



HISTORIC  
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ITEM #20  
WRKS  
08/13/13

## MEMORANDUM

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August 2, 2013

**To:** Board of Mayor and Alderman

**From:** Eric Stuckey, City Administrator  
Vernon Gerth, ACA-Community & Economic Development  
Lisa Clayton, Parks Department Director

**Subject:** Parkland Dedication - Discussion and consideration of a potential off-site greenway improvement

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### **Purpose**

The purpose of this memorandum is to inform and gauge the Board of Mayor and Alderman's interest in supporting an off-site greenway improvement in conjunction with the approval and development of The Artessa multi-family community.

### **Background**

During the past several months Embrey Partners has worked with City staff on a multi-family development to be located on Windcross Court in the Cool Springs area. Parkland dedication is one of the City's development requirements and Embrey Partners desires to comply with the parkland dedication via an off-site greenway improvement. The contemplated improvement is part of the City's approved Open Space and Greenway Plan and, is listed in the 2014-2018 CIP as the Spencer Creek Connection – Mack Hatcher Multiuse trail to Aspen Grove Park (attached).

Currently, the Parkland Dedication section of the City's Zoning Ordinance does not offer a prescribed process for allowing a developer to make off-site improvements that satisfy the Parkland Dedication requirement. Embrey Partners seeks direction from the BOMA in continuing to explore this alternative prior to investing time and resources. If it is determined this off-site greenway improvement is viable, an agreement that outlines the timing and parkland dedication credit would be presented to the BOMA for consideration at a later date. In the event, the developer determines this greenway improvement is not viable, Embrey is prepared to pay fees-in-lieu to satisfy the parkland dedication requirement as prescribed in the City's Zoning Ordinance. At this time, Embrey Partners is only asking the BOMA if they would be interested in this partnership.

### **Financial Impact**

Depending on the approved density, Embrey Partners will likely contribute approximately \$900,000 dollars to the City via the fess-in-lieu option. The exact amount is to be determined. The proposed Spencer Creek Connection – Mack Hatcher Multiuse trail to Aspen Grove Park is estimated by City staff is \$900,000. Should the BOMA decide to enter into an agreement with Embrey Partners for this greenway improvement, the costs associated with securing easements and constructing the greenway would be deducted for the fees-in-lieu required for the Artessa development. Any difference would be



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paid to the City. In the event the Spencer Creek Connection – Mack Hatcher Multiuse trail to Aspen Grove Park exceeds the required fees-in-lieu for the Artessa development, Embrey Partners would not be entitled to receive any additional credit should they decide to proceed with the greenway construction.

### **Recommendation**

Staff recommends the BOMA encourage Embrey Partners and City Staff to explore the potential construction of the Spencer Creek Connection – Mack Hatcher Multiuse trail to Aspen Grove Park as this greenway will increase connectivity to the City's growing greenway system and utilize parkland dedication fees-in-lieu from The Artessa development in very close proximity to this development's residents.



# EMBREY

Development | Construction | Management

July 26, 2013

Mr. Vernon Gerth  
Assistant City Administrator  
City of Franklin  
109 Third Avenue South  
Franklin, TN 37064

**RE: The Artessa – Parkland Dedication Fee**

Dear Vernon,

The Artessa Development Plan and PUD Rezoning Plan will be resubmitted on August 1, 2013 in anticipation of appearing on the August 22, 2013 Planning Commission Agenda. The plan will include language whereby Embrey will plan on paying the entire "Fee in Lieu" amount for Parkland Dedication as outlined in the current City of Franklin Parkland Ordinance. Once we feel comfortable that the rezoning and development plan will be approved by BOMA, we will hire a licensed appraiser to value the land.

Embrey would like to continue to explore the option of constructing the remainder of the Mack Hatcher Greenway Trail as part of the development of The Artessa, in lieu of paying the Parkland Dedication Fee. Over the next several months, we will put together a proposal that will include: construction costs, easement acquisition costs, legal fees, appraisal fees, City of Franklin – City Staff time, and reasonable overhead expenses incurred by Embrey. We will present this proposal to you in anticipation of working out a fair "value" of the trail completion. If our value and the fee in lieu of cost are reasonably close, and the construction of the trail is feasible then we will propose to construct the trail in lieu of paying the fee. We understand that the City of Franklin will also be exploring the cost to complete the trail so the two estimates can be compared.

If an agreement on the trail construction value cannot be reached with the City of Franklin, or Embrey determines that due to development constraints the trail cannot be completed, Embrey shall agree to pay the full Parkland fee.

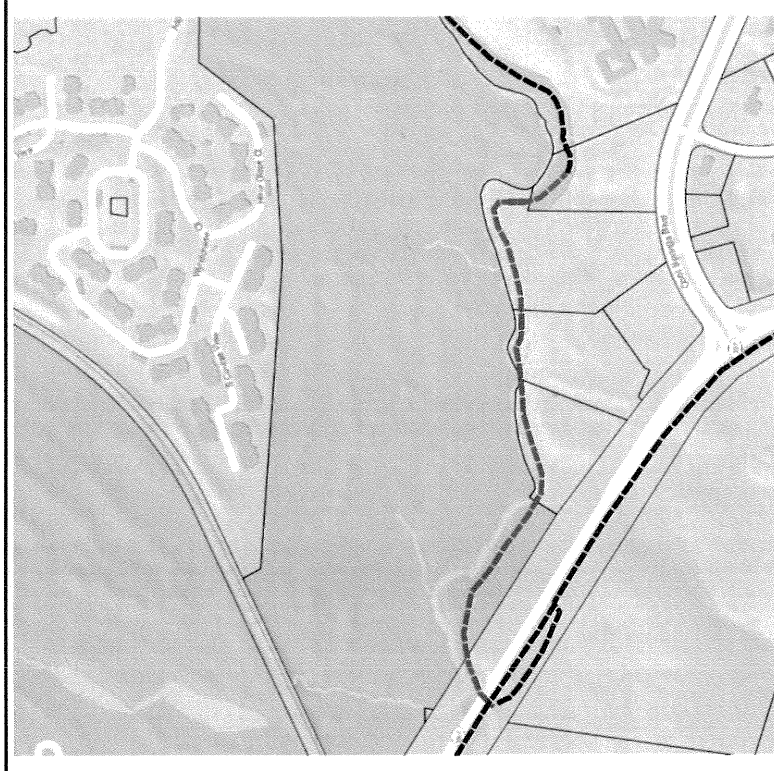
Should you have any questions, please do not hesitate to contact me.

Sincerely,

Brad Knolle  
SVP Development

Cc: Lisa Clayton – City of Franklin (via email)  
Cc: Paul Holzen – City of Franklin (via email)  
Cc: Dan Allen – City of Franklin (via email)  
Cc: Greg Gamble (via email)

**Project Name:** Spencer Creek Connection -- Mack Hatcher Multiuse trail to Aspen Grove Park  
**Department Division:** Parks / Engineering  
**Project Number:** General Fund  
**Project Fund:** FY 2014  
**Estimated Start Date:** FY 2016  
**Estimated Date of Completion:**



**Description:** This project was identified as a secondary river route for a 12' Multi-Use Path, with the Harpeth River being the primary river route. This new 3,000 l.f. of trail will connect the commercial and professional Cool Springs area with the proposed bike lanes and a multi-use path along Mack Hatcher Parkway and continue to Harlinsdale Park. With this segment, the multi-use path system reaches Aspen Grove Park and continues on to various office and retail complexes, travel behind a large assisted living facility and two large multifamily developments adjacent to Mack Hatcher Parkway.

**Impact on Operating Budget:**

There is a minimum increase to the City's Parks Department Operations and maintenance Budget (O&M) required as a result of this project and these costs are not known at this time. The need for additional personnel and budget will result from the addition of Parks improvements across the entire City and not this improvement alone.

	Prior Years					Totals
	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	
<b>EXPENDITURES</b>						
Land	0	250,000	0	0	0	250,000
Professional Services	0	0	0	0	0	0
Construction / Improvements	0	0	600,000	0	0	600,000
Equipment	0	0	0	0	0	0
Furnishings	0	0	0	0	0	0
Utility Relocation	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>250,000</b>	<b>600,000</b>	<b>0</b>	<b>0</b>	<b>900,000</b>
<b>REVENUES</b>						
General Fund	0	0	0	0	0	0
Bond Fund	0	0	0	0	0	0
Special Funds - Developer	0	250,000	600,000	0	0	900,000
State or Federal Funding	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>250,000</b>	<b>600,000</b>	<b>0</b>	<b>0</b>	<b>900,000</b>