



HISTORIC
FRANKLIN
TENNESSEE

ITEM #7
WRKS
06/10/14

MEMORANDUM

May 22, 2014

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
Emily Hunter, Planning Supervisor

SUBJECT: Resolution 2014-42, a resolution approving a development plan for the Ovation Subdivision, located at the southeast corner of East McEwen Drive and Carothers Parkway.

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding a resolution to approve a development plan, including modifications of standards for parking, signage, and maximum building length, for the Ovation Subdivision (SD-X zoned portion) on ± 77.7 acres, located at the southeast corner of East McEwen Drive and Carothers Parkway.

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 for approval unanimously (8-0) by the Planning Commission at the May 22, 2014 FMPC meeting. Modification of Standards 1 (parking) was recommended for disapproval with a vote of 5-3, and Modification of Standards 3 (building length) was recommended for approval unanimously (8-0). The applicant opted to delay the request for Modification of Standards 2 (signage) until a later time.

The Planning Commission voted unanimously (8-0) to add the following condition to the staff report: The applicant shall provide a deferred parking plan to meet the minimum parking requirements set forth in the Zoning Ordinance.

Financial Impact

This project will increase tax revenue.

Options

Not applicable to this item.

Recommendation

Approval of the resolution is recommended.

RESOLUTION 2014-42

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR THE OVATION SUBDIVISION, LOCATED ON A PORTION OF THE PROPERTY AT THE SOUTHEAST CORNER OF EAST MCEWEN DRIVE AND CAROTHER PARKWAY, 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 session this _____ day of _____, 2014:

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

Map--Parcel	Acres
062---01804 (portion of)	Not provided
062---01805 (portion of)	Not provided
TOTAL	±77.70

SURVEYOR'S DESCRIPTION

PUD Boundary

Being a PUD Boundary in the City of Franklin, Eighth Civil District, Williamson County, Tennessee, located in the southeasterly quadrant of the intersection of East McEwen Drive and South Carothers Parkway, also being on a portion of property conveyed to Highwood Realty, LP by deed of record in Deed Book 5770, Page 191, R.O.W.C. and to SS McEwen, LLC by deed of record in Deed Book 5770, Page 198, .O.W.C. said PUD Boundary being more particularly described as follows: Beginning in the southerly right-of-way line of East McEwen Drive at its intersection with the easterly right-of-way line of Carothers Boulevard; THENCE, with said southerly right-of-way line of East McEwen Drive the following calls: S 87°42'54" E, 85.93 feet to a right-of-way monument (old); With a curve to the right an arc distance of 192.84 feet to a right-of-way monument (old), said curve having a central angle of 05°40'14", a radius of 1,948.50 feet, a tangent of 98.50 feet, and a chord of S 84°52'47" E, 192.78 feet; S 82°02'40" E, 237.73 feet; THENCE, leaving said right of way and crossing said property the following calls; S 11°15'08" E, 258.40 feet; S 08°49'01" W, 212.51 feet; S 27°08'37" E, 77.54 feet; S 10°18'55" E, 37.24 feet; S 17°44'43" E, 172.12 feet; S 17°44'43" E, 172.12 feet; S 19°13'07" W, 37.49 feet; S 24°40'38" W, 163.38 feet; S 75°18'46" W, 40.38 feet; S 14°40'36" E, 126.73 feet; N 75°19'38" E, 75.21 feet; S 48°47'40" E, 445.28 feet; S 41°14'13" E, 220.77 feet; S 16°51'44" E, 40.00 feet; With a curve to the left an arc distance of 488.51 feet, said curve having a central angle of 53°41'14", a radius of 500.00 feet, a tangent of 253.05 feet, and a chord of N 46°17'39" E, 451.56 feet; S 70°32'58" E, 7.68 feet; With a curve to the left an arc distance of 27.32 feet, said curve having a central angle of 15°39'10", a radius of 100.00 feet, a tangent of 13.75 feet, and a chord of S 78°22'33" E, 27.23 feet; S 86°12'08" E, 518.10 feet; With a curve to the left an arc distance of 89.04 feet, to the westerly line of property conveyed to the City of Franklin by deed of record in Deed Book 1629, Page 71, R.O.W.C., said curve having a central angle of 10°12'12", a radius of 500.00 feet, a tangent of 44.64 feet, and a chord of N 88°41'46" E, 88.92 feet; THENCE, with said City of Franklin property the following calls; S 15°04'13" E, 89.00 feet; S 05°30'24" W, 65.92 feet; S 32°24'21" E, 33.93 feet; S 83°07'25" E, 128.11 feet to the westerly line of Open Space and P.U.D.E. as shown on McKay's Mill P.U.D. Subdivision, Section 34, of record in Plat Book 46, Page 49A, R.O.W.C.; THENCE, with the westerly line of said McKay's Mill and with the westerly line of property conveyed to Ernest C. & Patricia O. Kuhlo by deed of record in Deed Book 996, Page 89, R.O.W.C., S 07°58'16" W, 794.17 feet to an iron rod (old) in the northerly line of property conveyed to the City of Franklin by deed of record in Deed Book 993, Page 493, R.O.W.C.; THENCE, with said City of Franklin Property the following calls: N 84°30'12" W, 152.36 feet to an iron rod (old); S 05°30'48" W, 198.54 feet to an iron rod (old) in the northerly line of property conveyed to the City of Franklin by deed of record in Deed Book 580, Page 648, R.O.W.C.; THENCE, with the northerly line of said City of Franklin property and with the northerly line of Waterford Subdivision, of record in Plat Book 55, Page 28, R.O.W.C. N 83°03' 22" W, 1,889.89; THENCE, leaving said northerly line and crossing said property of Highwood Realty, LP and SS McEwen, LLC, the following calls: N 03°47'52" E, 85.90 feet; With a curve to the left an arc distance of 125.64 feet, said curve having a central angle of 14°46'00", a radius of 487.50 feet, a tangent of 63.17 feet, and a chord of N 03°35'08" W, 125.29 feet; N 10°58'09" W, 103.44 feet; With a curve to the right an arc distance of 115.10 feet, said curve having a central angle of 15°59'16", a radius of 412.50 feet, a tangent of 57.93 feet, and a chord of N 02°58'30" W, 114.73 feet; With a curve to the right an arc distance of 21.72 feet, said curve having a central angle of 10°06'55", a radius of 123.00 feet, a tangent of 10.89 feet, and a chord of N 10°04'35" E, 21.69 feet; N 15°08'03" E, 322.36 feet; N 77°43'08" W, 62.25 feet; N 71°21'23" W, 21.87 feet; S 15°08'03" W, 37.16 feet; With a curve to the right an arc distance of 308.29 feet, said curve having a central angle of 21°59'49", a radius of 803.00 feet, a tangent of 158.08 feet, and a chord of N 61°34'18" W, 306.40 feet; N 50°54'14" W, 484.48 feet to the easterly right-of-way line of Carothers Parkway; THENCE, with the easterly right-of-way of Carothers Parkway the following calls; N 39°00'00" E, 44.55 feet; N 51°00'00" W, 20.00 feet; N 06°00'00" W, 24.04 feet; N 39°00'00" E, 173.64 feet; With a curve to the left an arc distance of 438.48 feet, said curve having a central angle of 12°48'11", a radius of 1,971.86 feet, a tangent of 220.65 feet, and a chord of N 32°58'05" E, 438.57 feet; With a curve to the left an arc distance of 248.58 feet, said curve having a central angle of 07°12'30", a radius of 1,983.86 feet, a tangent of 124.96 feet, and a chord of N 25°25'17" E, 249.42 feet; With a curve to the left an arc distance of 296.43 feet, said curve having a central angle of 08°32'08", a radius of 1,988.96 feet, a tangent of 148.49 feet, and a chord of N 14°48'06" E, 296.18 feet; N 10°32'02" E, 24.26 feet; N 57°46'54" E, 60.98 feet to the Point of Beginning; Containing 3,383,264 Square Feet, or 77.67 Acres, more or less.

2. That the overall entitlements for the Ovation Subdivision (SD-X zoned portion) are as follows:

Entitlements	Ovation Subdivision (SD-X area)
Base Zone	Specific Development-Variety (SD-X 12.23/480,000/450)
Character Area Overlay	McEwen Character Area Overlay District #4
Other Zoning Overlays	HHO/HHO Buffer, HTO, FFO/FWO
Number of Dwelling Units	950
Number of Nonresidential Square Footage	480,000 plus 450 hotel rooms
Connectivity Index	1.91 (For SD-X and GC zoned portions, previously approved with the Ovation Subdivision Preliminary Plat)
Development Standard	Conventional
Open Space Requirements	Formal: 2.8 acres Informal: N/A Total: 2.8 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:

<p>MOS 1: Parking</p> <p>Approved: _____</p> <p>Denied: _____</p>	<p>Request to decrease the minimum parking requirements for one and two bedroom attached residential units from 1.5 spaces per unit to 1.25 spaces per unit for 1-bedroom attached units and from 2.5 spaces per unit to 1.75 spaces per unit (rental) or 2.0 spaces per unit (owned) for 2-bedroom attached units. <i>Staff recommended disapproval.</i></p>
---	---

<p>MOS 2a: Signage—Sign Height</p> <p>Approved: _____</p> <p>Denied: _____</p>	<p>Request to increase the height of freestanding signs to 20 feet. <i>Staff recommended disapproval.</i></p>
<p>MOS 2b: Signage—Sign Face Height</p> <p>Approved: _____</p> <p>Denied: _____</p>	<p>Request to increase freestanding and development sign face height to a maximum of 12 feet. <i>Staff recommended disapproval.</i></p>
<p>MOS 2c: Signage—Internal Street Signs</p> <p>Approved: _____</p> <p>Denied: _____</p>	<p>Request to allow 2 signs per entrance on internal development streets to individual development sections. <i>Not necessary since it is already permitted by the Zoning Ordinance.</i></p>
<p>MOS 2d: Signage—Open Space/Intersection Signage</p> <p>Approved: _____</p> <p>Denied: _____</p>	<p>Request to allow a free-standing development sign in the open space at the intersection of McEwen and Carothers. <i>Staff recommended disapproval.</i></p>
<p>MOS 2e: Signage—Blade Signs</p> <p>Approved: _____</p> <p>Denied: _____</p>	<p>Request to include the use of blade signs perpendicular to the building storefront. <i>Staff recommended approval.</i></p>
<p>MOS 2f: Signage—Sign Area on Building Signs</p> <p>Approved: _____</p> <p>Denied: _____</p>	<p>Request to increase the maximum sign area to two square feet per linear foot of building sign. <i>Staff recommended disapproval.</i></p>
<p>MOS 2g: Signage—Application of Sign Height (MOS2a) to Offsite Sign</p> <p>Approved: _____</p> <p>Denied: _____</p>	<p>Request to allow the above signage modifications to monument signage at the intersection of Ovation Parkway and McEwen Drive, which is just outside of the PUD, in the GC-zoned portion of Ovation Subdivision. <i>Staff recommended approval, only if MOS2a is approved or approved with revisions.</i></p>
<p>MOS 3: Building Length</p>	<p>Request to increase the maximum building</p>

<p>Approved: _____</p> <p>Denied: _____</p>	<p>length of any attached residential building from 200 feet to a length of 766 feet. If MOS is granted, the architecture shall be designed with additional detailing and façade variations on the street-facing façades. <i>Staff recommended approval.</i></p>
---	--

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: 5/22/14

BOMA PASSED/PUBLIC HEARING HELD: _____

FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

NAME OF PROJECT: Resolution 2014-42, Ovation Subdivision Development Plan
LOCATION: Southeast corner of East McEwen Drive and Carothers Parkway
PROJECT DESCRIPTION: 950 dwelling units, 480,000 square feet of nonresidential space, and 450 hotel rooms on 77.7 acres
APPLICANT: Gary Vogrin, Kiser + Vogrin Design
OWNER: Glenn McGehee and Glenn Wilson, SS McEwen, LLC
PROJECT STAFF: Emily Hunter
TYPE OF REVIEW: Development Plan
RECOMMENDATION: Favorable recommendation to BOMA

PROJECT INFORMATION	
Existing Land Use	Vacant
Proposed Land Use	Mixed Use
Existing Zoning	GC
Proposed Zoning	SD-X (12.23/480,000/450)
Acreage	77.7
Proposed Number of Lots	9 (7 buildable, 2 open space)
Proposed Dwelling Units	950
Proposed Nonresidential Square Footage	480,000 square feet plus 450 hotel rooms
Proposed Open Space	<i>Formal Open Space: 2.8 acres</i> <i>Informal Open Space: N/A</i> <i>Total Open Space: 2.8 acres</i>
Physical Characteristics	The southern portion of the site lies within the HHO and 500' HHO Buffer. Some of the northern portion of the site near McEwen Drive is located in the 100-year floodplain/FFO. A natural water resource runs along the eastern boundary of the site.
Development Standard	Conventional
Character Area Overlay	MECO-4
Other Applicable Overlays	HHO, HTO, FFO, FWO
Water Utility District	Mallory Valley
Proposed Building Height	1-12 stories (varies throughout site)
Minimum Landscape Surface Ratio	.20
Trip Generation	29,735 trips per day (including potential office use in the remaining GC area)

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Vacant/Attached Residential	GC/RX
<i>South</i>	Vacant/Civic and Institutional	ML/CI
<i>East</i>	Vacant	CI/GC
<i>West</i>	Vacant/Office	GC

LAND USE PLAN RECOMMENDATIONS

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.

The Carothers Parkway area is the backbone of a major employment corridor and connects to Murfreesboro Road to the south. This corridor is enhanced by landscaped medians and landscaped parking lots.

The McEwen Character Area will continue to be the major economic driver for the City of Franklin. However, economically productive development will respect the residential neighborhoods. High-quality design and people-friendly environments will be encouraged through heightened standards and site design.

More specifically, Special Area 4 of the McEwen Character Area is appropriate for a mixture of Attached and Detached Residential and Neighborhood or Local Retail uses 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: A preliminary plat was recently approved for the entire 145 acre site, which includes an area to remain General Commercial (GC) proposed for future office uses. This PUD Development Plan is for the other 77.7 acres, which is proposed for a mixture of uses including attached and detached residential, retail, restaurant, hotel, and office.

PROJECT REVIEW

STAFF RECOMMENDATION: Favorable recommendation to BOMA;

COMMENTS:

Staff would like to recognize the exemplary design of this site. The site is sensitive to the topography and existing tree canopy cover. Well-planned pedestrian and vehicular connections throughout the site make the development feel open and easily accessible. The architecture proposed is high-quality and compatible with other buildings along the Carothers corridor, yet still distinct and unique to the development.

The applicant is requesting three modifications of standards with this development plan.

MODIFICATIONS OF STANDARDS:**MOS1 Parking**

The applicant is requesting a modification of standards to decrease the minimum parking requirements for one and two bedroom attached residential units from 1.5 spaces per unit to 1.25 spaces per unit for 1-bedroom attached units and from 2.5 spaces per unit to 1.75 spaces per unit (rental) or 2.0 spaces per unit (owned) for 2-bedroom attached units. The proposed development is required to have a minimum of 5,261 parking spaces, per the Zoning Ordinance. The Zoning Ordinance also permits shared parking when a mixture of uses are proposed on a site. The applicant has submitted a shared parking study; however, the applicant has elected to pursue a modification of standards regarding the residential parking since it will not be shared and will be reserved strictly for residential homeowners and tenants. Staff believes that this scenario would work well in blocks 1-3 (as depicted in the applicant's parking study) because the additional guest parking could be accommodated by the surplus of parking for the other nonresidential uses and vice versa. This shared scenario would likely work even with some parking being reserved for residential owners and tenants only. However, staff does not support the reduction in parking requirements for blocks 4-5 (as depicted in the applicant's parking study) because those blocks are entirely residential, rather than mixed-use. After lengthy discussion and consideration, the Board of Mayor and Aldermen recently approved a reduction to the attached residential parking requirements. Staff does not support reducing the requirements further for property intended solely for residential use. Therefore, staff recommends disapproval of this modification of standards. Condition #9 includes staff's recommendation to submit an administratively-approvable shared parking study for blocks 1-3 and meet the minimum parking requirements, per the Z.O., for blocks 4-5. Another option would be to designate a deferred parking area so that the total minimum requirement is met and planned for, but not constructed, unless/until the actual parking demand warrants it.

MOS2 Signage

The applicant is requesting a second modification of standards to vary the signage standards in the PUD, as well as, within a location in the GC-zoned portion of the Ovation Subdivision. The applicant requests (a) to increase the height of freestanding signs to 20 feet; (b) to allow an increase of freestanding and development sign face heights to a maximum of 12'; (c) to allow 2 signs per entrance on internal development streets to individual development sections; (d) to allow a free-standing development sign in the open space at the intersection of McEwen and Carothers; (e) to include the use of blade

signs perpendicular to the building storefront; (f) to increase the maximum sign area to two square feet per linear foot of building sign; and, (g) to allow the above signage modifications to monument signage at the intersection of Ovation Parkway and McEwen Drive, which is just outside of the PUD, in the GC-zoned portion of Ovation Subdivision. Staff recommends disapproval of this modification of standards, with the exception of parts (c) and (e).

(a) Regarding the freestanding signs, staff recommends disapproval of the 20' maximum height proposed. The Galleria was approved for 18' maximum height, and McEwen Town Center and Berry Farms were approved with a maximum height of 8'. Additionally, the height restriction for free-standing signage should be limited to multi-tenant signage that will be located at the South Carothers entrances and the McEwen entrance. Staff would support freestanding signs up to 8' in height, as approved for McEwen Town Center and Berry Farms.

(b) Staff recommends disapproval of the applicants request to increase the sign face heights to 12'. If (a) is disapproved, this part of the MOS request is no longer applicable since the Z.O. permits freestanding signs that are a maximum of 6' in height. Also, the applicant has not requested a modification to development sign height so there would not be enough space to increase the sign face on those signs.

(c) This part of the MOS request is not necessary and is already permitted by the Zoning Ordinance.

(d) Staff recommends disapproval of the applicant's request to allow a freestanding sign in the open space at the corner of McEwen and Carothers because an open space area is not appropriate for signage placement. It is staff's opinion that signage should be located on the same lot as the use it advertises, which is consistent with the standards of the Zoning Ordinance.

(e) Regarding the use of blade signs, staff recommends approval with the condition that the other Zoning standards for hanging signs are met.

(f) For the attached storefront signs, staff recommends disapproval. The applicant is requesting twice the allowable square footage of signage. A modification of standards has never been approved regarding this zoning requirement. Berry Farms did receive a modification on how storefront signage is calculated (i.e. based on square footage of the tenant rather than the linear feet of frontage).

(g) If (a) is approved, staff recommends approval of the applicant's request to apply the freestanding signage modification (a) to the sign at the McEwen entrance to the development even though it is located outside of the PUD. The McEwen entrance is still within the Ovation Subdivision (per the approved preliminary plat), albeit not part of the PUD. If this part of the MOS is approved, the signs at the Carothers entrances, which are in the PUD boundary, would be able to match the sign at the McEwen entrance. Having consistent signage at all of the main entrances to the development help identify the site as a cohesive planned development.

Enforcement for this subdivision will be complicated by having one set of signage regulations for the PUD section and another set for the GC-zoned section. Since the applicant has not provided much signage information with this development plan, staff has placed a condition of approval (#1) on the project that requires the applicant to submit a signage sheet for Post PC review that lists the approved signage modifications

and shows where they will apply within the subdivision, specifically outlining what is allowed in the PUD limits and what is allowed in the GC-zoned section. The applicant shall also include typical character images of signs planned for this development, including those that meet the zoning requirements and those for which modifications have been granted.

MOS3 Building Length

The applicant is requesting a modification of standards to increase the maximum permitted building length from 200 feet to 776 feet. The urban design intent of this PUD requires a longer building façade for attached residential buildings, as most buildings will span nearly the entire block. With the additional architectural detailing and façade variation that is proposed, the building will have the appearance and feel of multiple building fronts along the street. Staff will carefully review the proposed architecture at site plan stage to ensure that the façade is varied along the street-fronting sides of buildings. Since the modification of this standard is essential to the urban design intent of this PUD and since the facades will be well articulated along the streets, staff recommends approval of this modification of standards.

Other Modifications of Standards Requests

The applicant has also requested modifications of standards for parkland dedication and retaining wall height. Staff has determined during the development plan review that these modifications are not necessary because the proposed development plan already complies with the standards of the Zoning Ordinance.

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." With the resubmittal, each condition of approval/open issue in the online plan review system shall contain a full response from the applicant as to the satisfaction or completion of that condition.
3. The city's project identification number shall be included on all correspondence with any city department relative to this project.

***PROJECT CONSIDERATIONS:**

1. With site plan submittals, applicant shall include actual building height in feet on the takedown charts so that transitional building heights can be evaluated. Staff is

concerned that, with this development plan, there is not a smooth transition in height between all buildings. The applicant has stated in an IDT response that extensive design studies will be completed to ensure the building transitions are aesthetically appropriate. Staff will be reviewing these transitions when the site plans are submitted.

2. At site plan, the drive-through configuration for Building A10 shall be evaluated. It does not appear to meet the minimum zoning requirements with this development plan submittal. At site plan stage, the building shall meet City requirements.
3. At site plan, the street facing architectural elevations for Building H1 will be evaluated for zoning compliance, particularly regarding the visibility and appearance of the podium parking.
4. Due to the complexity and scale of this development plan, staff would note that additional issues may be recognized at later stages of review, such as site plan. The broad issues such as overall entitlements, massing, heights, location of buildings, buffers, open space, and major utilities have been reviewed with the development plan submittal. Staff will review the more intricate details, particularly engineering and zoning details, with future plan submittals.

* 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.

COF# 4543

CONDITIONS OF APPROVAL:

BNS

General Comments

1. Signage

- The applicant shall submit a signage sheet that lists the approved signage modifications and shows where they will apply within the subdivision, specifically outlining what is allowed in the PUD limits and what is allowed in the GC-zoned section. The applicant shall also include typical character images of signs planned for this development, including those that meet the zoning requirements and those for which modifications have been granted.

Parks

General Comments

2. Parkland Dedication

- Since the proposed land dedication for public trails (19.23 ac) exceeds the minimum required amount of acreage needed for parkland dedication (13.57 ac), the modification of standards request for parkland dedication shown on the development plan is not necessary. Applicant shall continue to include Sheet L.4 in the development plan set to document the proposal for dedication and construction of the trail system.

Additionally, a Public Property Landscape Maintenance Agreement shall be created and completed prior to issuance of building permits for any proposed residential units. The maintenance agreement shall be between the City and the development. Staff has already begun drafting the agreement and will work with the applicant to formalize it.

Any notes shown on the development plan regarding maintenance of the dedicated trail area shall be coordinated with this agreement.

Planning

14007 Ovation Development Plan 2nd ReSubmittal Package 14-05-01.pdf

3. Gross Density

- Applicant shall coordinate the gross density numbers shown in the site data chart and the project density table. Gross density should be listed as 12.23. This is a new comment based on newly provided information.

14007 PUD Rezoning Submittal Document 14-04-07.pdf

4. Site Data Chart

- In the site data chart, applicant shall break provided parking down by nonresidential and residential since the modification of standards is only for the residential.

5. Parking

- In the site data chart, applicant shall list the numbers for provided parking in each block (to match the parking study) by the following: structured, surface, and on-street.

6. Retaining Walls

- There are retaining walls identified on the development plan that exceed 10' for a single wall and that exceed a maximum grade change of 16', as permitted in the Z.O. for mixed-use and nonresidential development. Applicant shall update the development plan to comply with these requirements.

If a proposed wall is a foundation or stem wall that is part of a building wall, it shall be noted as such, rather than as a, typically free-standing, retaining wall.

7. Extra Building?

- Does building C4 bridge the access on upper floors? If so, applicant shall show a hatched building footprint for that area.

8. Lot Lines

- Proposed lot lines for detached residential units shall be shown. If a horizontal property regime is to be implemented, this shall instead be noted on the development plan.

9. Parking (P&R)

- If the modification of standards as requested is not approved, the applicant shall (A) update the parking to provide the minimum required parking for both the residential units and the nonresidential square footage, or the applicant shall (B) update the parking to provide a shared parking study for Blocks 1-3 (as depicted in the existing parking study) and to meet the minimum parking requirement for Blocks 4-5 (as depicted in the existing parking study). Shared parking arrangements can be administratively approved during the Post-PC process, where mixed-use development is proposed. Blocks 1-3 include an integrated mix of uses, and can, therefore, utilize a shared parking scheme.

With either option, the applicant may designate some of the provided parking as deferred until warranted.

Planning (Landscape)

General Comments

10. Green Infrastructure

- Add this note to the plans for future consideration when needed.
" Although the grass channels and vegetated filter strips are not currently shown, we would like to reserve the ability to specify those BMP's should future programming allow their usage."