

Legislation Details (With Text)

File #: 19-0900 **Version:** 1 **Name:**
Type: Planning Item **Status:** Passed
File created: 8/29/2019 **In control:** Franklin Municipal Planning Commission
On agenda: 10/24/2019 **Final action:** 10/24/2019
Title: Consideration Of Resolution 2019-89: A Resolution Amending The Apex PUD Subdivision To Extend The Vested Rights, For The Property Located In The Northeast Corner Of The Intersection Of Carothers Parkway And McEwen Drive.

Sponsors:

Indexes:

Code sections:

Attachments: 1. RES 2019-89 Vesting Extension Apex Village_with exhibits.Law Approved_1, 2. Bigby - Letter for Entitlement Extension Request (July 25), 3. Apex Village (Bigby) Withdrawal request

Date	Ver.	Action By	Action	Result
10/24/2019	1	Franklin Municipal Planning Commission	approved	Pass

DATE: October 16, 2019

TO: Franklin Municipal Planning Commission

FROM: Amy Diaz-Barriga, Current Planning Supervisor
Emily Hunter, Director of Planning and Sustainability

Subject

Consideration Of Resolution 2019-89: A Resolution Amending The Apex PUD Subdivision To Extend The Vested Rights, For The Property Located In The Northeast Corner Of The Intersection Of Carothers Parkway And McEwen Drive.

Project Information

Applicant: Ryan McMaster

Owner: Crescent Communities, LLC (Lud Hodges, Representative)

Background/Staff Comments

The Apex Village PUD was recommended for approval by Planning Commission on January 26, 2017, and was approved with conditions by BOMA on March 28, 2017. Upon BOMA approval, this Development Plan established its vested rights for development under the regulations and ordinances in place on the day of the PUD's approval. For the plan to retain its vested rights, it is required to obtain the approval of a site plan, obtain necessary permits, and begin site preparation, all within three years of its original approval date. Therefore, the current development plan is vested until March 28, 2020. The applicant has yet to hit any of these milestones, as of the date of this staff report. The applicant is requesting a one-year extension of the vesting rights, to complete these three milestones. They have not requested an extension of their overall

vesting timeline of 10 years in total.

Staff has analyzed the PUD against the upcoming Zoning Ordinance changes, and found that there would be no substantial changes to the layout or permitted uses within the PUD. Staff did find that there would be significant changes to the multifamily building's materials and architectural features if the new Zoning Ordinance was applied to this PUD. The following are examples of how the new Zoning Ordinance would regulate the multifamily building:

Materials-the building's primary materials will be limited to a small list of high quality and sustainable materials, and accent materials can only apply to 25% of the net façade.

Colors-only three main colors are allowed in the new Zoning Ordinance.

Entrances-Prominently located on front facade and highly visible, and facades facing streets and internal drives shall have individual entrances to all publicly-accessed ground floor uses and all ground floor dwelling units.

Massing-any façade greater than 160' in width shall be differentiated so that it appears to be comprised of two or more adjacent buildings, each of which include a separate entrance.

Base-must anchor the building with a unique design element.

Cap-must provide a visual change from the main body and must be visible from the public realm.

Staff feels that the regulations above could not be enforced under the existing ordinance. Staff believes that requiring the development plan to resubmit under the new Zoning Ordinance would produce better buildings, for the development, for the City, and for the future residents.

Recommendation

Recommend disapproval to the Board of Mayor and Aldermen.