

RESOLUTION 2013-17

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR THE ARTESSA PUD SUBDIVISION, LOCATED AT 1034 AND 1035 WINDCROSS 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
062G---A00600	±5.84
062G---A00700	±5.37
TOTAL	±11.21

Legal Descriptions:

Lot 10: Being Lot 10 on the Plan of Revision Six, Section "Q", Aspen Grove Subdivision, as record in Plat Book 26, page 93, in the Register's Office for Williamson County, Tennessee, to which the plan reference is hereby made for a more complete description.

Lot 11: Being Lot 11, on the Plan of Aspen Grove, Section Q, as shown on the plat of record in Plat Book 14, page 46, in the register's Office of Williamson County, Tennessee, to which plat reference is hereby made for a more complete description.

2. That the overall entitlements for The Artessa PUD Subdivision are as follows:

Entitlements	The Artessa PUD Subdivision (Overall)
Base Zone	Residential Variety (RX)
Character Area Overlay	McEwen Character Area Overlay District #4
Other Zoning Overlays	N/A
Number of Dwelling Units	249
Number of Nonresidential Square Footage	N/A
Connectivity Index	N/A
Development Standard	Conventional
Open Space Requirements	Formal: 35,116 square feet Informal: 178,900 square feet Total: 214,016 square feet

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: Retaining Wall Height Approved: _____ Denied: _____	Request to apply the nonresidential retaining wall standards, rather than the residential retaining wall standards. <i>Staff recommended approval.</i>
MOS 2: Parking Approved: _____ Denied: _____	Request to reduce the minimum required parking ratio for one bedroom units from 2 spaces/unit to 1.5 spaces/unit. <i>Staff recommended approval.</i>
MOS 3 MOS 2: Building Length Approved: _____ Denied: _____	Request to increase the maximum permitted building length from 200 feet to 236 feet. <i>Staff recommended approval.</i>

5. The following condition was added by the FMPC and acted upon by the BOMA:

Approved: _____ Denied: _____	Condition 1. Request to limit access to the site from Jordan Road to an Emergency Access only. Staff Recommends Disapproval.
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6. 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>1/24/12</u>
REQUIRED NEIGHBORHOOD MEETING:	<u>1/9/13</u>
PLANNING COMMISSION RECOMMENDED APPROVAL:	<u>8/22/13</u>
BOMA PASSED/PUBLIC HEARING HELD:	_____

Condition 1. Request to limit access to the site from Jordan Road to an Emergency Access only.

Staff Recommends Disapproval.

FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

NAME OF PROJECT: The Artesa PUD Subdivision, development plan

LOCATION: 1034 and 1035 Windcross Court

PROJECT DESCRIPTION: 249 multifamily dwelling units on 11.21 acres

APPLICANT: Greg Gamble, Gamble Design Collaborative

OWNER: Brad Knolle, Embrey Partners

PROJECT STAFF: Emily Hunter

TYPE OF REVIEW: Development Plan

RECOMMENDATION: Favorable Recommendation to the BOMA

PROJECT INFORMATION	
Existing Land Use	Vacant
Proposed Land Use	Multifamily Residential
Existing Zoning	GC
Proposed Zoning	RX
Acreage	11.21
Proposed Number of Lots	2
Proposed Dwelling Units	249
Proposed Nonresidential Square Footage	N/A
Proposed Open Space	Formal Open Space: 35,116 square feet Informal Open Space: 178,900 square feet Total Open Space: 214,016 square feet
Physical Characteristics	Hilly site with 14-19% slopes along southwest property line. Hodge Branch runs along the northwest boundary of the site.
Development Standard	Conventional
Character Area Overlay	MECO-4
Other Applicable Overlays	N/A
Water Utility District	Mallory Valley
Proposed Building Height	Maximum of 4 stories
Minimum Landscape Surface Ratio	0.10
Trip Generation	1,742 trips per day

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Office/Institutional	GC
<i>South</i>	Single family Residential	R-2
<i>East</i>	Mixed Nonresidential	GC
<i>West</i>	Mack Hatcher/Single family Residential	R-2/R.O.W.

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 the principal location for attached residential and the major economic engine for the City.

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.

PROJECT BACKGROUND: This property is currently zoned General Commercial (GC). The applicant is requesting a rezoning of the property to Residential Variety (RX) and is requesting approval of this PUD Development Plan, which proposes 249 attached dwelling units.

PROJECT REVIEW

STAFF RECOMMENDATION: Favorable Recommendation to the BOMA.
Staff does not support the added FMPC condition that would limit access to this site from Jordon Road to Emergency Access only. This condition is not supported by the Zoning Ordinance or Land Use Plan and will increase congestion and traffic flow on Windcross Court and Cool Spring Boulevard.

COMMENTS: The applicant is requesting two modifications of standards with this development plan.

MODIFICATIONS OF STANDARDS:

MOS1 Retaining Wall Height

The applicant is requesting a modification of standards for maximum retaining wall height. Since the proposed project is residential, the maximum retaining wall height in front yards is 2 feet, and the maximum height in side or rear yards is 6 feet. The applicant is requesting application of the nonresidential and mixed-use retaining wall standards for this project, rather than the residential standards. The nonresidential and mixed-use standards allow for a maximum retaining wall height of 10 feet for a single wall or a maximum grade change of 16 feet, provided by two 8-foot walls separated by 6 feet to allow for vegetation between the walls. Since attached residential developments are different in character from single-family residential developments and often have nonresidential qualities in terms of scale and construction, staff recommends approval of this modification of standards.

MOS2-Parking

~~The applicant is requesting a modification of standards to reduce the minimum required parking for 1 bedroom units from 2 spaces/unit to 1.5 spaces/unit. The parking requirement for the 2 bedroom units would remain at 2.5 spaces/unit. The City required parking for this project is 542 parking spaces, and the applicant is proposing 479 parking spaces. Staff has recently performed a local parking study for existing attached residential developments. A Zoning Ordinance text amendment updating the attached residential parking standards is pending BOMA review. Based on staff findings from that study, the proposed parking reduction should be adequate for this development. Therefore, staff recommends approval of this modification of standards.~~

MOS3 MOS2 Building Length

The applicant is requesting a third modification of standards to increase the maximum permitted building length from 200 feet to 236 feet. The applicant proposes 3 buildings that exceed 200 feet in length (two are approximately 210 feet and one is 236 feet in length). The applicant has stated in their request letter that the context of this area differs from other residential areas in that large office buildings are located along Windcross Court, and that these attached residential buildings provide a transition to the single family residential neighborhoods along Jordan Road. Staff believes that this request is minimal and has previously recommended approval of this modification on the second section of the Dwell apartments along McEwen Drive. Due to the location of this development and the proposed architecture, staff recommends approval of this modification of standards.

See attached pages for a list of staff recommended conditions of approval.

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.

***PROJECT CONSIDERATIONS:**

1. Staff is concerned about the number of outward facing garages on this site. At site plan, staff will critically review the architecture and make special recommendations for the treatment of the garages.

*** 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.

CONDITIONS OF APPROVAL:

Engineering

General Comments

1. Retaining walls

- The previous comment "The existing ground at a proposed retaining wall corner is between elevation 712 and 713. The proposed finish grade elevation in the area is 700. The proposed wall height is indicated to be 10 feet. The area behind the wall is indicated to be a tree preservation area. Provide additional information the shows how the 12 to 13 feet of grade difference is to be accomplished with a 10 feet high wall. The maximum height of a retaining wall must be no greater than 10 feet" has not been completely addressed. With the limited information provided it does not appear to be possible to limit the wall height to 10 feet and not require grading in the tree protection zone. The tree protection zone is an area that must not be disturbed.

2. Traffic/Transportation

- The applicant shall be required to make the following improvements for this development:
 - 1) The applicant shall install and activate a traffic signal at Windcross Court and Cool Springs Boulevard ~~prior to receiving a building permit for this project~~ within 90 days of the issuance of a grading permit (FMPC Revised 8-22-13). Sureties shall be set for this work at the site plan stage.
 - 2) The applicant shall provide a pedestrian connection from the back access on Jordan Road to McEwen Drive. This improvement shall be constructed prior to 25% buildout of the development.
 - 3) The applicant shall construct an additional right turn lane at the intersection of Jordan Road and McEwen Drive. This improvement shall be constructed prior to 50% buildout of the development.
 - 4) The applicant shall provide additional lighting along Jordan Road utilizing existing utility poles. Exact locations to be determined with site plan submittal and the timing of this improvement shall be concurrent with the sidewalk construction.

3. Grading

- The original comment "Sidewalks must be ADA compliant and the grades of the sidewalks must not exceed the ADA required grades" has not been completely addressed. The current plan as submitted will require additional ramps or switchbacks to meet the ADA required grades.

FMPC

General Comments

4. FMPC Added Condition of Approval

- Mr. Orr stated that from a planning perspective, he would like to add a modification of standards converting the access to Jordan Road to an emergency gated access only. Ms. McLemore seconded the motion.

Planning

General Comments

5. Plat Required

- Applicant shall submit a revised consolidation plat with the first site plan for this development. Final plat is required to be recorded before building permits can be issued.

6. Parkland dedication

- The applicant shall pay the required fees in lieu of parkland dedication, per Section 5.5.4 of the City of Franklin Zoning Ordinance. As an alternative , the applicant has offered offsite dedication of property to extend a trail identified in the Open Space and Greenway Plan. Dedication may be in the form of dedication, access easements, construction, or other manners acceptable to the Board of Mayor and Alderman, as long as the total contribution is no less than the required amount of fees in lieu of parkland dedication.

Artessa Development Plan 2669.pdf

7. Labeling

- Each building shall be labeled with square footage, dimensions, number of stories, and number of units.

8. Open Space

- Total open space provided shall be equal to the formal and informal areas provided. Applicant shall revise these entries in the site data chart to be coordinated. This is a new comment.

Planning (Landscape)

General Comments

8. Tree Replacement

- The note on the drawings is correct about what trees are required to be replaced that are 24" or greater in caliper. These shall be calculated at site plan and their replacement shown.

Stormwater

The Artesa PUD Subdivision, Development Plan - submittal 002.pdf

10. Stream Buffer

- The stream buffers shall be clearly labeled on all sheets. All sheets shall also have numbers (for example the sheet after C2.0 is not numbered).

Water/Sewer

Artesa Development Plan 2669.pdf

11. Wastewater

- As stated in the first review, the Sanitary Sewer line and services shall not be installed under sidewalks.



HISTORIC
FRANKLIN
TENNESSEE

ITEM #7
WRKS
09/10/13

MEMORANDUM

September 10, 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 2013-17, a resolution to approve the development plan for the Artessa PUD Subdivision on $\pm$ 11.21 acres for the property located at 1034 & 1035 Windcross Court

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 Artessa PUD Subdivision on $\pm$ 11.21 acres for the property located at 1034 & 1035 Windcross Court. This Development Plan was recommended for approval by a vote of 7-0.

Background

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

Financial Impact

Not applicable to this item.

Options

Not applicable to this item.

Recommendation

Approval of the resolution.