

RESOLUTION 2013-55

A RESOLUTION APPROVING A DEVELOPMENT PLAN REVISION (MODIFICATION OF STANDARDS—PARKLAND) FOR THE PRESERVE AT ECHO ESTATES PUD SUBDIVISION, LOCATED AT THE TERMINI OF ECHO LANE AND ALPINE COURT, 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
052---84.01	±30.2
052---84.02	Portion
052---84.04	±47.9
TOTAL	±86.3

Commencing at an iron rod (old) on the east margin of Echo Lane (R.O.W. 50-feet); thence, North 76 degrees 16 minutes 46 seconds West, a distance of 208.73 feet to a point to the POINT OF BEGINNING; thence, North 83 degrees 21 minutes 24 seconds

West, a distance of 164.83 feet to a point; thence, North 07 degrees 19 minutes 28 seconds East, a distance of 139.95 feet to a point; thence, North 81 degrees 35 minutes 00 seconds West, a distance of 453.81 feet to a point; thence, North 08 degrees 26 minutes 53 seconds East, a distance of 200.04 feet to a point; thence, North 81 degrees 34 minutes 18 seconds West, a distance of 478.69 feet to a point; thence, North 07 degrees 29 minutes 17 seconds East, a distance of 636.86 feet to a point; thence, North 12 degrees 02 minutes 41 seconds East, a distance of 64.97 feet to a point; thence continue northerly along said line, a distance of 50.99 feet to a point; thence, North 06 degrees 52 minutes 14 seconds East, a distance of 247.74 feet to a point; thence, North 07 degrees 54 minutes 20 seconds East, a distance of 1,255.76 feet to a point; thence, South 83 degrees 06 minutes 19 seconds East, a distance of 258.96 feet to a point; thence, South 83 degrees 24 minutes 45 seconds East, a distance of 224.55 feet to a point; thence, South 81 degrees 54 minutes 04 seconds East, a distance of 274.92 feet to a point; thence, South 83 degrees 00 minutes 04 seconds East, a distance of 207.23 feet to a point; thence, South 19 degrees 36 minutes 13 seconds East, a distance of 40.54 feet to a point; thence, South 28 degrees 28 minutes 53 seconds East, a distance of 64.92 feet to a point; thence, South 47 degrees 18 minutes 02 seconds East, a distance of 120.31 feet to a point; thence, South 35 degrees 17 minutes 11 seconds East, a distance of 153.08 feet to a point; thence, South 36 degrees 10 minutes 58 seconds East, a distance of 288.16 feet to a point; thence, South 82 degrees 36 minutes 32 seconds East, a distance of 73.65 feet to a point; thence, South 01 degrees 37 minutes 48 seconds West, a distance of 804.16 feet to a point; thence, South 04 degrees 25 minutes 48 seconds West, a distance of 596.51 feet to a point; thence, South 03 degrees 47 minutes 47 seconds West, a distance of 340.16 feet to a point; thence, South 08 degrees 56 minutes 35 seconds West, a distance of 459.35 feet to a point; thence, North 76 degrees 16 minutes 46 seconds West, a distance of 545.89 feet to a point to the POINT OF BEGINNING. Containing 3,761,085 square feet or 86.34 acres, more or less.

2. That the overall entitlements for the Preserve at Echo Estates PUD Subdivision are as follows:

Entitlements	Preserve at Echo Estates PUD Subdivision (Overall)
Base Zone	Estate Residential (ER)
Character Area Overlay	Berry's Chapel Character Area Overlay District #1
Other Zoning Overlays	HHO/HHO Buffer
Number of Dwelling Units	43
Number of Nonresidential Square Footage	N/A
Connectivity Index	1.5
Development Standard	Conventional
Open Space Requirements	Formal: 4.45 acres Informal: 20.50 acres Total: 24.95 acres

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 the following Modifications of Standards (MOS) were requested and acted upon by BOMA, after FMPC review:

MOS 1: Parkland Dedication Approved: _____ Denied: _____	Request to provide privately maintained park (open to public) instead of required public parkland dedication or fees-in-lieu of parkland dedication. <i>Staff recommended approval.</i>
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5. 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

PLANNING COMMISSION RECOMMENDED APPROVAL: 8/22/2013

BOMA PASSED/PUBLIC HEARING HELD: _____

FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

NAME OF PROJECT: The Preserve at Echo Estates PUD Subdivision, Development Plan, Revision 1 (Modification of Standards--Parkland)

LOCATION: At the termini of Echo Lane and Alpine Court

PROJECT DESCRIPTION: Modification of Standards for Parkland Dedication

APPLICANT: John Haas, EDGE

OWNER: Khris Pascarella, Pearl Street Partners

PROJECT STAFF: Emily Hunter

TYPE OF REVIEW: Development Plan

RECOMMENDATION: Approval

PROJECT INFORMATION	
Existing Land Use	Single family residential/Vacant
Proposed Land Use	Single family residential
Existing Zoning	ER
Proposed Zoning	N/A
Acreage	86.34
Proposed Number of Lots	46 (43 residential and 3 open space)
Proposed Dwelling Units	43 (1 existing and 42 proposed)
Proposed Nonresidential Square Footage	N/A
Proposed Open Space	<i>Formal Open Space: 4.45 acres</i> <i>Informal Open Space: 20.50 acres</i> <i>Total Open Space: 24.95 acres</i>
Physical Characteristics	Much of the northern half of the site is located within the HHO or 500' HHO Buffer. In that location, slope range from 14 - 20+%. Berrys Chapel Branch and Glen Echo Branch are located on the southern portion of the site. There is one existing house onsite, as well.
Development Standard	Conventional
Character Area Overlay	BCCO-1
Other Applicable Overlays	HHO; HHO Buffer
Water Utility District	Mallory Valley Utility District
Proposed Building Height	1-3 stories
Minimum Landscape Surface Ratio	0.60

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Agriculture/Single family residential	County Zoning
<i>South</i>	Single family residential	R-1
<i>East</i>	Agriculture/Vacant	County Zoning
<i>West</i>	Estate Residential	County Zoning

PROJECT BACKGROUND: The Board of Mayor and Aldermen approved the Preserve at Echo Estates PUD on February 26, 2013.

PROJECT REVIEW

STAFF RECOMMENDATION: Approval;

COMMENTS: A condition of approval was originally placed on this project to ensure that parkland dedication meeting the requirements of the Zoning Ordinance or fees-in-lieu of parkland dedication would be provided. Instead of dedicating the required 1.06 acres to the City for parkland or paying the fees-in-lieu of that particular acreage, the applicant proposes a 1.06 acre private park area that adjoins a 0.75 acre formal open space for a total private formal open space area of approximately 1.8 acres. The private park area will be maintained by the property owner/HOA. Since the recreational needs of the proposed development can be met on-site by the private park at no cost to the City, staff supports this request for a modification of standards for parkland dedication. To ensure that the intent of the parkland dedication requirement is met in the future, the applicant has stated on the plan that a permanent public access easement will be placed on the private park area.

PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plan to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit one (1) complete and folded set and a .pdf file of corrected site 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.

2. Once the corrected site plan has been approved, one (1) full-size and one (1) half-size copy of the final approved landscape plans shall be submitted to the Department of Building and Neighborhood Services for future landscape inspection purposes.
3. Once all conditions of approval related to engineering and tree preservation concerns have been met, the applicant shall submit one (1) half-size copy and two (2) full-size copies of the corrected grading/drainage and five (5) full-size copies of the corrected water/sewer plans (two separate plan submittals) to the Department of Building and Neighborhood Services to be stamped and signed by city officials prior to the issuance of a grading permit and water/sewer approval, where applicable.
4. The applicant shall submit (4) four sets of complete building plans, including the approved, revised site plans, to the Building and Neighborhood Services Department for review and approval prior to the issuance of a building permit.
5. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.
6. 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.

FRANKLIN MUNICIPAL PLANNING COMMISSION (FMPC) PROCESS AND PROCEDURES

If the applicant has questions about, or is in disagreement with, a condition of approval, they shall contact the project planner within the Department of Planning and Sustainability prior to the FMPC meeting. If the applicant fails to notify the Department of Planning and Sustainability of an objection to a condition of approval by one (1) day prior to the FMPC Meeting and raises their objection at the FMPC meeting, staff shall recommend deferral of the item until the next available Agenda.

The following is the process for an item to be heard by the FMPC during their monthly meetings:

1. Staff Presentation,
2. Public Comments,
3. Applicant presentation, and
4. Motion/discussion/vote.

This format has been established to facilitate a more orderly FMPC meeting. The process is intentionally designed in order for any applicant questions or disagreements about conditions of approval to be resolved prior to the meeting, rather than during the FMPC meeting. Only when disagreements about conditions of approval cannot be resolved by the applicants and staff prior to the meeting should those issues be raised during the FMPC meeting.

August 8, 2013

Ms. Emily Hunter
Franklin Planning Department
109 3rd Avenue South
Franklin, TN 37064

RE: Preserve at Echo Estates PUD Subdivision, development plan, revision 1 (Modification of Standards – Parkland) – COF #2816

Dear Ms. Hunter:

We are respectfully requesting a Modification of Standards for the City of Franklin Zoning Ordinance in regards to Section 5.5.4 Dedication of Public Land for Parks and Greenways / Blueways. We are requesting that the requirement for Park Land Dedication be waived in lieu of a privately held and maintained open space with an All Access Public Easement. (see attached exhibit) It should be noted that the area of open space utilized is greater than the Park Land Dedication requirement for the development. It is also located adjacent to an existing neighborhood and will be accessible to that neighborhood.

This area will be designated on the plat as subject to an All Access Public Easement and shall cause the recorded declaration of restrictive covenants and easements to include an express, permanent, non-exclusive easement in favor of the public for access to the area and an obligation on the part of the owner's association to maintain the area in a condition suitable for public access and enjoyment.

I thank you for your attention to this matter. If you should have any questions in regards to our request, please do not hesitate to contact me.

Sincerely,



John D. Haas, ASLA
Principal
EDGE Planning, Landscape Architecture & Graphic Design

MEMORANDUM

August 23, 2013

TO: Board of Mayor and Aldermen

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

SUBJECT: Resolution 2013-55, a resolution approving a development plan revision (modification of standards-parkland) for the Preserve at Echo Estates PUD Subdivision on $\pm$ 86.3 acres, located at the termini of Echo Lane and Alpine Court

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding a resolution approving a development plan revision (modification of standards-parkland) for the Preserve at Echo Estates PUD Subdivision on $\pm$ 86.3 acres, located at the termini of Echo Lane and Alpine Court.

Background

Please see attached FMPC Report for the Background on this project and the conditions of approval for the Development Plan.

This resolution was recommended (6-1) by the Planning Commission at the August 22, 2013 FMPC meeting.

Financial Impact

Not applicable to this item.

Options

Not applicable to this item.

Recommendation

Approval of the resolution is recommended.