

**RESOLUTION 2011-53**

**A RESOLUTION TO REVOKE THE CONCEPT PLAN FOR WATERFORD CREST PUD, REVISION 1, TOTALING 68.65 ACRES, LOCATED NORTH OF LIBERTY PIKE AND 500 FEET EAST OF CAROTHERS PARKWAY, BY THE CITY OF FRANKLIN, TENNESSEE.**

**WHEREAS**, Section 2.4.2(5)(i)(iii) of the Franklin Zoning Ordinance state that Board of Mayor and Aldermen may initiate steps to rehear, reconsider, or revoke a Concept Plan if a Regulating Plan or Pattern Book is not submitted within one (1) year of the date of the Concept Plan approval; and

**WHEREAS**, the attached PUD Concept Plan was approved by Board of Mayor and Aldermen on 3/10/09 and has remained inactive in the intervening time period, without the submittal of a Regulating Plan or Pattern Book; and

**WHEREAS**, the Board of Mayor and Alderman believe it to be in the best interest of the City of Franklin to revoke the attached Concept Plan.

**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 \_\_\_\_\_, 2011:

1. The above recitals are incorporated herein as if set forth at length.
2. That the legal description of the property is as follows:

Map-Parcel	Acres
079---040.12	20.5
079---040.13	4.9
079---040.14	3.9
079---040.09	36.0
TOTAL	65.3

Being a tract of land in the 9th Civil District Williamson County, Tennessee, and being Waterford Crest as recorded in Plat Book P47, Page 109, Registers Office of Williamson County (ROWC). Bounded on the west by Duke Realty, LP, as recorded in Deed Book 4295, Page 833, ROWC; bounded on the north by N. R. Pickering Properties, L.P., as recorded in Deed Book 1445, Page 735, ROWC; bounded on the east by City of Franklin as recorded in Deed Book 580, Page 648, ROWC, by John R. Williams, Sr. as recorded in Deed Book 3777, Page 992, ROWC, and by Right of Way (ROW) of Liberty Pike; and bounded on the south by ROW of said Liberty Pike. Tract being described as follows:

POINT OF COMMENCEMENT being the northeast ROW intersection of said Liberty Pike and Carothers Parkway; thence along the ROW of said Liberty Pike with the following: South 84°13'24" East 159.44 feet to a point; thence along a curve to the right having a length of 113.20 feet, having a radius of 627.96 feet, having a central angle of 10°19'42", having a tangent of 56.75 feet, and having a chord bearing and distance of South 79°03'33" East 113.05 feet to a point; thence South 73°53'42" East 231.31 feet to a point; thence South 72°04'57" East 61.02 feet to the true and actual POINT OF BEGINNING being the southwest corner of Lot 3 of said plat; thence leaving said ROW of Liberty Pike with the following: North 00°16'25" East 999.72 feet to a point; thence North 06°59'19" West 415.06 feet to a point being the northwest corner of said Lot 3; thence South 83°00'45" East 2684.32 feet to a point being the northeast corner of Lot 4 of said plat; thence South 07°12'29" West 454.35 feet to a point lying on said ROW of Liberty Pike; thence along said ROW of Liberty Pike with the following: North 87°07'06" West 120.95 feet to a point; thence along a curve to the left having a length of 689.62 feet, having a radius of 755.75 feet, having a central angle of 52°16'56", having a tangent of 370.91 feet, and having a chord bearing and distance of South 66°44'59" West 665.94 feet to a point; thence South 40°37'04" West 628.42 feet to a point; thence along a curve to the right having a length of 609.37 feet, having a radius of 532.93 feet, having a central angle of 65°30'50", having a tangent of 342.88 feet, and having a chord bearing and distance of South 73°22'12" West 576.71 feet to a point; thence North 73°51'51" West 487.63 feet to a point; thence North 72°04'57" West 419.22 feet to the point of beginning.

Containing 2,990,267 square feet or 68.65 acres.

Bearings based on Plat Book 47, Page 109, ROWC.

- That the overall entitlements approved by Resolution 2009-06 for the Waterford Crest PUD Subdivision are revoked, as follows, leaving the a density and nonresidential square footage of zero:

Entitlements	Waterford Crest PUD (Overall)
Number of Dwelling Units	356
Number of Nonresidential Square Footage	300,000 square feet
Connectivity Index	2.0
Development Standard	Conventional
Open Space Requirements	±3.237 acres

4. That the Concept Plan, the exhibits accompanying the Concept Plan, and all conditions and restrictions placed upon the Concept Plan by the Franklin Municipal Planning Commission and the Board of Mayor and Aldermen approved in conjunction with Resolution 2009-16 shall be revoked by this Resolution.
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 S. STUCKEY**  
**CITY ADMINISTRATOR**

**BY:** \_\_\_\_\_  
**DR. KEN MOORE**  
**MAYOR**

**BOMA PASSED:** \_\_\_\_\_




HISTORIC  
FRANKLIN  
TENNESSEE

ITEM #4  
WRKS 11/08/2011

## MEMORANDUM

October 30, 2011

**TO:** Board of Mayor and Aldermen

**FROM:** Eric Stuckey, City Administrator   
Vernon Gerth, ACA - Community and Economic Development  
Catherine Powers, Director of Planning and Sustainability

**SUBJECT:** Discussion of Columbia State Community College Proposed Campus and Consideration of Resolution 2011-53 to Revoke the Concept Plan for Waterford Crest PUD Subdivision

### Purpose

The purpose of this memorandum is to provide information to the Mayor and Board of Alderman (BOMA) in consideration of Resolution 2011-53, which will revoke the Concept Plan and all the associated conditions and restrictions for the Waterford Crest PUD Subdivision. The action of revoking the Concept Plan will also rescind entitlements associated with the approval allowing the eastern portion of the property to be acquired by the Tennessee Board of Regents for a new and expanded Columbia State Community College Campus.

### Background

Since development has not progressed within the Waterford Crest PUD Subdivision located on Liberty Pike east of Interstate 65, the two property owner(s) and developer have formally requested that the current Concept Plan approved by Resolution 2009-06, be revoked. The primary reason this action is being requested is to facilitate the transfer of the eastern most portion of the property to the Tennessee Board of Regents for a new City of Franklin Columbia State Community College Campus.

Revoking the Waterford Crest Concept Plan is the first of several actions. In December, the Franklin Municipal Planning Commission is expected to consider a new plat(s) which essentially re-divides the Waterford Crest PUD into three, stand-alone parcels. A later action is scheduled for the spring of 2012 when the Planning Commission and BOMA will consider rezoning the Columbia State parcel from ML-Local Mixed-Use to CI-Civic Institutional.

The City's development approval processes remain applicable when any of the three parcels are ready to proceed with development.

### Financial Impact

A new and expanded Columbia State Community College campus will contribute significantly to the citizens of Franklin by creating the environment for students to pursue exploration, innovation, entrepreneurship, and receive the technical training needed to succeed in today's workplace.

### Recommendation

Staff Recommends Approval of Resolution 2011-53 to revoke the Concept Plan, Resolution 2009-06, for the Waterford Crest PUD Subdivision.



SSI LIBERTY PIKE, LLC  
5111 Maryland Way, Suite 201  
Brentwood, TN 37027  
Tel: (615) 221-1122  
Fax: (615) 221-1199

October 27, 2011

Ms. Catherine Powers  
Director of Planning and Sustainability  
City of Franklin  
109 Third Avenue South  
Franklin, TN 37064

Re: Waterford Crest Concept Plan

Dear Ms. Powers:

Please accept this letter as a request for the City of Franklin Board of Mayor and Alderman to rescind the current Waterford Crest Concept Plan. This request is made in conjunction with the ownerships desire to sale the property to the State of Tennessee to be utilized as the Franklin campus of Columbia State University. The State of Tennessee is not able to purchase a property which is part of a PUD encumbered with conditions and thus this is the first step, in cooperation with the other property owner's in the Waterford Crest PUD, in dissolving the PUD and re-platting the property to meet the state's requirements. We reserve the right to withdraw this request until the time it is voted on by the Board of Mayor and Alderman which is understood to occur on Tuesday, November 22.

Thank you for your consideration of this matter.

Sincerely,

SSI LIBERTY PIKE, LLC



Bradley E. McNutt  
Authorized Signatory



Jeffrey D. Palmquist,  
Senior Vice President, Nashville Group  
Office: 615/884-2300  
Email: jeff.palmquist@dukerealty.com

October 28, 2011

Ms. Catherine Powers  
Director of Planning and Sustainability  
City of Franklin  
109 Third Avenue South  
Franklin, TN 37064

**Re: Waterford Crest Concept Plan**

Dear Ms. Powers:

As owners of tract #3 in the Waterford Crest PUD, we are submitting this letter as a request for the City of Franklin Board of Mayor and Alderman to rescind the current Waterford Crest Concept Plan. We understand that this dissolution is required in order to facilitate the sale of tract #4 to the State of Tennessee for the Franklin campus of Columbia State University. We will address any site specific easements and access points within a plat or site plan submission if they are deemed necessary in the near future.

We reserve the right to withdraw this request until the time it is voted on by the Board of Mayor and Alderman on Tuesday, November 22. Please contact me at 615-884-2301, if any additional information is needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey D. Palmquist".

Jeffrey D. Palmquist  
Senior Vice President - Nashville Group

cc: Mr. Vernon Gerth, City of Franklin  
Mr. Trent Skillman, Duke Realty Corporation

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Thank you for your consideration of this matter.

Sincerely,



Thomas Quinn  
Mars Petcare US, Inc.