence post;
 3. North 19 Degrees 24 Minutes 24 Seconds East 69.33 feet to an existing wood fence post;
 4. North 16 Degrees 34 Minutes 19 Seconds East 263.50 feet to an existing wood fence post;
 5. North 37 Degrees 21 Minutes 49 Seconds East 185.81 feet to an existing wood fence post;
 6. North 37 Degrees 33 Minutes 54 Seconds East 222.73 feet to an existing wood fence post;
 7. North 06 Degrees 59 Minutes 18 Seconds East 716.33 feet to a ½" diameter iron rebar existing with RLS 2039 cap;
 8. North 07 Degrees 55 Minutes 21 Seconds East 352.84 feet to a 5/8" diameter iron rebar new with yellow Gresham Smith and Partners cap the Point of Beginning;
 The above land description contains 1,025,932 sq. ft. (+/-) or 23.55 acres (+/-) according to survey data prepared by Gresham Smith and Partners, 511 Union Street, Nashville, Tennessee 37219-1733, Kenneth D. Church, TN RLS #1004 on October 4th, 2012. Source of North is per Tennessee Grid North (NAD 1983).

2. That the overall entitlements for Helm Square* PUD Subdivision are as follows:

Entitlements	Helm Square* PUD Subdivision (Overall)
Base Zone	Residential Variety (RX)
Character Area Overlay	McEwen Character Area Overlay District #6
Other Zoning Overlays	FFO/FWO
Number of Dwelling Units	168
Number of Nonresidential Square Footage	N/A
Connectivity Index	1.73
Development Standard	Conventional
Open Space Requirements	Formal: 2.86 acres Informal: 11.8 acres Total: 14.66 acres

*Subdivision Name subject to change

3. That the Development Plan, the exhibits accompanying the Development Plan, and all conditions and restrictions placed upon the Development Plan by the Franklin Municipal Planning Commission and this Board shall be made a part of this Resolution as though copied verbatim herein, and that a permanent record of the Development Plan, the exhibits accompanying the Development Plan, and all such conditions and restrictions shall be kept in the Franklin Planning Department.

4. That this Resolution shall take effect from and after its passage on its first 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

CONCEPTUAL PROJECT WORKSHOP:	<u>12/20/12</u>
REQUIRED NEIGHBORHOOD MEETING:	<u>12/10/12</u>
PLANNING COMMISSION RECOMMENDED DEFERRED:	<u>3/28/13</u>
PLANNING COMMISSION RECOMMENDED APPROVED:	<u>4/25/13</u>
BOMA PASSED/PUBLIC HEARING HELD:	_____



HISTORIC
FRANKLIN
TENNESSEE

MEMORANDUM

May 6, 2013

TO: Board of Mayor and Aldermen

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

SUBJECT: Resolution 2013-18, a resolution to approve the development plan for the Helm Square PUD Subdivision on ± 57.23 acres for the property located at 4419 South Carothers Road

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding a resolution to approve the development plan for the Helm Square PUD Subdivision on ± 57.23 acres for the property located at 4419 South Carothers Road.

Background

This resolution 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	Agricultural
Proposed Land Use	Detached and Attached Residential
Existing Zoning	AG
Proposed Zoning	RX
Acreage	57.23
Proposed Number of Lots	121 (excluding open space lots)
Proposed Dwelling Units	168
Proposed Nonresidential Square Footage	N/A
Proposed Open Space	<i>Formal Open Space: 2.86 acres Informal Open Space: 11.8 acres Total Open Space: 14.66 acres</i>
Physical Characteristics	New Carothers Parkway will bisect the site. The site is bounded to the South by the Harpeth River, and a significant portion of the south side of the property is in the floodplain.
Development Standard	Conventional
Character Area Overlay	MECO-6
Other Applicable Overlays	FFO; FWO
Water Utility District	Milcrofton
Proposed Building Height	3 stories
Minimum Landscape Surface Ratio	0.10
Trip Generation	1,680 trips per day



SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Vacant/Single Family Residential	RX
<i>South</i>	River/Single Family Residential	R-2
<i>East</i>	Single Family Residential	County Zoning
<i>West</i>	Agricultural/Vacant	AG

LAND USE PLAN RECOMMENDATIONS
<p>The McEwen Character Area encompasses 6,680 acres and two major interchanges with I-65: Cool Springs Boulevard and Murfreesboro Road, and part of a third interchange, at Moores Lane. The McEwen Drive interchange is also proposed (now constructed). 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. There are about 1,100 vacant acres that have development potential. Most of this land is in large parcels under limited ownership. This area is clearly the major economic engine for the City.</p> <p>The area is also bisected by several tributaries of the Harpeth River that create constraints to further development.</p> <p>High-quality design and people-friendly environments will be encouraged through heightened standards and site design to reinforce the small-town appeal of Franklin.</p> <p>SPECIAL AREA 6</p> <ol style="list-style-type: none"> 1. The character of this area is largely established. 2. New development shall reflect the same character as the established area.

PROJECT BACKGROUND:

This property is currently zoned Agricultural (AG). The applicant is requesting a rezoning of the property to Residential Variety (RX) and is requesting approval of this PUD Development Plan, which proposes 168 attached and detached dwelling units.

PROJECT REVIEW

STAFF RECOMMENDATION: Approval with conditions

MODIFICATIONS OF STANDARDS:

MOS1 Garages

The applicant is requesting a modification of standards to permit garage doors exceeding 9 feet in width on side-loaded and rear-loaded garages. Planning Commission recently approved the same request for another project at the February 28, 2013 FMPC meeting. Therefore, staff recommends approval of this modification of standards request.

FMPC recommended approval of this MOS1 by a vote of 4-3 at the 4/25/13 FMPC Meeting.

CONDITIONS OF APPROVAL:

Engineering

1. Traffic/Transportation

Applicant shall submit documentation from the developer of the Water's Edge subdivision stating that the proposed street alignments shown on the Helm Square, Development Plan have been agreed upon by both parties.

2. Infrastructure Coordination

The applicant shall provide an additional sheet that indicates the location and size of utilities, streets, roadways, and drainage features that must be coordinated with adjacent properties. Provide references to basin studies and traffic studies that have been used to coordinate the infrastructure. (This sheet has been provided prior to the FMPC meeting, but the applicant shall include it in all future submittals, as well.)

3. REMOVED BY FMPC 4/25/13

Fire

4. Fire Protection

Applicant shall provide documentation of water availability from Milcrofton Water Utility with the Post PC Development Plan, prior to site plan approval, indicating fire flow of at least 1,500 gpm at 20 psi.

Applicant shall provide homes with residential fire sprinkler systems if 1,500gpm/20 psi is not available.

Parks

5. parkland dedication

The applicant shall provide a 95' wide AAPE (All Access Public Easement) along the Harpeth River and outside of the 60' stream buffer for the greenway mentioned in the Greenway and Open Space Master Plan. The 95' wide AAPE shall continue to the eastern property line across Carothers Parkway. The acreage of the easement shall be



equal to or exceed the acreage required for parkland dedication. The easement shall satisfy the requirement for Parkland Dedication.

Planning

6. Modification of Standards--Garages

Modification of Standards: Approve the applicant's request to allow garage doors wider than 9 feet on side-loaded and rear-loaded garages.

7. Setbacks

The front, side, and rear setbacks for the Villa lot shall be specified. Per BNS, a minimum 5' setback from all property lines is required.

8. Carothers Setback

The minimum setback from Carothers Parkway right-of-way for all units shall be 50 feet. If there is a minimum 5' side yard setback, there shall be a minimum 45' buffer along Carothers.

9. Streets/Connectivity

Two points of connection are required to the Water's Edge property to the west. The location of these connection points shall be agreed upon by the two property owners.

10. Street names

Street names shall be provided with this development plan.

11. Retaining Walls

If any retaining walls are needed, they shall be shown and labeled on the site layout sheets. Exterior material shall be specified.

12. Addressing

Subdivision name shall be approved with the Development Plan. EOC has not approved this subdivision name, and the applicant shall have a new subdivision name approved.

13. COF number

COF number shall be added to the site data chart and all sheets.

14. Labeling

The applicant shall label the shaded strip behind lots 33-40.

15. Lot numbering

Unit numbers for the villa units shall be removed. One lot number shall be placed on this single lot.

16. Existing Conditions

Areas of 14-19% and 20%+ slope shall be shown and labeled on the existing conditions sheet.

17. Parking Drives

Parking lot drive aisles shall be labeled as such and shall be 24 feet in width.

18. Access easement

A 45-foot access easement shall be provided at the end of the Road E cul-de-sac for future extension of Road E.

19. Addressing

Applicant shall contact Lori Jarosz at (615) 550-6728 or lori.jarosz@franklin-gov.com for approval of subdivision and street names for this development plan.

Planning (Landscape)

20. Tree rows

Applicant shall show all the tree rows on the development plan as preserved. When the grading plan is submitted and the applicant can show that it is necessary to remove a tree row, then the applicant shall determine all tree 24 caliper inches or greater and shall replace them at 2:1.

***PROJECT CONSIDERATIONS:**

1. In the event that the property to the west of Lots 39-41 develops as a nonresidential use, staff will reevaluate Condition #18 and whether the access easement at the end of Cul-de-sac E is necessary and/or appropriate.

* 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.

PROCEDURAL REQUIREMENTS:

1. Fifteen (15) half-size copies of the Development Plan shall be submitted to the Department of Planning and Sustainability by 9am on the Monday after the Planning Commission meeting in order to be placed on the Board of Mayor and Aldermen agenda.
2. If the plan receives BOMA approval, the applicant shall upload the corrected plan to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>) and submit one (1) complete and folded set and a .pdf file of corrected development plan to the Department of Building and Neighborhood Services (Suite 110,



Franklin City Hall). All revisions to the approved plans shall be “clouded.” A response letter addressing each condition of approval shall be included with the .pdf upload and the set of corrected plans.

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

Financial Impact

Not applicable to this item.

Options

Not applicable to this item.

Recommendation

Approval of Resolution 2013-18 is recommended.