

**RESOLUTION 2016-79**

**A RESOLUTION GRANTING ADDITIONAL FUNDING/SUPPORT TO THE HARPETH SQUARE PROJECT AND AUTHORIZING THE CITY ADMINISTRATOR TO MODIFY THE EXISTING ROAD IMPACT FEE OFFSET AGREEMENT BETWEEN THE CITY OF FRANKLIN AND HARPETH ASSOCIATES LLC. (COF CONTRACT NO. 2014-0344) AS NECESSARY TO EFFECTUATE SUCH CHANGES**

**WHEREAS**, Harpeth Associates LLC., (“Developer”) has previously submitted to the Franklin Municipal Planning Commission the Harpeth Square PUD Subdivision, Development Plan Project No. 4713, for approval (the “Development Project”); and

**WHEREAS**, The City of Franklin, Tennessee (“City”) has required the Developer to design and construct certain arterial roadway improvements, including the dedication of arterial right-of-way, the engineering design of non-site related arterial improvements and/or the construction of certain non-site related arterial improvements as a requirement of the Development Project; and

**WHEREAS**, the City is requiring improvements, as part of the Development Project, to the arterial roadways of 1<sup>st</sup> Ave. N. and Bridge St., Franklin Rd / E. Main St., Signal Modifications at E. Main St. and 1<sup>st</sup> Ave., and Traffic Signal Improvements at 2<sup>nd</sup> Ave and Bridge Street; and

**WHEREAS**, the Developer has made application to offset a portion of the costs of construction for these improvements against any Road Impact Fees due from the Development Project, and the estimated amount of such eligible costs, and potential offset, was determined by the Road Impact Fee Administrator (City Engineer) on December 22, 2014, to be One Million Two Hundred Eighty-Three Thousand Three Hundred Fifty-Five and No/100 Dollars (\$1,283,355.00); and

**WHEREAS**, based on final design, the anticipated Road Impact Fees which will be fully offset based on the improvements being made by the Developer is Eight Hundred Fifty-Six Thousand Five Hundred Forty-Four Thousand and 93/100 (\$856,544.93); and

**WHEREAS**, the Developer is in the process of finalizing the design and is requesting additional City funding/participation in the project.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that approval is granted for Request(s) \_\_\_\_\_ as shown on Exhibit A. This funding is in addition to the Road Impact Fees in the amount of Eight Hundred Fifty-Six Thousand Five Hundred Forty-Four Thousand and 93/100 (\$856,544.93) being offset by the City.

**BE IT FURTHER RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE** that the City Administrator is hereby authorized to update, finalize and execute Amendment No. 1 (COF Contract 2014-0344) to the Road Impact Fee Offset Agreement consistent with Request(s) \_\_\_\_\_.

**IT IS SO RESOLVED AND DONE** on this \_\_\_\_ day of \_\_\_\_\_, 2016.

**ATTEST:**

**CITY OF FRANKLIN, TENNESSEE**

**By: \_\_\_\_\_**  
**ERIC S. STUCKEY**  
**City Administrator**

**By: \_\_\_\_\_**  
**DR. KEN MOORE**  
**Mayor**

**Approved as to Form**

**By: \_\_\_\_\_**  
**Kristen L. Corn, Assistant City Attorney**

**Resolution 2016-79**  
**Exhibit A**  
**PG 1 of 1**

- Request 1: In lieu of updating the pavement markings on Franklin Road the Developer shall make a \$29,623.00 contribution out of their Road Impact Fees.
- Request 2: The City shall contribute \$256,578.00 for additional arterial roadway improvements to 1<sup>st</sup> Ave North and Bridge St as part of the Harpeth Square Development Project.
- Request 3: The City shall pay a not to exceed amount of \$330,693.00 for the developer to extend the sidewalk, curb and gutter, drainage, landscaping and lighting along the frontage of 144, 142 and 134 2<sup>nd</sup> Ave North and include some additional milling/paving for 2<sup>nd</sup> Ave.
- Request 4: The City shall contribute \$210,116.00 for streetscape improvements along 1<sup>st</sup> Ave, Bridge St and 2<sup>nd</sup> Ave.