

ORDINANCE 2014-22

TO BE ENTITLED "AN ORDINANCE TO REZONE ±33.25 ACRES FROM SPECIFIC DEVELOPMENT-VARIETY DISTRICT (SD-X) 4/125,178, TO SPECIFIC DEVELOPMENT-VARIETY DISTRICT (SD-X) 14/21,503, FOR THE THROUGH THE GREEN PUD SUBDIVISION."

WHEREAS, the City of Franklin, Tennessee encourages responsibly placed density and appropriate base zoning districts for multiple kinds of projects; and

WHEREAS, the proposed SD-X zone would allow for residential and commercial/office development with the maximum residential density and commercial/office square footage specified.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN OF FRANKLIN, TENNESSEE, AS FOLLOWS:

SECTION I: The following described property shall be, and are hereby, zoned Specific Development-Variety (SD-X 14/21,503):

Tract 1

A tract of land in the 9th District, Williamson County, Tennessee. Tract being Lots 1, 3 and 9 of the Final Plat of Through The Green Subdivision, Revision 3, as recorded in Plat Book 52, Page 63, Register's Office, Williamson County, Tennessee (ROWC) and the remainder of Lot 50B Plat Book 14, Page 61, ROWC. Tract being bounded on the north by Lots 48 and 49 and 51 and 52 Century Industrial Park Section 3, as recorded in Plat Book 7, Page 11, ROWC, by the southern ROW of Century Court, by Lots 42-46 Century Industrial Park Section 2, as recorded in Plat Book 5, Page 85, ROWC, by Abbas Asadsangabi and Javad Ramzanifar, as recorded in Book 4939, Page 370, ROWC, on the east by the western ROW of Columbia Avenue, on the south by Lot 4 of the said Through The Green Subdivision, on the north, south, east and west by Islesworth Drive, on the south by the northern ROW Shadow Green Drive, on the west by Lot 8 and 10 of the Final Plat Through The Green Subdivision Section 1, as recorded in Plat Book 55, Page 78, ROWC, on the north and west by Lot 50A of Century Industrial Park Section 3, Revision 1, Resubdivision of Lot 50, as recorded in Plat Book 14, Page 61, ROWC. Tract being described as follows:

POINT OF BEGINNING being an iron rod new on the western ROW of said Columbia Avenue and being on the southern line of said Abbas Asadsangabi and Javad Ramzanifar tract; thence along said ROW South 06°34'51" West 149.79 feet to a point; thence leaving said ROW with the centerline of Toll House Branch and also being the northern line of said Lot 4 South 89°33'18" West 12.40 feet to a point; thence South 82°54'58" West 23.46 feet to a point; thence North 84°59'17" West 54.65 feet to a point; thence North 81°51'30" West 114.87 feet to a point; thence North 58°16'31" West 41.40 feet to a point; thence North 86°33'55" West 28.31 feet to a point; thence South 67°18'22" West 63.69 feet to a point; thence South 89°19'24" West 12.81 feet to a point on the ROW of said Isleworth Drive; thence along said ROW North 06°17'55" East 97.27 feet to a iron rod new; thence North 83°42'05" West 55.00 feet to a iron rod new; thence South 06°19'31" West 45.82 feet to a iron rod new; thence South 06°17'54" West 104.74 feet to a iron rod new; thence on a curve to the right having a central angle of 24°03'20", a radius of 122.50 feet, a length of 51.43 feet, and having a chord bearing and distance of South 18°19'37" West 51.05 feet to a iron rod new; thence South 30°10'05" West 9.34 feet to a iron rod new; thence on a curve to the right having a central angle of 85°53'29", a radius of 11.50 feet, a length of 17.24 feet, and having a chord bearing and distance of South 73°06'45" West 15.67 feet to a iron rod new on the northern ROW of said Shadow Green Drive; thence along said ROW with a curve to the left having a central angle of 19°40'39", a radius of 531.50 feet, a length of 182.54 feet, and having a chord bearing and distance of North 73°47'08" West 181.64 feet to a iron rod new; thence North 83°37'30" West 142.56 feet to a iron rod new on the eastern line of said lot 8; thence with said eastern line North 06°22'32" East 128.07 feet to a point; thence North 56°15'07" West 114.95 feet to a point; thence North 88°18'34" West 66.11 feet to a point; thence North 71°11'20" West 70.72 feet to a point; thence North 77°35'11" West 86.17 feet to a point; thence North 39°10'58" West 58.78 feet to a point; thence North 65°40'15" West 79.87 feet to a point; thence North 58°54'30" West 74.02 feet to a point; thence North 39°16'23" West 183.52 feet to a point; thence North 43°10'51" West 87.17 feet to a point; thence North 25°32'44" West 77.34 feet to a iron rod new on the southern line of said Lot 52; thence along the southern lines of said Lots 50A, 51 and 52 South 82°50'34" East 186.70 feet to a ½" iron rod old; thence South 82°58'20" East 65.00 feet to a iron rod old; thence with the eastern line of said Lot 50A North 07°06'11" East 238.81 feet to a concrete monument old on the southern ROW of said Century Court; thence with said ROW South 82°51'33" East 7.89 feet to a iron rod new at the western ROW of said Isleworth Drive ; thence along said ROW South 07°06'38" West 242.09 feet a iron rod new; thence with a curve to the left through an angle of 35°18'05", a radius of 275.00 feet, a length of 169.43 feet, and having a chord bearing and distance of South 10°32'24" East 166.77 feet to a iron rod new; thence North 61°48'34" East 50.00 feet to a iron rod new; thence on a curve to the right having a central angle of an angle of 35°18'05", a radius of 225.00 feet, a length of 138.63 feet, and having a chord bearing and distance of North 10°32'24" West 136.45 feet to a iron rod new; thence North 07°06'38" East 242.06 feet to a Iron rod new on the southern ROW of said Century Court; thence with said ROW South 82°51'33" East 7.11 feet to a iron rod new; thence leaving said ROW with the western line of said lot 49 South 07°05'06" West 238.68 feet to a 5/8" iron rod old; thence with the southern line of said lots 42-46 South 82°56'26" East 200.23 feet to a concrete monument old; thence South 82°42'58" East 284.53 feet to a iron rod old with a cap marked RLS 1598; thence South 82°39'17" East 225.65 feet to a iron rod old with a cap; thence South 68°38'06" East 134.81 feet to a iron rod old with a cap marked LDSI; thence South 57°51'22" East 83.73 feet to a iron rod new; thence South 44°27'19" East 108.78 feet to a iron rod new; thence South 45°51'48" East 219.74 feet to the point of beginning

Tract contains 500,188 square feet or 11.48 acres.

Bearings based on Tennessee State Plane Coordinate System.

Tract 2

A tract of land in the 9th District, Williamson County, Tennessee. Tract being Lots 6 and 7 of the Final Plat Through The Green Subdivision Revision 3 as recorded in Plat Book 52, Page 63, Register's Office Williamson County, Tennessee (ROWC). Tract being bounded on the north by the southern ROW of Shadow Green Drive, on the east by Lot 5 of the said Through The Green Subdivision Revision of 4 of Lot 5, as recorded in Plat Book 58, Page 78, ROWC on the south by Lot 1 Final Plat of Parkway Commons Plat Book 37, Page 39, ROWC, on the west by Lot 10 of the Through the Green Subdivision Section 1, as recorded in Plat Book 55, Page 78, ROWC. Tract being described as follows:

POINT OF BEGINNING being an iron rod new on the southern ROW of said Shadow Green Drive and being the northwestern corner of said Lot 5; thence along the western line of said Lot 5 South 06°19'13" West 213.59 feet to a iron rod old with a cap on the northern line of said Lot 1; thence along said Northern Line North 83°36'38" West 472.55 feet to a iron rod old with a cap marked LEA at the south eastern corner of said Lot 10; thence along the eastern line of said Lot 10 North 06°22'32" East 325.88 feet to a iron rod old with a cap marked LEA on the southern ROW of said Shadow Green Drive; thence along said ROW South 83°37'21" East 142.56 feet to a iron rod new; thence on a curve to the right having a central angle of 16°03'22", a radius of 468.50 feet, a length of 131.29 feet, and having a chord bearing and distance of South 75°35'47" East 130.86 feet to a iron rod new; thence with a curve to the right having a central angle of 12°04'28", a radius of 468.50 feet, a length of 98.73 feet, and having a chord bearing and distance of South 61°30'32" East 98.55 feet to a iron rod new; thence South 55°28'18" East 88.62 feet to a iron rod new; thence with a curve to the left with a central angle 03°42'05", a radius of 531.50 feet, a length of 34.34 feet, and having a chord bearing and distance of South 57°19'21" East 34.33 feet to the point of beginning.

Tract contains 140,808 square feet or 3.23 acres.

Bearings based on Tennessee State Plane Coordinate System.

Zoning Reference Number: 14-05:

Map--Parcel	Acres
090—02611	±7.62
090—02612	±2.42
090—02615	±1.21
090—02616	±2.02
090—02617	±1.37
090—02618	±14.81
090—02620	±3.80
TOTAL	±33.25

SECTION II: BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that this Ordinance shall take effect from and after its passage on third and final reading, the health, safety, and welfare of the citizens requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

BY: _____
ERIC S. STUCKEY
CITY ADMINISTRATOR/RECORDER

BY: _____
DR. KEN MOORE
MAYOR

PLANNING COMMISSION RECOMMENDED DISAPPROVAL:

7/24/14

PASSED FIRST READING: *Aug. 12, 2014*

PUBLIC HEARING HELD: *Sept. 9, 2014*

PASSED SECOND READING: *Sept. 9, 2014*

PASSED THIRD READING:

FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

NAME OF PROJECT: Ordinance 2014-22, Through the Green PUD Subdivision, rezoning request

LOCATION: West of Columbia Avenue, north of Parkway Commons, south of Century Court, and east of Municipal Services Complex

PROJECT DESCRIPTION: Request to rezone 33.25 acres from Specific Development-Variety District (SD-X) with residential density of 4 units per acre and commercial/office square footage of 125,178, to Specific Development Variety District (SD-X) with residential density of 14 units per acre and commercial square footage of 21,503.

APPLICANT: Jeff Heinze, Littlejohn Engineering Associates
(615) 385-4144, jheinze@leainc.com

OWNER: Wolfe Fields Development (Attn: Geoff Fields)
(270) 792-9292

PROJECT STAFF: Donald Anthony

TYPE OF REVIEW: Rezoning request

RECOMMENDATION: Favorable recommendation to the BOMA

PROJECT INFORMATION	
Existing Land Use	Residential, retail, office
Proposed Land Use	Residential, retail, office
Existing Zoning	SD-X 4/125,178
Proposed Zoning	SD-X 14/21,503
Acreage	33.25 acres
Proposed Number of Lots	7 lots
Proposed Dwelling Units	492 dwelling units
Proposed Nonresidential Square Footage	21,503 square feet
Proposed Open Space	<i>Formal Open Space: 1.72 acres Informal Open Space: 2.20 acres Total Open Space: 3.92 acres</i>

Physical Characteristics	Graded site; westernmost portion of site is partially built-out with ongoing construction
Development Standard	Conventional
Character Area Overlay	SOCO-1 Southall Character Area Overlay
Other Applicable Overlays	CAO
Water Utility District	City of Franklin
Proposed Building Height	3 stories
Minimum Landscape Surface Ratio	0.10

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Industrial	HI
<i>South</i>	Retail	GC
<i>East</i>	Institutional	LI
<i>West</i>	Retail, industrial	LI

LAND USE PLAN RECOMMENDATIONS
<p>Southall Character Area Special Area 1</p> <ol style="list-style-type: none"> 1. The Columbia Avenue corridor shall be improved pursuant to the Franklin Major Thoroughfare Plan. 2. Streetscape improvements, including sidewalks, shall be implemented along this corridor. 3. The existing land-use pattern is expected to remain along the Columbia Avenue corridor, with the application of the City's improved design standards gradually improving the quality of development in this area. 4. Appropriate land uses include Light Industry and related uses.

PROJECT BACKGROUND: The subject property was affected by the recent adoption of the Specific Development (SD) zoning categories. The property had previously been zoned Mixed-use Local (MX); however, upon adoption of SD zoning, the property was rezoned to Specific Development-Variety (SD-X). The applicant wishes to reduce the entitled commercial/office space by 103,675 square feet and increase residential density from 4 units per acre to 14 units per acre. (See attached map for areas of the PUD affected by the proposed zoning change.)

PROJECT REVIEW

STAFF RECOMMENDATION: Favorable recommendation to the BOMA

COMMENTS:

The rezoning request does not appear to be consistent with the Land Use Plan's recommendations for SOCO-1, specifically the following: "appropriate land uses include Light Industry and related uses." However, the BOMA previously approved a rezoning and concept plan for the Through the Green PUD Subdivision; the project has included both residential and commercial/office at the time of initial rezoning and concept plan approval. Given that history, staff recommends approval of this development plan revision.

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

PROCEDURAL REQUIREMENTS:

1. Fifteen (15) half-size copies of the Rezoning 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. 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.

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ATTEST:

CITY OF FRANKLIN, TENNESSEE

BY: _____
ERIC S. STUCKEY
CITY ADMINISTRATOR/RECORDER

BY: _____
DR. KEN MOORE
MAYOR

PLANNING COMMISSION RECOMMENDED APPROVAL:

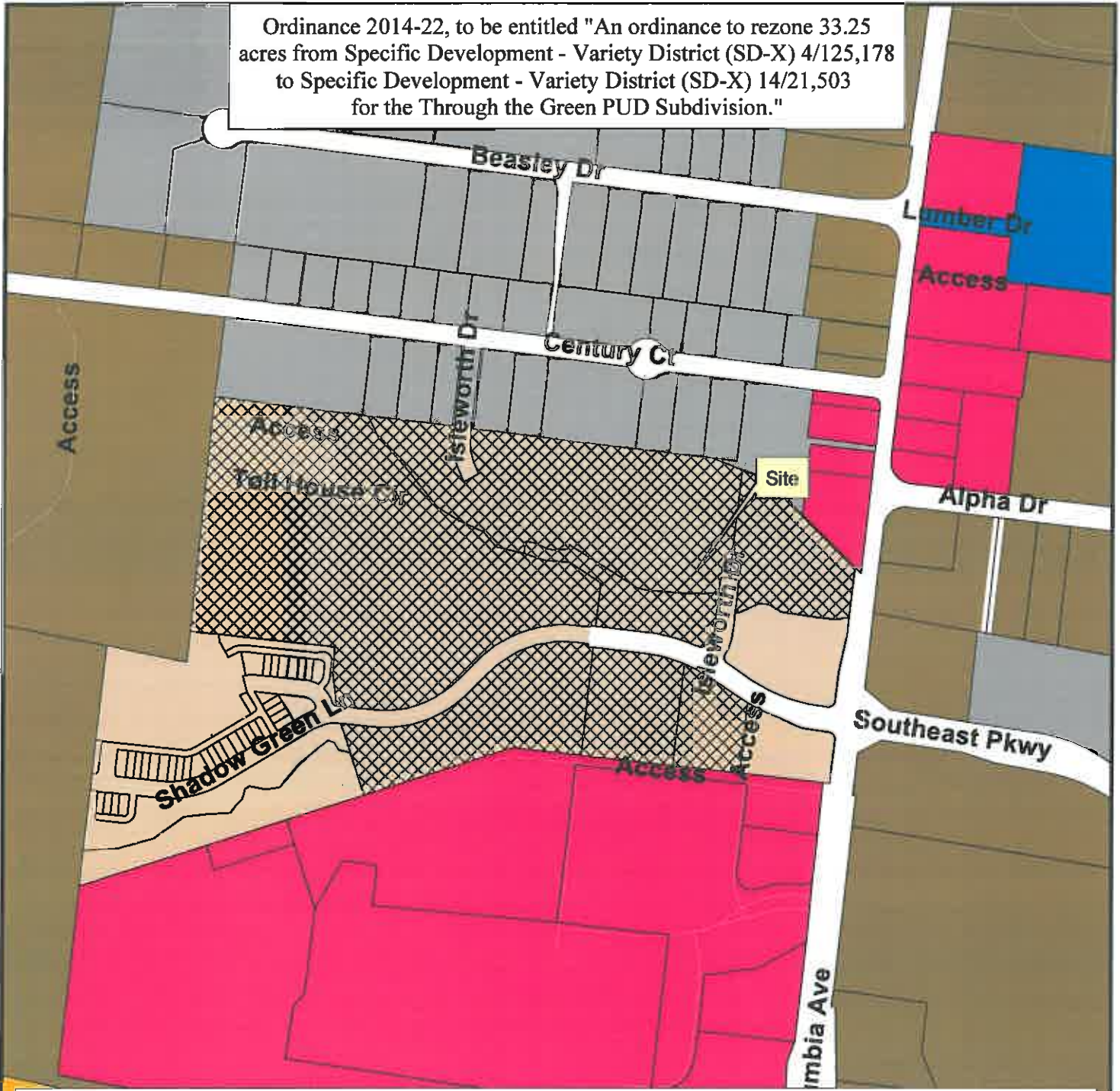
PASSED FIRST READING:

PUBLIC HEARING HELD:




















PASSED SECOND READING:

PASSED THIRD READING:

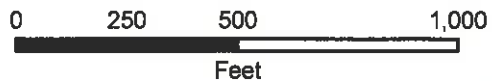
Ordinance 2014-22, to be entitled "An ordinance to rezone 33.25 acres from Specific Development - Variety District (SD-X) 4/125,178 to Specific Development - Variety District (SD-X) 14/21,503 for the Through the Green PUD Subdivision."



Legend

- | | |
|--|---|
|  Through the Green |  GO General Office District |
| Zoning |  CC Central Commercial District |
|  AG Agricultural District |  NC Neighborhood Commercial District |
|  ER Estate Residential |  GC General Commercial District |
|  R-1 Residential District |  MN Neighborhood Mixed-Use District |
|  R-2 Residential District |  ML Local Mixed-Use District |
|  R-3 Residential District |  MX Regional Mixed-Use District |
|  Historic Core Residential District |  LI Light Industrial District |
|  RX Residential Variety |  HI Heavy Industrial District |
|  OR Office Residential District |  CI Civic and Institutional District |

This map was created by the Franklin Planning Department. It was compiled from the most authentic information available. The City is not responsible for any errors or omissions contained hereon. All data and materials (c) copyright 2012. All rights reserved.





HISTORIC
FRANKLIN
TENNESSEE

ITEM #26
WRKS
08/12/14

MEMORANDUM

July 25, 2014

TO: Board of Mayor and Aldermen

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

SUBJECT: Ordinance 2014-22, an ordinance to rezone 33.25 acres from Specific Development – Variety District (SD-X) 4/125,178, to Specific Development – Variety District (SD-X) 14/21,503, for the Through the Green PUD Subdivision.

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen with information regarding a rezoning request for the property located at 1200 and 1300 Shadow Green Drive and 1201 and 1301 Isleworth Drive to Specific Development – Variety District (SD-X) 14/21,503, on 33.25 acres. This rezoning would allow the following entitlements for the property: a residential density of 14 dwelling units per acre and 21,503 square feet of commercial and office space.

Background

Please see attached FMPC Report for the background on this project.

This zoning request was given an unfavorable recommendation (7-0) by the Planning Commission at the July 24, 2014 FMPC meeting.

Financial Impact

Not applicable to this item.

Options

Not applicable to this item.

Recommendation

At the July 24, 2014, FMPC meeting, Planning staff recommended approval of the rezoning request. Staff expressed concerns about the project's lack of compatibility with the Land Use Plan while also recognizing BOMA's previous approval of attached housing on a large portion of the site. However, the FMPC voted unanimously (7-0) to deny the rezoning request.



August 22, 2014

TO: Board of Mayor and Aldermen

FROM: Eric S. Stuckey, City Administrator
Vernon Gerth, Assistant City Administrator – Community Development
Catherine Powers, Planning Director
Paul Holzen, P.E., Director of Engineering
Carl Baughman, P. E., Traffic/Transportation Engineer

SUBJECT: Ordinance 2014-22 (COF # 4622) Rezone of Through the Green PUD Subdivision
Technical Memorandum Regarding Traffic Impacts
Report for BOMA meeting on September 9, 2014

Purpose

The purpose of this memorandum is to provide information to the Board of Mayor and Aldermen (BOMA) for consideration as part of the public hearing scheduled for September 9, 2014. This information follows up BOMA approval of August 5, 2014 to hold the public hearing.

Background

The subject rezoning would convert 14.70 acres from Specific Development Variety District (SD-X) with a residential density of 4 units per acre and commercial/office square footage of 125,178, to Specific Development Variety District (SD-X) with residential density of 14 units per acre and commercial square footage of 21,503. A companion Resolution 2014-52 approving a development plan for Through the Green based on the proposed rezoning is also up for consideration by BOMA, who will hear both applications after denial by the Franklin Municipal Planning Commission (FMPC) on July 24, 2014. The FMPC action was largely based on concerns about the impact on Columbia Avenue traffic. The applicant, Jeff Heinze of Littlejohn Engineering Associates, has presented a traffic impact study prepared by Fischbach Transportation Group.

Data

The site will have direct access to Columbia Avenue and Southeast Parkway via Shadow Green Drive, where a new traffic signal was placed into operation on April 15, 2014. (The traffic impact study recognizes this newly signalized intersection and the currently approved Shadow Green multi-family units in its analysis.) Secondary access to Columbia Avenue will be available via Isleworth Drive to the signalized intersection at Century Court. Finally, as the development builds out, it is obligated by the plat for the adjacent Parkway Commons shopping center to execute the sharing of access for two drives between the two developments. Additional transportation improvements on the horizon are as follows (See Exhibit A):

- Beasley-Century Connector – This project is scheduled to begin construction in the spring of 2015. Its completion will fulfill a major component of the Columbia Avenue Local Area Street Plan, which develops north-south connectivity for the local streets in the corridor.

- Columbia Avenue widening – This project has an approved Transportation Planning Report, and funding for the design is approved for the current TDOT programming cycle. The City of Franklin expects to enter into a Professional Services Agreement with a design consultant in January of 2015

From the traffic study, the comparison of new trips that would be generated by the two zoning scenarios is as follows:

TABLE 1. TRIP GENERATION COMPARISON

Land Use	No. of Units	Daily Traffic	AM new trips	PM new trips
Retail/Office (current)	114,175 S. F.	3,430	138	322
Multi-Family (prop.)	228	1,506	115	143
Difference	--	-1,924 (56%)	-23 (17%)	-179 (56%)

Clearly the proposed rezoning generates fewer than half as many new trips as the current zoning. During the morning peak hour, the rate of new trips from both scenarios averages approximately 2 cars per minute (1 car per 30 seconds). In the afternoon peak hour, the proposed rezoning new trips rate is approximately 2.5 cars per minute (1 car per 24 seconds), whereas the current zoning new trips rate is 5.5 cars per minute (1 car per 11 seconds). In all cases the Level of Service remains acceptable at a “C” condition. There would be increases in the stacking lengths under both scenarios, but the vehicle queues would still dissipate acceptably during the green signals. Also note that the traffic orientation based on the counts at the signal assigns ten percent of the new trips crossing Columbia Avenue at Southeast Parkway (therefore not traveling on Columbia Avenue), forty percent of the new trips oriented north toward the three-lane section of Columbia Avenue, and fifty percent of the new trips oriented south toward the four-lane section of Columbia Avenue.

The TDOT Planning Division conducts an annual traffic counts program at various locations around the State, including on Columbia Avenue at Station 35 just north of Beasley Drive. The average daily two-way traffic (ADT) volume in 2013 was 20,930 vehicles per day. Table 2 on the next sheet shows that there have been notable fluctuations in annual traffic from year to year, with the 2013 volume being less than the count of years 2010, 2007 and 2006. The 2013 count was higher than the average count of the last nine (9) years (going back to 2005 when Parkway Commons opened) by just 364 vehicles per day, much less than the standard deviation of 1,220 vehicles per day. If the 2013 count is increased by the forty percent (40%) of daily trips that would travel at Station 35 from the multi-family rezoning (602 trips) and the remaining multi-family units that are approved in Shadow Green (400 trips), it would still be less than the two highest ADTs of the last nine years. The 40% of daily trips from the multi-family rezoning would represent a 2.9% increase in the daily traffic, or one in thirty-five cars on the street, an insignificant increase. The 40% of daily trips from the current zoning would represent a 6.6% increase in daily traffic, or one in fifteen cars on the street, a significant increase. Table 3 on the next sheet gives the statistical significance comparison of the two zoning options.

TABLE 2. HISTORICAL TRAFFIC VOLUMES IN THE STUDY AREA

Year	Station 35 Columbia Avenue ADT	Annual Growth	Overall Growth
2005	19,919		
2006	21,835	9.62%	
2007	21,961	0.58%	
2008	20,091	-8.52%	
2009	20,891	3.98%	
2010	21,992	5.27%	
2011	18,387	-16.39%	
2012	19,090	3.82%	
2013	20,930	9.64%	5.08%
Avg. Year	20,566 ^{1/}	0.36%	3.25%

^{1/} The standard deviation about this average year is 1,220

TABLE 3. STATISTICAL COMPARISON OF NEW DAILY TRIPS

Land Use	No. of Units	Sta. 35 new daily trips	Std. Deviation	Finding
Retail/Office (current)	114,175 S. F.	1,372 ^{1/}	1,220	Significant
Multi-Family (prop.)	228	602 ^{2/}	1,220	Insignificant

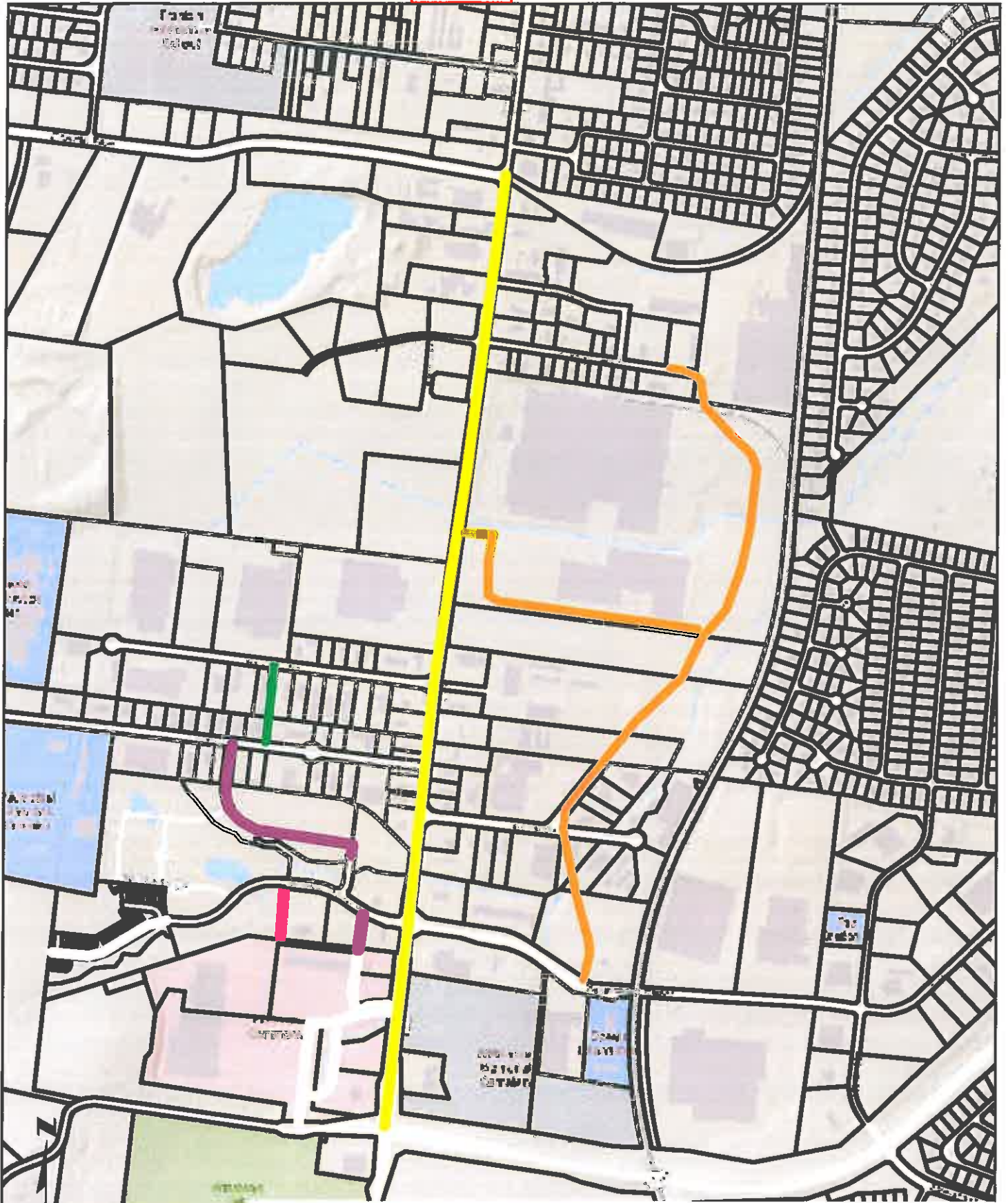
^{1/} Represents a 6.6% increase in the 2013 daily traffic (one in fifteen cars at Station 35)

^{2/} Represents a 2.9% increase in the 2013 daily traffic (one in thirty-five cars at Station 35)

Recommendation

Engineering's recommendation would be to approve the rezoning based on the trip generation impacts to Columbia Ave.

Exhibit A



- TDOT - Funded for Design
- City - Funded for Construction
- Development Driven - Columbia Avenue Local Street Plan
- Development Driven - Through the Green PUD