



## Legislation Details (With Text)

**File #:** 18-1239      **Version:** 1      **Name:** RES 2018-102 Design Direction 96 West Trail  
**Type:** Resolution      **Status:** Passed  
**File created:** 11/29/2018      **In control:** Board of Mayor & Aldermen  
**On agenda:** 4/23/2019      **Final action:** 4/23/2019  
**Title:** Consideration of Resolution 2018-102, "A Resolution Providing Design Direction for the SR96 West Multipurpose Trail Project (Vera Valley Drive to 5th Ave North) (Deferred from 12/11/18 WS; 1/08/19 and 2/12/19 WS; 03/26/19 WS)  
**Sponsors:** Vernon Gerth, Paul Holzen

**Indexes:**

**Code sections:**

**Attachments:** 1. Res 2018-102 - SR96 WEST TRAIL.Law Approved 3.pdf, 2. FLOWER SHOP EXHIBIT 2-27-2019.pdf, 3. Res 2018-102 - SR96 WEST TRAIL.Law Approved 3

Date	Ver.	Action By	Action	Result
4/23/2019	1	Board of Mayor & Aldermen	approved	Pass
3/26/2019	1	Work Session	referred	
2/12/2019	1	Work Session	referred	
1/8/2019	1	Work Session	referred	
12/11/2018	1	Work Session	referred	

**DATE:** March 22, 2019

**TO:** Board of Mayor and Aldermen

**FROM:** Eric Stuckey, City Administrator  
Vernon Gerth, Assistant City Administrator  
Paul Holzen, Director of Engineering  
Jonathan Marston, Assistant Director of Engineering

**SUBJECT:**

Consideration of Resolution 2018-102, "A Resolution Providing Design Direction for the SR96 West Multipurpose Trail Project (Vera Valley Drive to 5<sup>th</sup> Ave North) (Deferred from 12/11/18 WS; 1/08/19 and 2/12/19 WS; 03/26/19 WS)

**Purpose**

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning the design of the multipurpose trail project along State Route 96 West from Vera Valley Drive to 5<sup>th</sup> Avenue North, Resolution 2018-102.

**Background**

The City was awarded \$1,800,000 in Federal Transportation Alternative Program (TAP) funds to help pay for

the construction of a multi-use trail along the north side of SR-96 West between Vera Valley Drive and 5<sup>TH</sup> Avenue North. TDOT has told all TPA fund recipients that these funds need to be obligated with a Notice to Proceed for Construction on or before July 15, 2019 or funds will be rescinded. Below is a summary of the project status:

- NEPA (Environmental Phase) - 100% Complete and approved by TDOT
- Right-of-Way - 90% Complete with agreements of sale on 16 out of 18 tracts. The remaining tracts have been submitted for condemnation.
- Design - 95% Complete and submitted to TDOT
- Utility Coordination - 80% Complete

Staff is currently on schedule to meet the funding obligation deadline. Below is a summary of the current and estimated project cost:

	<b>Current Cost</b>	<b>Estimated Total</b>
<b>Design</b>	\$159,319.91	\$175,000.00
<b>Appraisals / Acquisition</b>	\$175,881.92	\$216,800
<b>Right-of-Way / Easements</b>	\$334,750.00	\$500,000
<b>Estimated Construction</b>	\$0.00	\$3,693,900
<b>Total</b>	<b>\$669,951.80</b>	<b>\$4,585,700</b>

At this point, Staff is seeking design direction from the Board on how to proceed with the property located at 208 New HWY 96W (Williams flower shop/produce stand). Currently, the only existing parking for the flower shop is located within State right-of-way. It should also be noted that prior to this project our Building and Neighborhood Services Department had been taking enforcement action on the property owner to bring the front pavilion structure into compliance with the International Property Maintenance Code. This is further complicated by the fact that the City will not allow repairs to be made to front pavilion structure due to its location over an existing sanitary sewer main and within an existing sanitary sewer easement. The proposed project does not require the purchase of any easements or right-of-way from the flower shop. Proceeding with the project as designed will require the property owner to reconfigure the site to allow for parking outside of the public right-of-way. Below are the options evaluated by City staff:

Option 1 - Pull the funding from the project and inform TDOT that we are unable to proceed with the project due to lack of public support.

Option 2 - Proceed with the current design and provide a driveway cut at the existing curb cut location. The property owner would need to adjust and modify their site to accommodate onsite parking.

Option 3 - Proceed with the current design and accept the fact that the property owner will need to reconfigure the property at their expense and, authorize the City Administrator to execute an agreement that reimburses the property owner their out of pocket expenses associated with relocating merchandise display tables, modifying/rebuilding the freestanding canopy to meet the City of Franklin's building requirements, and installing additional pavement for off-street parking adjacent to the existing concrete pad as determined by the property owner in an amount not to exceed \$ 50,000.

Option 4 - Purchase the property. The property owner has verbally agreed to sell the property for a cost of

approximately \$600,000.

One other option evaluated by staff included the construction of parallel parking along SR96W. This option was eliminated due to the cost and safety problems associated with this approach. Staff has met with the property owner on at least three occasions to discuss the challenges and available options.

### **Financial Impact**

Option 1 - No additional cost for the City of Franklin. We will forfeit \$1,800,000 of TAP funding back to the State/FHWA.

Option 2 - No additional cost for the City of Franklin. This option will have a significant cost that will ultimately burden the existing property owner.

Option 3 - By proceeding with this option the City would reimburse the property owner up to \$ 50,000 for their out of pocket expenses associated with relocating merchandise display tables, modifying/rebuilding the freestanding canopy to meet the City of Franklin's building requirements, and installing additional pavement for off-street parking adjacent to the existing concrete pad.

Option 4 - The property owner has requested \$600,000. The Cost would be determined by the Board of Mayor and Aldermen and negotiated with the property owner.

### **Recommendation**

Staff is seeking to inform the Board of the status of the project and of the potential impact on one specific business. Option 3 is recommended by the City Administrator as it provides for the continuation of the business while allowing the trail project to move forward.