

## Legislation Details (With Text)

**File #:** 17-0049      **Version:** 1      **Name:** APEX Village Development Plan  
**Type:** Resolution      **Status:** Passed  
**File created:** 1/6/2017      **In control:** Board of Mayor & Aldermen  
**On agenda:** 3/14/2017      **Final action:** 3/14/2017  
**Title:** PUBLIC HEARING: Consideration of Resolution 2016-88 To Be Entitled: "A Resolution Approving A Development Plan For Apex Village PUD Subdivision With 2 Modifications Of Development Standards (MOS 1-Attached Residential Length; MOS2- Parkland Dedication), For The Property Located North Of East McEwen Drive And East Of Carothers Parkway." (01/26/17 FMPC 9-0, 02/14/17 WS)  
**Sponsors:** Ald. Ann Petersen, Emily Hunter, Amy Diaz-Barriga, Josh King

**Indexes:**

**Code sections:**

**Attachments:** 1. MAP\_ApexVillage\_DP.pdf, 2. RESOLUTION 2016-88 APEXVillage PUD Subdivision\_with MapLaw Approved.pdf, 3. APEXVillage\_DevPlan\_Conditions of Approval\_03, 4. OVERVIEW\_Apex Village Dev Plan 01.05.17.pdf, 5. ARCH\_Apex Village Dev Plan 01.05.17-3.pdf, 6. APEXVILLAGE\_Impact Study (11.18.16) - 10765.pdf, 7. FULLSET\_Apex Village Dev Plan 01.05.17.pdf, 8. APEXMOS\_Parkland.pdf, 9. Connectivity\_Apex Village Dev Plan 01.05.17-2.pdf

Date	Ver.	Action By	Action	Result
3/14/2017	1	Board of Mayor & Aldermen	approved	Pass
2/14/2017	1	Work Session	referred as a Public Hearing Item	
1/26/2017	1	Franklin Municipal Planning Commission		

**DATE:** January 18, 2017

**TO:** Franklin Municipal Planning Commission

**FROM:** Josh King, Principal Planner  
Amy Diaz-Barriga, Current Planning Supervisor  
Emily Hunter, Director of Planning and Sustainability

**Subject**

PUBLIC HEARING: Consideration of Resolution 2016-88 To Be Entitled: "A Resolution Approving A Development Plan For Apex Village PUD Subdivision With 2 Modifications Of Development Standards (MOS 1-Attached Residential Length; MOS2- Parkland Dedication), For The Property Located North Of East McEwen Drive And East Of Carothers Parkway." (01/26/17 FMPC 9-0, 02/14/17 WS)

**Project Information**

**COF Project Number:** 6305  
**Applicant:** John Haas, EDGE  
**Owner:** Khris Pascarella, Pearls Street Partners

### **Background/Staff Comments**

The land use plan places these parcels in the McEwen Character Area, Special Area 4, and recommends the following:

#### **MCEWEN CHARACTER AREA, SPECIAL AREA 4**

1. A mixture of Attached and Detached Residential and Neighborhood or Local Retail uses is recommended, either in separate structures (proximate mixed uses) or with multiple uses in the same building on different floors (vertical mixed uses).
2. 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.
3. Local Retail may be located as a transitional land use between the Regional Retail and surrounding residential neighborhoods.
4. Attached Residential is also appropriate as a transition to residential uses to the east.
5. All "big box" retail shall be located west of I-65.

The development plan is in compliance with the land use plan recommendations.

The draft of Envision Franklin calls for the regional commerce design concept in this location. The primary use on this site is intended to be multi-story office and supporting retail uses on ground floor. Secondary uses include additional retail, hotel, and multi-family residential. The environmentally-sensitive areas located at the intersection of East McEwen Drive and Carothers Parkway are preserved and should be enhanced to be a natural and recreational amenity for this site.

### **Project Considerations**

*Project Considerations 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.*

Architecture is not approved at Development Plan stage, but should stay consistent through site plan and permitting stage.

Due to the existing built environment and natural terrain challenges the applicant's request for a reduced connectivity was approved by the DRT per the process outlined in COF Zoning Ordinance 5.10.4(1)(b)(iii).

### **Modifications of Standards**

MOS-1: Attached Residential façade length

The applicant is requesting a MOS from Section 5.3.5(3)(b)(ii) Attached Residential building length. The longest façade of the attached residential building is 674 feet. The COF Zoning Ordinance states the longest permitted façade is 200 feet. The intent of this design standard is specifically targeted towards sites designed with multiple multi-family structures, rather than a singular street-oriented multi-family building with internal corridors and access. The façades of the proposed multi-family building appears to be sufficiently broken up through efficient use of building massing, façade breaks, material breaks, and natural topographic changes.

Staff recommends approval of this Modification of Standards (MOS-1).

MOS-2: Parkland dedication

The Zoning Ordinance requires that residential or mixed-use developments with 10 or more dwelling units

dedicate land to the city for use as public parks or greenways/blueways. The total land dedication for parkland required for this project would be 5.23 acres or fees-in-lieu of that particular acreage. The applicant requests that this requirement be waived. Instead, the applicant proposes a 5.24-acre private park that includes amenities. The private park will be privately maintained by the owner. Since the recreational needs of the proposed development can be met on-site by the private park at no cost to the City, staff supports this request for a modification of standards for parkland dedication. To ensure that the intent of the parkland dedication requirement is met in the future, staff has added the following condition: The private park shall be placed in an open space lot with a perpetual public access easement. If the property ever becomes private and the general public is not permitted access, the original fees-in-lieu of public parkland dedication shall apply.

Staff recommends approval of this Modification of Standards (MOS-2).

### **Recommendation**

**Recommend favorably to the Board of Mayor and Aldermen.**

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

### **PROCEDURAL REQUIREMENTS:**

1. The applicant shall upload the corrected plan to the online plan review website ( [<https://franklin.contractorsplanroom.com/secure/>](https://franklin.contractorsplanroom.com/secure/)). 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.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.