



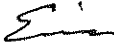
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ITEM #10
BOMA 02-11-14

MEMORANDUM

December 23, 2013

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator 
David Parker, City Engineer/CIP Executive
Paul P. Holzen, Director of Engineer
Katie Rubush, Assistant Director of Engineering

SUBJECT: Discussion of Road Impact Fee Offset Request from Embrey Partners, Ltd

Purpose

The purpose of this memorandum is to provide the Franklin Board of Mayor and Aldermen (BOMA) with the information to consider a Road Impact Fee Offset Agreement with Embrey Partners, Ltd.

Background

Embrey Partners, Ltd. is planning on constructing The Artessa at the terminus of Windcross Court located in Cool Springs. The Development Plan and PUD was approved on November 12, 2013 and consists of 250 multifamily units. A requirement in the development plan is for Embrey to install a traffic signal at the intersection of Windcross Court and Cool Springs Blvd. On November 13, 2013 staff received a request from Embrey Partners, Ltd for a \$384,250 road impact fee offset credit. This includes an offset for the following:

Design Fees:	\$10,500
General Conditions:	\$48,750 (15% of Construction Cost)
<u>Construction:</u>	<u>\$325,000</u>
Total:	\$384,250

The intersection of Windcross Ct and Cool Springs Blvd currently has a median cut allowing full access to Cool Springs Blvd. No traffic signalization was ever planned at this intersection due to the existing geometric conditions and proximity to Mack Hatcher Parkway and McEwen Drive. Based on the traffic impact study conducted by the Artessa Development the current zoning and land use has created the need for a signal at this location. Below is a breakdown of the projected trip generation and impact fees collected for all the properties located on Windcross Ct.:

Address	Average Daily Traffic	Percentage of Traffic - Windcross	Road Impact Fee Paid	% of Impact Fee Paid on Windcross
122 Cool Springs Blvd – (Oral Surgery)	168	3.1%	\$2,925	0.4%
1009 Windcross Ct (Office Building)	946	17.4%	\$51,975	6.4%
1021 Windcross Ct (Office Building)	1,462	26.9%	\$50,589	6.2%
1010 Windcross Ct (Primrose School)	1,088	20%	\$16,847	2.1%
200 Cool Springs Blvd (Dermatology)	124	2.3%	\$2,849	0.4%
Artessa (250 Unit Apartment Complex)	1,653	30.4%	\$691,500*	84.7%
Total	5,543	100%	\$816,685	100%

*250 Units * \$2,766 (Multi-family effective 1-Jul-13) = \$691,500



Chapter 4. Road Impact Fee of the Franklin Municipal Code allows for the offset of arterial road impact fees to include land cost for right-of-way, labor, equipment, supplies and material used to construct the road facilities, and engineering and design cost. Fiscal costs, including interest on money borrowed to finance the construction, and the costs for utility relocations are specifically excluded.

Options and Financial Impact

The FY 2013-2014 Budget anticipated \$3.5 Million in expenditures, mostly in the form of a transfer to the debt service fund. In addition the FY 2013-2014 shows the total unallocated funds for Road Impact Fee to be (\$2,286,941).

- Option 1 Direct staff to prepare a road impact fee offset agreement for the full amount estimated at \$384,250. Only actual cost that meets the requirements of Franklin Municipal Code will be reimbursed. The estimated financial impact would be \$384,250.
- Option 2 Direct staff to prepare a road impact fee offset agreement for 69.6% to allow an offset for the amount of traffic generated from other developments having direct access onto Windcross Ct. The estimated financial impact would be \$267,438.
- Option 3 Direct staff to prepare a road impact fee offset agreement for \$125,185.00 to allow an offset for the amount of road impact fees collected from the adjacent properties located on Windcross Ct. The estimated financial impact would be \$125,185.00
- Option 4 Do not approve an offset agreement based on the following information:
- No signal was ever planned at this intersection.
 - The proposed signalization is a benefit for the side street (Windcross Ct.), is not a benefit to the arterial roadway network.
 - Offsets were not given to developers at the following intersections:
 - **Columbia Ave and Southeast Pkwy** – The Developer was required to construct the signal as part of their development and posted a bond in the amount of \$195,000.
 - **Public Works Access Roadway** – Agreement between the City of Franklin and Longview Commercial Subdivision required the developer to pay for half the signal cost in the amount of \$110,000. The other half was paid by the City of Franklin as part of the Public Works Building.
 - **Franklin Park and Vanderbilt (E McEwen Drive)** – Staff has verbally told the developer that they would not receive a favorable recommendation for an offsets because the proposed signal improvements benefit the side street and not the arterial.
 - **Vanderbilt and Ovation (Carothers Pkwy)** – Staff has verbally told the developer that they would not receive a favorable recommendation for an offset because the proposed signal improvements benefit the side street and not the arterial.
 - **Ovation (Resource Pkwy and E McEwen Drive)** – Staff has verbally told the developer that they would not receive a favorable recommendation for an offset because the proposed signal improvements benefit the side street and not the arterial.



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- **Franklin Park (Resource Pkwy and Carothers Pkwy)** - Staff has verbally told the developer that they would not receive a favorable recommendation for an offset because the proposed signal improvements benefit the side street and not the arterial.

Recommendation

Based on the signal projects listed in Option 4 there is a precedent for not allowing offsets for signals projects that benefits side streets only. Staff recommends Option 4.



November 13, 2013

Mr. Paul Holzen
Director of Engineering
City of Franklin
109 3rd Avenue South
Franklin, TN 37064

RE: Artessa – Traffic Signal at the Intersection of Cool Springs Blvd. and Windcross Court

Dear Paul,

The purpose of this letter is to outline Embrey Partners, Ltd request to the City of Franklin for the payment and installation of a new traffic signal at the intersection of Cool Springs Blvd. and Windcross Court.

Background

Embrey Partners, Ltd. is planning on constructing The Artessa at the terminus of Windcross Court. Construction is scheduled to commence in April of 2014 with an anticipated completion in July 2015. The Artessa has an approved Development Plan and PUD plan as of November 12, 2013. The development will consist of 250 multifamily units and will have the required 463 parking spaces. A requirement in the development plan is for Embrey to install a traffic signal at the intersection of Windcross Court and Cool Springs Blvd.

In January, 2013, Fishbach Engineering submitted a full traffic impact analysis as part of our first Development Plan submittal for the Artessa. In section 6 of that report, it was concluded that “a traffic signal is warranted at the intersection of Cool Springs Boulevard and Windcross Court under both existing and total projected conditions with the completion of the proposed multi-family project”.

Request

Embrey Partners, Ltd will be required to pay a traffic impact fee in the amount of \$691,500 as part of the Development Fees for Artessa. Embrey proposes to design and construct the traffic signal as part of developing The Artessa and receive a credit against the traffic impact fee based on the estimate below:

Design Fees:	\$10,500
General Conditions:	\$48,750 (15% of Construction Cost)
Construction:	\$325,000
 Total:	 \$384,250

Embrey has executed a proposal with Fishbach Transportation Group and Littlejohn Engineering Associates. Littlejohn Engineering will perform survey work and Fishbach will design the signal in



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accordance with City of Franklin design specifications. Embrey will be responsible for hiring third party sub-contractors to manufacture and install the traffic signal. The construction estimate of \$325,000 has not been finalized and most likely will fluctuate. The General Conditions will be adjusted once the Construction cost is finalized and the Total will be finalized.

Embrey will commit to having the traffic signal in place and operating within 90 days of commencing construction, which we anticipate to begin in April, 2014. In order to finalize our project budgets and secure the necessary debt and equity to construct The Artessa, Embrey desires to have an agreement in place with the City of Franklin to finalize a reimbursement or reduction in fees by March 1, 2014.

Please let me know the next steps in processing this request.

Sincerely,

Brad D. Knolle
Senior Vice President – Embrey Partners

Cc: Carl Baughman – Traffic Engineer, City of Franklin
Cc: Gillian Fischbach – Fischbach Transportation Group
Cc: Ryan McMaster – Littlejohn Engineering Associates
Cc: Greg Gamble – Gamble Design Collaborative