



City of Franklin

109 3rd Ave S
Franklin, TN 37064
(615)791-3217

Meeting Agenda

Work Session

Tuesday, August 18, 2015

4:00 PM

Board Room

SPECIAL Worksession - PARKS

Call to Order

WORKSESSION DISCUSSION ITEMS

1. [15-0738](#) Discussion Regarding A Proposed Ordinance To Amend The City Of Franklin Municipal Code By Creating Title 25 Chapter 4 Relating To Parks And The Dedication Of Public Land For Parks. - Presentation by Dr. John Crompton

Sponsors: Eric Stuckey, Vernon Gerth and Lisa Clayton

Attachments: [08-18-15 Franklin Parkland Presentation 8 18 15.pdf](#)
[Franklin Parkland Ord. Draft 6 26 15 safvjg.pdf](#)

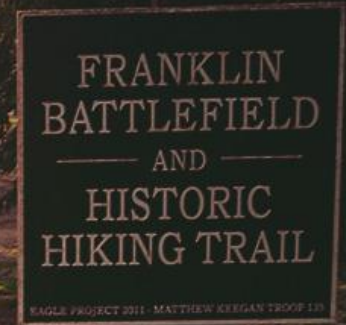
Other Business

Adjournment

Anyone requestiong accommodations due ti disabilities should contact ADA coordinator at 791-3277.

Park Land Dedication Ordinance

BOMA Presentation
August 18, 2015



Whereas...

- Sets basis for ordinance
- Sets minimum park size at 5 acres
- Removes park land dedication from the zoning ordinance
- Affirms BOMA approval of the Comprehensive Plan
- Establishes level of service at current level

Title 25A: Purpose

- Parks are necessary and in the public welfare
- Establishes park quadrants
- Cost of parks to be borne by developers



*Quadrant 4

Average Price per acre
\$200,000

*Quadrant 1

Average Price per acre
\$271,000

*Quadrant 3

Average Price per acre
\$163,000

*Quadrant 2

Average Price per acre
\$168,000



DISCLAIMER
The data was obtained from the Department of
Transportation and the Department of Transportation
Planning. The data is not intended to be used for
commercial purposes. All data are subject to change
without notice.

Title 25-C: Requirements



- Dedication of land or fee in lieu
- Payment of development fee
- If actual number of units exceeds estimate, additional fees may be required

Title 25-C: Requirements



Sets fees in lieu and required land dedications; references quadrants

Title 25-C: Requirements



Land shall be dedicated fee simple

- Prior to issuance of building permit for multi-family
- Concurrent with final plat for single family
- For phased development entire park platted or provide financial security against future dedication

Title 25-C: Requirements



Fee in lieu due at the same time fees are due for final platting or issuance of building permit, whichever occurs first

Title 25-C: Requirements



Ordinance Administration and Approval

- City staff to administer
- BOMA has final authority in determining how much land or fee to accept in lieu of required land in unique situations
- City may require dedication instead of fee in lieu

Title 25-C: Requirements



Approval process for land dedication more than 5 acres and land with floodplain

- Obtain recommendation from DRT
- Obtain approval from Planning Commission

Title 25-C: Requirements



Approval process for land dedication less than 5 acres or fee in lieu not including floodplain

City Administrator authorized to accept if:

- Proposed dedication or fee provides sufficient land in the quadrant for required park land dedication
- If proposed dedication is insufficient for park site, some/all may be in form of fee in lieu
- Development of park is consistent with master plan

Title 25-C: Requirements



Park development fee

- Sets fee
- Process for approval and collection simultaneously with dedication process

Title 25-C: Requirements



Construction of parks in lieu of fee

- Allows developer to construct required park improvements in lieu of fee
- Sets forth requirements therefore

Title 25-C: Requirements



Fees may only be used for acquisition or development of parks located in the same quadrant as the development

Title 25-C: Requirements



Reimbursement for City-acquired land

- May require all dedication in a quadrant where land is acquired by City to be fee in lieu until cost of acquisition is reimbursed

Title 25-C: Requirements

12

Credit for private park and recreation amenities

- Allows for up to 50% of dedication requirement fulfilled by privately constructed and maintained park facilities
- Sets forth acceptable facility types
- Requires ownership and maintenance by association
- City as signatory of the covenants

Title 25-C: Requirements



Revision of fees

- City to review fees and land required at least once every three years
- Changes in effect 120 days from date of BOMA approval

Title 25-D: Prior Dedication

Dedications prior to enactment may be subject to vesting if unit count exceeds original number

Title 25-E: Comprehensive Plan

- Proposed park locations in plan are general
- Location, size and number of parks determined when development occurs, sites acquired including by donation
- Park quadrants in plan indicate service areas for parks

Title 25-F: Special Fund; Right to Refund

- Requires dedication fees to be deposited in account reserved for acquisition and development in each quadrant
- Fees must be expended within 5 years
- Fees spent on first in, first out basis
- If not so expended, landowner entitled to pro rated refund on a per SF of area basis
- Owners must request refund within 1 year of entitlement

Title 25-G: Park Land Guidelines

- Land must be accessible and suitable for park development
- Property owner must pay all taxes up to date of dedication
- Land in floodplains or designated greenways will be considered on a 3 to 1 basis
 - 3 acres of floodplain = 1 acre of park land

Title 25-H: Warranty

- Developers who construct and dedicate required park improvements must provide 1-year warranty
- Warranty obligation shall be covered by Performance Surety, Cash, or Letter of Credit
- Requires developer to correct defective work
- Authorizes City to make repairs at developer's expense if developer is not responsive

Appendix 1: Park Land Dedication Fees

Level of Service Calculation

Quadrant 1

- Population: 22,273
- Acres of parks: 209.7
- Service level: 107 people per acre of parks ($22,273/209.7$)
- Average people per dwelling unit (DU): 2.4
- Service level: 44.5 DU's per acre ($107/2.4$)

Required land dedication in Quadrant 1 is therefore 1 acre for every 44.5 DU's

Land Dedication Requirement

Quadrant 1	1 acre for every 44.5 DU's (979 SF per DU)
Quadrant 2	1 acre for every 49.5 DU's (880 SF per DU)
Quadrant 3	1 acre for every 52.5 DU's (830 SF per DU)
Quadrant 4	1 acre for every 50 DU's (871 SF per DU)

Land Dedication Summary

	Population	Acres of Parks	Service Level (people/acre)	Service Level (DU/acre)	Service Level (SF/DU)
Quadrant 1	22,273	209.7	107	44.5	979
Quadrant 2	13,436	113.3	119	49.5	880
Quadrant 3	10,750	85.2	126	52.5	830
Quadrant 4	21,043	174.1	121	50	871

Land Fee in Lieu Calculation

- Amounts shown in draft ordinance are maximum allowable based on methodology
- Board of Mayor and Aldermen will set fees at levels they deem appropriate



***Quadrant 4**

Average Price per acre
\$200,000

***Quadrant 1**

Average Price per acre
\$271,000

***Quadrant 3**

Average Price per acre
\$163,000

***Quadrant 2**

Average Price per acre
\$168,000



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Land Fee in Lieu Calculation

Quadrant 1

Service level	44.5 DU's per acre
Cost of 1 acre of land	\$271,000
Cost for park land per DU	\$6,090 (\$271,000/44.5)



Maximum Land Fees in Lieu by Quadrant



Appendix III: Park Development Fee

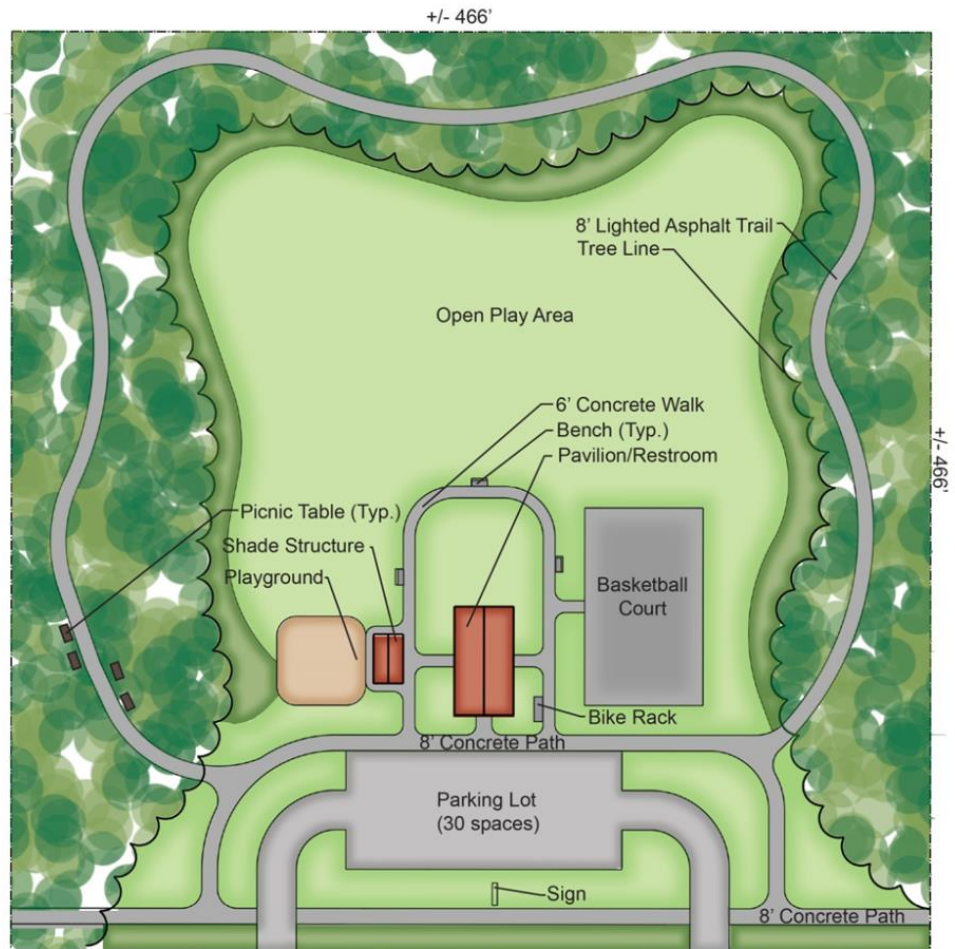
Park Development Fee

- Ordinance includes not only land dedication and fee in lieu but also cost recovery for park development costs
- Process for approval and collection of development fees are the same as and proceeds simultaneously the park land dedication requirement

Basis for Park Development Fee

- Based on estimated cost to develop a generic 5-acre neighborhood park
- City will only consider developing parks 5 acres or larger

Generic Park Plan



Franklin Generic Neighborhood Park
Scale: 1:60

City of Franklin Neighborhood Park
Opinion of Probable Construction Costs
 Generic Concept Plan for 5 Acre Park
 April, 2015

Description	Qty.	Unit	Unit Price	Total
Site Preparation				
Clearing & Grubbing	2.5	AC	\$1,500.00	\$3,750.00
Earthwork - Excavation	6,050	CY	\$6.00	\$36,300.00
Erosion Control	1	AL	\$10,000.00	\$10,000.00
Subtotal Site Preparation				\$50,050.00
Pavement				
Standard Duty Asphalt - Entry Drive and 30 Space Parking Lot	1,528	SY	\$17.50	\$26,740.00
Aggregate	1,528	SY	\$10.50	\$16,044.00
Pavement Markings	1	AL	\$2,000.00	\$2,000.00
Concrete Extruded Curb	752	LF	\$8.00	\$6,016.00
Traffic/Parking Signage	1	LS	\$1,000.00	\$1,000.00
6" Concrete Sidewalks	400	SF	\$6.00	\$2,400.00
8" Concrete Sidewalks	6,600	SF	\$6.00	\$39,600.00
8" Asphalt Trail	1,066	SY	\$24.00	\$25,584.00
Subtotal Pavement				\$119,384.00
Water				
4" DIP Domestic Water Pipe	120	LF	\$25.00	\$3,000.00
Water Meter	1	EA	\$2,000.00	\$2,000.00
Fire Hydrant Assembly	1	EA	\$6,500.00	\$6,500.00
Backflow Preventer	2	EA	\$4,000.00	\$8,000.00
Hot Box	1	AL	\$4,000.00	\$4,000.00
Subtotal Water				\$23,500.00
Sanitary Sewer				
6" PVC Sanitary Line	120	LF	\$35.00	\$4,200.00
4" Dia. Sanitary Manhole	1	EA	\$6,000.00	\$6,000.00
Cleanout	1	EA	\$50.00	\$50.00
Subtotal Sanitary Sewer				\$10,250.00
Storm Water				
18" RCP	200	LF	\$100.00	\$20,000.00
Catch Basins	2	EA	\$3,000.00	\$6,000.00
Headwalls	2	EA	\$2,800.00	\$5,600.00
Subtotal Storm Water				\$31,600.00
Site Lighting & Electrical				
Parking Lot Lights - Single Head	4	EA	\$5,950.00	\$23,800.00
Asphalt Walking Trail Lighting at 50' on center	24	EA	\$4,000.00	\$96,000.00
Area Lighting Single Head	4	EA	\$4,000.00	\$16,000.00
1" PVC Conduit	2,000	LF	\$15.50	\$31,000.00
Wire	8,000	LF	\$5.90	\$47,200.00
Site Electrical Distribution	1	LS	\$10,000.00	\$10,000.00
Subtotal Site Lighting & Electrical				\$224,000.00
Buildings/Structures				
30' x 40' Pavilion With Slab	1,200	SF	\$55.00	\$66,000.00
Restroom attached to Pavilion	300	SF	\$150.00	\$45,000.00
Subtotal Buildings/Structures				\$111,000.00
Site Amenities				
Playground With Rubberized Surface	1	LS	\$100,000.00	\$100,000.00
Playground Seating Shade Cover	1	AL	\$15,000.00	\$15,000.00
Basketball court	1	AL	\$40,000.00	\$40,000.00
Benches With Pad	6	EA	\$1,500.00	\$9,000.00
Trash Receptacles	3	EA	\$1,200.00	\$3,600.00
Drinking Fountain	1	EA	\$5,000.00	\$5,000.00
Picnic Tables, Grill, Trash receptacle	4	EA	\$4,000.00	\$16,000.00
Bike Rack	1	EA	\$1,500.00	\$1,500.00
Subtotal Site Amenities				\$190,100.00
Landscaping				
Canopy Trees	40	EA	\$400.00	\$16,000.00
Ornamental Trees	20	EA	\$250.00	\$5,000.00
Shrubs	170	EA	\$24.00	\$4,080.00
Groundcover	100	EA	\$10.00	\$1,000.00
Seed	3	AC	\$4,800.00	\$12,000.00
Irrigation	100,000	SF	\$0.50	\$50,000.00
Subtotal Miscellaneous				\$88,080.00
Miscellaneous				
Park Sign	1	AL	\$2,500.00	\$2,500.00
Subtotal Miscellaneous				\$2,500.00
			Subtotal	\$850,464.00
			Contractor General Conditions & Mobilization @ 8%	\$68,037.12
			Subtotal	\$918,501.12
			10% Contingency	\$137,775.17
			Subtotal	\$1,056,276.29
			Survey and Design	\$126,753.15
			Design and Construction Total	\$1,183,029.44
Legend				
EA	Each			
LS	Lump Sum			
AL	Allowance			
SF	Square feet			
AC	Acre			

Opinion of Cost

Park Development Fee Calculation

Quadrant 1

Park development costs	\$1,183,029	same for all quadrants
Total DU's	9,280	population of 22,273/ 2.4 people per DU
Park development cost per DU	\$127	$\$1,183,029/9,280$

Quadrant 4

\$135
per DU

Quadrant 1

\$127
per DU

Park Development Fee by Quadrant

Quadrant 3

\$264
per DU

Quadrant 2

\$211
per DU



Maximum Park Dedication Fees Per DU



ORDINANCE 2015-XX

TO BE TITLED: "AN ORDINANCE TO AMEND THE CITY OF FRANKLIN MUNICIPAL CODE BY CREATING TITLE 25 CHAPTER 4 RELATING TO PARKS AND THE DEDICATION OF PUBLIC LAND FOR PARKS."

WHEREAS, the City of Franklin's policy is that new growth in residential development should pay for itself and not inflict costs on existing City of Franklin tax payers; and

WHEREAS, the City of Franklin values public park land as an important community amenity and a central tenet of quality of life for its citizens, thereby requiring park land dedication or fees-in-lieu for new residential development; and

WHEREAS, operating and maintenance costs for public park land of less than five acres is not cost effective for the City; and

WHEREAS, private improvements in new developments are encouraged to provide park-like amenities to be enjoyed by those residing within the development; and

WHEREAS, removing Section 5.5.4-5.5.9 from the Franklin Zoning Ordinance and establishing a Title in the Franklin Municipal Code on park land dedication and park facilities credits will provide latitude to City staff in achieving recreational facilities within private developments that meet the intent of this Chapter.

WHEREAS, Whereas on _____ the City of Franklin Board of Mayor and Alderman approved the Franklin Park and Recreation Master Plan, which provides planning policy and guidance for the development of a municipal park and recreation system for the City of Franklin; and

WHEREAS, the plan has assessed the need for park land and park improvements to serve the residents of Franklin; and

WHEREAS, the plan has carefully assessed the level of service provided by the park and recreation system, and the City wishes to retain that level of service by establishing a dedication and/or fee in lieu based on individual dwelling units created by each new development so new dwelling units bear their proportionate share of the cost of retaining the current level of service; and whereas park land dedication requirements and park development fee assessments are based on the mathematical formulas and allocations set forth in this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that Title 25, Chapter 4 of the Municipal Code shall be created to read as follows:

Title 25: Requirements for Park Land Dedication and Development.**25-A. Purpose.**

1. Provide park facilities as a function of subdivision and site development in the City of Franklin.
2. It is hereby declared by the Board of Mayor and Aldermen that parks are necessary and in the public welfare, and that the only adequate procedure to provide for parks is by integrating such requirements into the procedure for planning and developing property or subdivisions in the City, whether such development consists of new construction on vacant land or rebuilding and remodeling of structures on existing residential property.
3. Parks providing for a variety of outdoor recreational opportunities have to be located within convenient distances from a majority of the residences to be served. The park quadrants established by the City of Franklin shall be prima facie proof that any park located therein is within such a convenient distance from any residence located therein. The primary cost of parks shall be borne by the developers of residential property who, by reason of the proximity of their property to such parks, shall be the primary beneficiaries of such facilities.
4. Therefore, the following requirements are adopted to effect the purposes stated above.

25-B. Applicability.

This section applies to the development of land for residential use located within the City of Franklin.

25-C. Requirements.

1. Generally, the development of residential property dwelling units must address the following requirements pursuant to this section: 1) dedication of land for park use or payment of a fee in lieu thereof and, 2) payment of a development fee for parks or construction of the park improvements to which such fee relates. Requirements herein are based on actual dwelling units for an entire development. Increases or decreases in final unit count may require an adjustment in fees paid or land dedicated. If the actual number of dwelling units exceeds the original estimate, additional park land and additional park development fees may be required in accordance with the requirements in this Section.
2. The schedule of fees and required land dedications is attached hereto as Appendix I and incorporated and made a part of this Section for all purposes. The identification of park quadrants is as shown on a map in the City's 2015 Comprehensive Park and Recreation Master Plan referenced herein and incorporated by reference and a copy of said map is attached hereto as Appendix II. If a contiguous residential development lies within two or more of the park quadrants, the development will be considered to be in the quadrant containing the largest amount of square footage of land in the development.

3. Land Dedication

- a. The amount of land to be dedicated and platted for park land purposes shall be as set forth in Appendix I.
- b. The total amount of land dedicated for the development shall be dedicated to the City in fee simple:
 - i. Prior to the issuance of any building permits for multi-family development,
 - ii. Concurrently with the final plat for a single phase development,
 - iii. For a phased development the entire park shall be either platted concurrently with the plat of the first phase of the development or,
 - iv. The developer may provide the City with financial security against the future dedication by providing an irrevocable letter of credit, or other alternative financial guarantee such as a cash deposit in the amount equal to the number of acres park land required and in a form acceptable to the City. The amount of the financial guarantee shall be the amount of fee in lieu of land dedication as set forth in Appendix I. The financial guarantee will be released to the developer, without interest, upon the filing of the final plat for the subsequent phase that dedicates the required park land.

4. Fee in Lieu of Land. In lieu of dedicating park land for parks, a developer may be required to meet some or all of the park land dedication requirements through payment of a fee in lieu thereof in amounts as set forth in Appendix I. Such fees shall be due at the same time as fees are due for final platting or for issuance of a building permit, whichever occurs first.

5. Ordinance Administration and Final Approval. City staff through its development review and approval process shall administer this ordinance with the understanding the Board of Mayor and Aldermen (BOMA) shall have the final authority in determining how much, if any, land or fee may be accepted in lieu of required land dedication when unique situations or opportunities arise. The City may, from time to time, require that a fee be submitted in lieu of land dedication in amounts as set forth in Appendix I. Likewise, the City may, from time to time, require that land be dedicated in amounts as set forth in Appendix I and that no fee in lieu of land will be accepted.

6. Approval Process for Park Land Dedication.

- a. Land Dedications Equal or Exceeding Five Acres, and Dedications of Floodplains and Greenways. For any proposed required park land dedication equaling or exceeding five (5) acres of land or equaling or exceeding payment of a fee in lieu thereof, or for any proposed land dedication containing floodplain or greenway, the landowner must:
 - i. Obtain a recommendation from the City's Department Review Team (DRT), and

- ii. Obtain approval from the Planning Commission pursuant to the plat approval procedures as set forth elsewhere in the City Code of Ordinances
- b. Dedications of Less Than Five Acres Not Including Floodplains or Greenways. For any proposed park land dedication less than five (5) acres of land or the payment of a fee in lieu thereof, or for any proposed land dedication containing floodplain or greenway, the City Administrator or his/her designee is authorized to accept and approve same if the following criteria are met:
 - i. The proposed dedication or fee provides a sufficient amount of park land existing in the park quadrant of the proposed development for required park land dedication;
 - ii. Where the proposed dedication is insufficient for a park site, some or all of the dedication requirements may be in the form of a fee in amounts as set forth in Appendix I; Determination of acceptability of a proposed park land dedication is based upon the City of Franklin's 2015 Comprehensive Park and Recreation Master Plan, as may be amended from time to time; and
 - iii. The proposed development of the park is consistent with City of Franklin's 2015 Comprehensive Park and Recreation Master Plan, as may be amended from time to time.

7. Park Development Fee.

In addition to the land dedication requirements for parks, there are also park development fees established herein sufficient to develop parks in ways that meet the City of Franklin's standards. The amount of development fees assessed to a developer subject to this section for parks is as shown in Appendix I. The cost of park development on which this amount is based is described in Appendix III. The process for the approval and collection of development fees shall be the same as for the park land dedication requirements to which the development relates, and shall be processed simultaneously with the park land dedication requirements.

8. Construction of Park Improvements in Lieu of Development Fee.

A developer may elect to construct required park improvements in lieu of paying the associated development fee as set forth herein. In such event:

- a. A park site plan, developed in cooperation with the Parks Department staff, is submitted and approved by the City's Department Review Team (DRT) upon submission of final plat or upon application for a building permit, whichever is applicable.
- b. Detailed plans and specifications for park improvements hereunder shall be due and processed in accordance with the procedures and requirements pertaining to public improvements for final plats and for building permit issuance, whichever is applicable.
- c. All plans and specifications shall meet or exceed the City's standards in effect at the time of the submission.

- d. If the improvements are constructed on land that has already been dedicated to and/or is owned by the City, then the Developer must post payment and performance bonds to guarantee the payment to subcontractors and suppliers and to guarantee the developer completes the work in accordance with the approved plans, specifications, ordinances, and other applicable laws.
 - e. The construction of all improvements must be completed in accordance with the requirements relating to the construction of public improvements for final plats and issuance of building permits, whichever is applicable. This includes guaranteeing performance in lieu of completing the park improvements prior to final plat approval. Notwithstanding any other applicable ordinances, park improvements shall be completed within two years from the date of approval.
 - f. Completion and Acceptance – Park development will be considered complete and a Certificate of Completion will be issued after the following requirements are met:
 - i. Improvements have been constructed in accordance with the Approved Plans;
 - ii. All park land upon which the improvements have been constructed has been dedicated as required under this section; and
 - iii. All manufacturers' warranties have been provided for any equipment installed in the park as part of these improvements.
 - g. Upon issuance of a Certificate of Completion, the developer shall be required to warrant the improvements for a period of one (1) year by submitting a Maintenance Obligation in a form (i.e. Cash or Letter of Credit) as required by the City.
 - h. The developer shall be liable for any costs required to complete park development if:
 - i. Developer fails to complete the improvements in accordance with the approved plans; or
 - ii. Developer fails to complete any warranty work.
9. Submitting fee. Any fees required to be paid pursuant to this section shall be remitted:
- a. Prior to the issuance of any building permits for multi-family development; or
 - b. Upon submission of each final plat for single family, duplex or townhouse development.
10. Use of Fees. Fees may be used only for the acquisition or development of park facilities in parks located within the same quadrant as the development.
11. Reimbursement for City Acquired Park Land.

The Board of Mayor and Alderman (BOMA) may from time to time, acquire land for parks in or near an area of actual or potential development. If the City does acquire park land in a particular quadrant, the BOMA at its discretion, may require subsequent dedications within the quadrant to be in fee-in lieu-of-land only until such time the cost of acquisition

has been reimbursed.

12. Credit for Private Park and Recreation Amenities.

- a. Up to 50% of the park dedication and development requirement may at the discretion of the City, be fulfilled by privately owned and maintained park and recreation facilities. Credit for private parkland must meet the standards of the Parkland Dedication and Development Guidelines concerning adequate size, character and location. Examples include a swimming pool, recreation center building, National Playground Standards playground, sprayground, outdoor fitness course, athletic fields or courts, multi-purpose sports fields similar to the athletic fields and courts that presently exist within Jim Warren and Liberty Parks, improved greenways not identified in adopted City Plans, or other park facilities as approved by the City Administrator.
- b. Private facilities may be restricted to the use and enjoyment of residents of the particular development or subdivision. However, such areas shall be maintained by and deeded to a homeowners' association, or trustee. The homeowners are liable for the payment of maintenance fees and capital assessments, and unpaid homeowners' fees and assessments will be a lien on the property of the delinquent homeowners. To ensure private parks and recreation amenities remain accessible to residents, are maintained in their approved design and, in good working condition into perpetuity, the City Board of Mayor and Alderman shall be a signatory of the section of the particular development or subdivision homeowners association covenants for which the private park serves.

13. Revision of Fees

The City shall review the fees established and amount of land required shown in Appendix I at least once every three (3) years. Subsequent changes shall become effective 120 days from the date the Board of Mayor and Alderman approved the change by ordinance.

25-D Prior Dedication or Absence of Prior Dedication.

If a dedication requirement arose prior to enactment or amendment of this Title 25, subsequent development for the subject tract to which the dedication requirement applies may be subject to vesting. Depending on the circumstances, additional dedication may be required for the increase in dwelling units from what was originally proposed.

25-E Comprehensive Plan Considerations.

1. The City's 2015 Comprehensive Park and Recreation Master Plan is intended to provide a guide upon which to base its recommendations. Because of the need to consider specific characteristics in the site selection process, the park locations indicated in the Plan are general. The actual locations, sizes, and number of parks will be determined when development occurs or when sites are acquired by the City, including by donations.

2. Park quadrants are established in the City's 2015 Comprehensive Park and Recreation Master Plan as a component of the City's Plan, and indicate service areas for parks.

25-F Special Fund; Right to Refund.

1. All park land dedication fees will be deposited in an account, as determined by the City of Franklin Finance Department Director and reserved for acquisition and improvements to the park quadrant to which it relates.
2. The City shall account for all fees in lieu of land and all development fees paid under this Section with reference to the individual plat(s) involved. Any fees paid for such purposes must be expended by the City within five (5) years from the date received by the City for acquisition and/or development of a park. Such funds shall be considered to be spent on a first-in, first-out basis. If not so expended, the landowners of the property on the expiration of such period shall be entitled to a prorated refund of such sum, computed on a square footage of area basis. The owners of such property must request such refund within one (1) year of entitlement, in writing, or such right shall be barred.

25-G Park Land Guidelines and Requirements.

1. Parks shall be easy to access and open to public view so as to benefit area development, enhance the visual character of the City, protect public safety and minimize conflict with adjacent land uses. The following guidelines and requirements shall be used in designing parks and adjacent development.
2. Any land dedicated to the City under this section must be suitable for park and recreation uses. The dedication shall be free and clear of any and all liens and encumbrances that interfere with its use for park purposes. The City Administrator or his/her designee shall determine whether any encumbrances interfere with park use. Minerals may be reserved from the conveyance provided that there is a complete waiver of the surface use by all mineral owners and lessees. A current title report must be provided with the land dedication. The property owner shall pay all taxes or assessments owed on the property up to the date of acceptance of the dedication by the City. A tax certificate from the Tax Assessor shall be submitted with the dedication or plat.
3. Consideration will be given to land that is in the floodplain or may be considered "floodable" even though not in a federally regulated floodplain as long as, due to its elevation, it is suitable for park improvements. Sites should not be severely sloping or have unusual topography which would render the land unusable for recreational activities.
4. Land in floodplains or designated greenways will be considered on a three-for-one basis. Three acres of floodplain or greenway will be equal to one acre of park land. The City Administrator or his/her designee shall have final authority on acceptance of land in floodplains.
5. Where feasible, park sites shall be located adjacent to greenways and/or schools in order to encourage shared facilities and joint development of new sites.

6. Park sites shall be proximate to residential areas in a manner that serves the greatest number of users and shall be located to minimize users having to cross arterial roadways to access them.
7. Where appropriate, sites with existing trees or other scenic elements are preferred.
8. Detention / retention areas may not be used to meet dedication requirements, but may be accepted in addition to the required dedication. If accepted as part of the park by the City Administrator or his/her designee, the detention / retention area design must meet specific parks specifications.
9. Where park sites are adjacent to greenways, schools, or existing or proposed subdivisions, access ways may be required to facilitate public access to provide public access to parks.
10. It is desirable that fifty percent (50%) of the perimeter of a park abut a public street.

25-H Warranty Required.

1. All materials and equipment provided to the City shall be new unless otherwise approved in advance by the City Administrator or his/her designee and that all work will be of good quality, free from faults and defects, and in conformance with the designs, plans, specifications, and drawings, and recognized industry standards. This warranty, any other warranties express or implied, and any other consumer rights, shall inure to the benefit of the City only and are not made for the benefit of any party other than the City.
2. All work by the developer or landowner not conforming to these requirements, including but not limited to unapproved substitutions, may be considered defective.
3. This warranty is in addition to any rights or warranties expressed or implied by law.
4. Where more than a one (1) year warranty is specified in the applicable plans, specifications, or submittals for individual products, work, or materials, the longer warranty shall govern.
5. This warranty obligation shall be covered by any Performance Surety, or Maintenance Obligation in a form as (i.e. Cash or Letter of Credit) required by the City and in compliance with this Ordinance.
6. If any of the work performed by developer or landowner is found or determined to be either defective, including obvious defects, or otherwise not in accordance with this ordinance, the designs, plans, drawings or specifications within one (1) year after the date of the issuance of a certificate of Final Completion of the work or a designated portion thereof, whichever is longer, or within one (1) year after acceptance by the City of designated equipment, or within such longer period of time as may be prescribed by law or by the terms of any applicable special warranty required by this ordinance, developer shall promptly correct the defective work at no cost to the City.
7. During the applicable warranty period and after receipt of written notice from the City to begin corrective work, developer shall promptly begin the corrective work. The

obligation to correct any defective work shall be enforceable under this Code of Ordinances. The guarantee to correct the defective work shall not constitute the exclusive remedy of the City, nor shall other remedies be limited to the terms of either the warranty or the guarantee.

8. If within twenty (20) calendar days after the City has notified developer of a defect, failure, or abnormality in the work, developer has not started to make the necessary corrections or adjustments, the City is hereby authorized to make the corrections or adjustments, or to order the work to be done by a third party. The cost of the work shall be paid by developer.
9. The cost of all materials, parts, labor, transportation, supervision, special instruments, and supplies required for the replacement or repair of parts and for correction of defects shall be paid by Developer, its contractors, or subcontractors or by the surety.
10. The guarantee shall be extended to cover all repairs and replacements furnished, and the term of the guarantee for each repair or replacement shall be one (1) year after the installation or completion. The one (1) year warranty shall cover all work, equipment, and materials that are part of the improvements made under this section of the ordinance.

APPENDIX I
PARK LAND DEDICATION FEES

QUADRANT 1

Population:	22,273	
Acres of parks:	209.7	
Service level:	107 people per acre	
People per dwelling unit:	2.4	
Service level:	44.5 DUs per acre	
Cost of 1 acre of land:	\$271,000	
Cost for park land per DU:		\$6,090
Park development cost:	\$1,183,029	
Total DUs, 22,273 / 2.4:	9,280	
Cost for park development per DU:		<u>\$127</u>
Total park dedication fee per DU:		\$6,217

QUADRANT 2

Population:	13,436	
Acres of parks:	113.3	
Service level:	119 people per acre	
People per dwelling unit:	2.4	
Service level:	49.5 DUs per acre	
Cost of 1 acre of land:	\$168,000	
Cost for park land per DU:		\$3,394
Park development cost:	\$1,183,029	
Total DUs, 13,436 / 2.4:	5,598	
Cost for park development per DU:		<u>\$211</u>
Total park dedication fee per DU:		\$3,605

QUADRANT 3

Population:	10,750
Acres of parks:	85.2
Service level:	126 people per acre
People per dwelling unit:	2.4
Service level:	52.5 DUs per acre

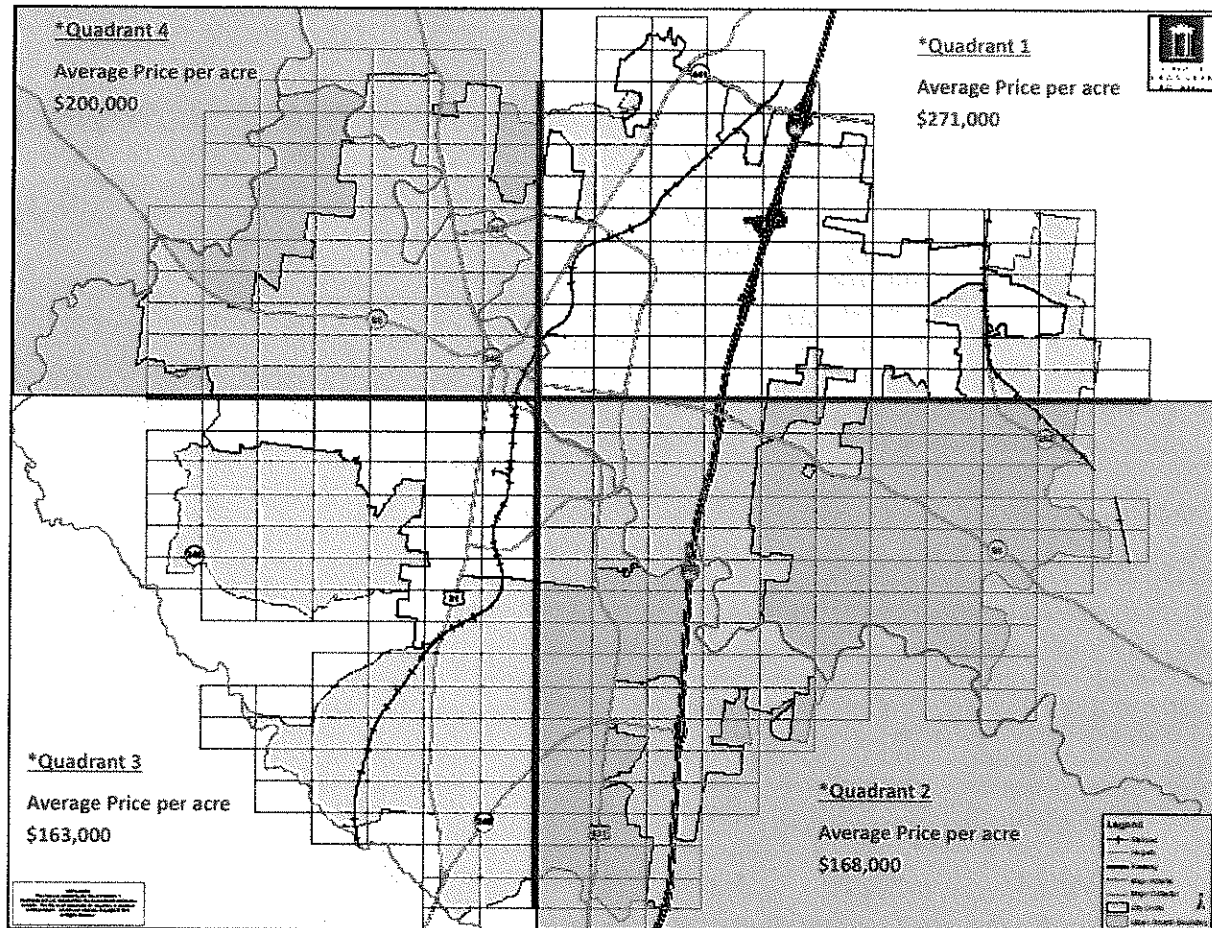
Cost of 1 acre of land:	\$163,000	
Cost for park land per DU:		\$3,104
Park development cost:	\$1,183,029	
Total DUs, 10,750 / 2.4:	4,479	
Cost for park development per DU:		<u>\$264</u>
Total park dedication fee per DU:		\$3,368

QUADRANT 4

Population:	21,043	
Acres of parks:	174.1	
Service level:	121 people per acre	
People per dwelling unit:	2.4	
Service level:	50 DUs per acre	
Cost of 1 acre of land:	\$200,000	
Cost for park land per DU:		\$4,000
Park development cost:	\$1,183,029	
Total DUs, 21,043 / 2.4:	8,768	
Cost for park development per DU:		<u>\$135</u>
Total park dedication fee per DU:		\$4,135

APPENDIX II

PARK LAND QUADRANT MAP



APPENDIX III**PARK DEVELOPMENT COST**

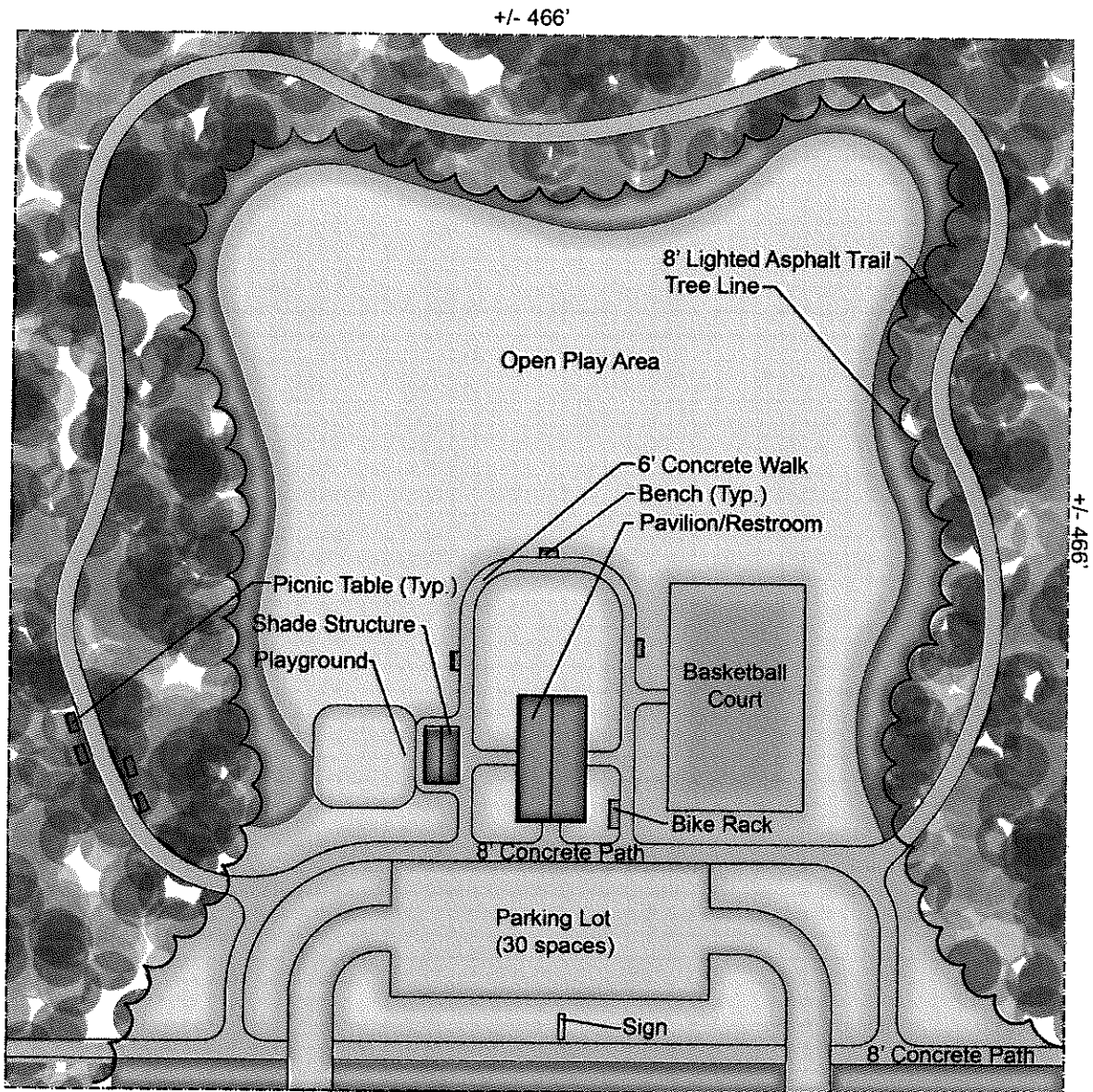
This appendix contains the basis for the park development costs used in the calculations in Appendix 1. The park development costs are based on a typical 5 acre Neighborhood Park with basic amenities such as parking, a shelter, restroom, playground, a basketball court, lighted walking trail, open play space and site furnishings. The estimated costs include site preparation, utilities and storm drainage.

A generic site plan (without reference to a particular site) was developed to base an Opinion of Probable Cost on. The generic site plan can be found on the following page.

The Opinion of Probable Cost was developed based on the following key assumptions:

- The site would be reasonably level by Franklin standards such that extensive earthwork would not be necessary and that no rock would be encountered in the excavation.
- Half the site (2.5 acres) would be cleared; it is assumed the site would not have mature trees
- A cut of 3 feet would be needed on ½ the site and a fill of 3 feet would be needed on the other ½ such that earthwork would balance.
- Water and sewer service would be available at the street in front of the park.
- Entry drives and parking area would be curbed; parking lot paved with asphalt.
- Landscape and lawn irrigation would be provided for the site.
- Where possible, quantities were taken off to include in the opinion of cost; when not possible allowances are provided.

The Opinion of Probable cost was developed using historical data for park construction by a design firm with extensive park design experience. The Opinion of Probable Cost can be found on the page following the site plan.



Franklin Generic Neighborhood Park
Scale: 1:60

City of Franklin Neighborhood Park**Opinion of Probable Construction Costs**

Generic Concept Plan for 5 Acre Park

April, 2015

BWSC Bentley Systems, Inc.

Description	Qty.	Unit	Unit Price	Total
Site Preparation				
Clearing & Grubbing	2.5	AC	\$1,500.00	\$3,750.00
Earthwork - Excavation	6,050	CY	\$6.00	\$36,300.00
Erosion Control	1	AL	\$10,000.00	\$10,000.00
Subtotal Site Preparation				\$50,050.00
Pavement				
Standard Duty Asphalt - Entry Drive and 30 Space Parking Lot	1,528	SY	\$17.50	\$26,740.00
Aggregate	1,528	SY	\$10.50	\$16,044.00
Pavement Markings	1	AL	\$2,000.00	\$2,000.00
Concrete Extruded Curb	752	LF	\$8.00	\$6,016.00
Traffic/Parking Signage	1	LS	\$1,000.00	\$1,000.00
8" Concrete Sidewalks	400	SF	\$6.00	\$2,400.00
8" Concrete Sidewalks	6,600	SF	\$6.00	\$39,600.00
8" Asphalt Trail	1,066	SY	\$24.00	\$25,584.00
Subtotal Pavement				\$119,384.00
Water				
4" DIP Domestic Water Pipe	120	LF	\$25.00	\$3,000.00
Water Meter	1	EA	\$2,000.00	\$2,000.00
Fire Hydrant Assembly	1	EA	\$6,500.00	\$6,500.00
Backflow Preventer	2	EA	\$4,000.00	\$8,000.00
Hot Box	1	AL	\$4,000.00	\$4,000.00
Subtotal Water				\$23,500.00
Sanitary Sewer				
6" PVC Sanitary Line	120	LF	\$35.00	\$4,200.00
4" Dia. Sanitary Manhole	1	EA	\$6,000.00	\$6,000.00
Cleanout	1	EA	\$50.00	\$50.00
Subtotal Sanitary Sewer				\$10,250.00
Storm Water				
16" RCP	200	LF	\$100.00	\$20,000.00
Catch Basins	2	EA	\$3,000.00	\$6,000.00
Headwalls	2	EA	\$2,800.00	\$5,600.00
Subtotal Storm Water				\$31,600.00
Site Lighting & Electrical				
Parking Lot Lights - Single Head	4	EA	\$5,950.00	\$23,800.00
Asphalt Walking Trail Lighting at 50' on center	24	EA	\$4,000.00	\$96,000.00
Area Lighting Single Head	4	EA	\$4,000.00	\$16,000.00
1" PVC Conduit	2,000	LF	\$15.50	\$31,000.00
Wire	8,000	LF	\$5.90	\$47,200.00
Site Electrical Distribution	1	LS	\$10,000.00	\$10,000.00
Subtotal Site Lighting & Electrical				\$224,000.00
Buildings/Structures				
30' x 40' Pavilion With Slab	1,200	SF	\$55.00	\$66,000.00
Restroom attached to Pavilion	300	SF	\$150.00	\$45,000.00
Subtotal Buildings/Structures				\$111,000.00
Site Amenities				
Playground With Rubberized Surface	1	LS	\$100,000.00	\$100,000.00
Playground Seating Shade Cover	1	AL	\$15,000.00	\$15,000.00
Basketball court	1	AL	\$40,000.00	\$40,000.00
Benches With Pad	6	EA	\$1,500.00	\$9,000.00
Trash Receptacles	3	EA	\$1,200.00	\$3,600.00
Drinking Fountain	1	EA	\$5,000.00	\$5,000.00
Picnic Tables, Grill, Trash receptacle	4	EA	\$4,000.00	\$16,000.00
Bike Rack	1	EA	\$1,500.00	\$1,500.00
Subtotal Site Amenities				\$190,100.00
Landscaping				
Canopy Trees	40	EA	\$400.00	\$16,000.00
Ornamental Trees	20	EA	\$250.00	\$5,000.00
Shrubs	170	EA	\$24.00	\$4,080.00
Groundcover	100	EA	\$10.00	\$1,000.00
Seed	3	AC	\$4,800.00	\$12,000.00
Irrigation	100,000	SF	\$0.50	\$50,000.00
Subtotal Miscellaneous				\$88,080.00
Miscellaneous				
Park Sign	1	AL	\$2,500.00	\$2,500.00
Subtotal Miscellaneous				\$2,500.00
Subtotal				\$850,464.00
Contractor General Conditions & Mobilization @ 8%				\$68,037.12
Subtotal				\$918,501.12
10% Contingency				\$91,850.11
Subtotal				\$1,010,351.23
Survey and Design				\$128,753.15
Design and Construction Total				\$1,139,104.38

Legend

EA Each
LS Lump Sum
AL Allowance
SF Square feet
AC Acre