



Legislation Text

File #: 19-0425, **Version:** 1

DATE: May 15, 2019

TO: Franklin Municipal Planning Commission

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

Subject

PUBLIC HEARING: Consideration Of Resolution 2019-37: A Resolution Approving A Revised Development Plan For Carothers Crossing West PUD Subdivision With 1 Modification Of Development Standards (Tree Canopy), For The Property Located North Of Liberty Pike And West Of Carothers Parkway. (05/23/19 FMPC 5-3, 06/11/19 WS)

Project Information

COF Project Number: 6939

Applicant: Greg Gamble, Gamble Design Collaborative

Owner: Glenn McGehee, Southstar Company

Background/Staff Comments

This plan was deferred at the April FMPC meeting, to ensure it met public notification requirements.

The original development plan for Carothers Crossing West was approved by the Board of Mayor and Alderman at the October 9, 2018 meeting. The original entitlements for 333 attached residential units and 67,328 square feet of commercial (retail and office) are not being modified. The development plan revision's sole purpose is to request a modification of standards to reduce the tree canopy requirements outlined in the Zoning Ordinance.

This site has a history of being previously used for speculative strip mining and agricultural purposes. The existing tree canopy and inventory of trees are limited in size and species. As part of the original development plan staff utilized tools outlined in the Zoning Ordinance (5.2.3) to reduce the tree canopy requirements from the current 2.37 Acres to 1.64 Acres and utilize "urban reforestation", not a tool currently in the Zoning Ordinance or recognized by staff.

5.2.3 Exemptions

The following tree removal activities are exempt from the standards of this section:

(2) Removal of trees that are determined to be unhealthy by the Department of Building and Neighborhood Services (in consultation with the Department of Planning and Sustainability or with

written verification of the tree's condition as dead or dying as prepared by a qualified arborist);
(3) Removal of trees that are determined by the Department of Building and Neighborhood Services (in consultation with the Department of Planning and Sustainability) to be nuisance trees or a threat to an existing structure, underground utility, or to the public health, safety, or welfare;
(4) Removal of trees listed in the current edition of Invasive Exotic Pest Plants, published by the Tennessee Exotic Pest Plant Council;

The core purposes of Tree Protection in the Zoning Ordinance as stated in 5.2.1 Purpose are:

The purpose for this section is to establish a series of standards and measures necessary to retain and protect portions of the existing tree canopy cover and other significant trees, in order to:

- (1) Prevent clear cutting;
- (2) Protect existing tree canopy on developing sites;
- (3) Maintain a minimum level of tree canopy cover on developed sites larger than one acre;
- (4) Preserve specimen trees;
- (5) Maintain and enhance the quality of life in the city;

One of the eight themes adopted with Envision Franklin speaks to the issue being presented with this development plan revision and modification of standards request:

5. Natural Beauty-

E. Established forested areas, existing tree canopies, specimen trees, and riparian buffers help to absorb air pollution, reduce glare, heat, and noise, and enhance the quality of life through health and recreational benefits. These resources should be preserved through careful site design. Clear cutting is discouraged.

Also, building design should provide contextual references to its surrounding built and natural environment. Design context could include natural features, such as a river, lake, park, open space, or hillside; historic and cultural contexts; and existing architecture. Examples of contextual references could include maximizing visual access to scenic views, streets, pedestrian corridors, plazas, public art, and prominent buildings; incorporating distinctive architectural details, materials, and styles from nearby buildings where an established character exists; and siting buildings in a manner that uses the natural topography and minimizes grading.

This intended form and function of this development plan have met the intent of Envision Franklin in many aspects by providing activated streetscape along an internal street network and by placing higher-intensity uses in the I-65 corridor. However, this development plan, both originally and with this revision, could have been more thoughtfully designed to meet the City's requirements regarding natural resource protection. In lieu of meeting the City's standards for tree canopy cover, the applicant is requesting a modification of standards to largely reduce the required tree canopy retention for this site and proposed a longer-term reforestation plan for mitigation.

Modification of Standards Requests

MOS 1: Tree Canopy Cover

City of Franklin Zoning Ordinance Table 5-2 specifies a tree canopy retention standard for this development of 15% of the existing tree canopy cover. The applicant has requested a reduction of the required 2.37 acres of tree canopy retention to 1.64 acres and proposes reforestation as a mitigation technique. Staff has previously exhausted all administrative tools available to reduce the tree canopy standards on this site, due to the unique

conditions presented by the applicant. This modification of standards request is not supported by the adopted guiding principles of Envision Franklin nor the adopted purposes of the City of Franklin Zoning Ordinance.

Consistent application of the Zoning Ordinance is important if tree canopy is valued by the City of Franklin. Reforestation, as proposed by the applicant, may result in better species diversity, but these trees will take years to reach their growth potential. In the interim, existing and future residents are not able to benefit from the tree canopy.

Staff Recommends Disapproval of Modification of Standards #1.

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.

Recommendation

Recommend disapproval to the Board of Mayor and Aldermen.

See attached pages for a list of staff recommended conditions of approval, in the event that the development plan is approved.

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.