



City of Franklin

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

Meeting Minutes - Final

Franklin Municipal Planning Commission

Thursday, June 23, 2016

7:00 PM

Board Room

CALL TO ORDER

- Present** 8 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, and Commissioner Hathaway
- Absent** 1 - Commissioner Lindsey

MINUTES

1. [16-0529](#) May 26th, 2016, FMPC Minutes

Attachments: [5-26-16 FMPC Minutes](#)

Commissioner Harrison moved, seconded by Commissioner Orr to approve the May 26, 2016, Minutes as presented. The motion carried by the following vote:

- Aye:** 8 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, and Commissioner Hathaway

Absent: 1 - Commissioner Lindsey

Chairing: 0

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

ANNOUNCEMENTS

Mr. Martin stated that the City would have a mobile workshop on July 15, at 11:15 a.m., for some of the existing developments in Franklin. The developments will be critiqued from a design standpoint. He encouraged the Planning Commission and as many designers as the staff can get to join the planners on the mobile workshop. An email will also be sent to the Planning Commissioners regarding this.

Chair Hathaway stated that the applicant was asking for a deferral for items 22 and 23, which would be the Rizer Point discussion. The items would be deferred to the July 28, 2016, Planning Commission meeting. This would not be included as part of the vote until the item was heard. If any citizens were at the meeting for that project, the Planning Commission would still listen to citizen comments.

Chair Hathaway stated that since Vice Chair Lindsey was not at the meeting, a new vice chair would need to be elected for this meeting.

Commissioner Harrison moved, seconded by Commissioner McLemore to nominate Alderman Petersen. The motion carried unanimously (7-0).

VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

CONSENT AGENDA

Chair Hathaway stated that the Consent Agenda would be items 2 through 19 and items 26 through 30.

Approval of the Consent Agenda

Commissioner Harrsion moved, seconded by Commissioner McLemore to approve items 2 through 19 and items 26 through 30 on the Consent Agenda.

The motion carried by the following vote:

Aye: 8 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, and Commissioner Hathaway

Absent: 1 - Commissioner Lindsey

Chairing: 0

SITE PLAN SURETIES

2. [16-0543](#) 510 Columbia Avenue Subdivision, site plan, (FirstBank); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

This Planning Item was approved.

3. [16-0544](#) Bancorp South Subdivision, site plan, (Liberty Pike Office Building); accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)
This Planning Item was approved.
4. [16-0545](#) Brentwood Pointe III PUD Subdivision, site plan, lot 8 (The View); release the maintenance agreement for landscaping (Phase 2) improvements. (CONSENT AGENDA)
This Planning Item was approved.
5. [16-0546](#) Hearth at Franklin Subdivision, site plan, (Assisted Living); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.
6. [16-0547](#) Highlands at Ladd Park PUD Subdivision, site plan, sections 1-4; release the maintenance agreement for landscaping section 2 improvements. (CONSENT AGENDA)
This Planning Item was approved.
7. [16-0548](#) Hurstbourne Park PUD Subdivision, site plan, sections 1-3; release the maintenance agreement for landscaping (section 1) improvements; extend the performance agreement for landscaping (section 3) improvements. (CONSENT AGENDA)
This Planning Item was approved.
8. [16-0549](#) LedgeLawn Subdivision, site plan; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.
9. [16-0550](#) Nissan North America Subdivision, site plan, revision 2 (Parking Addition); accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)
This Planning Item was approved.
10. [16-0551](#) Silver Grace PUD Subdivision, site plan, section 1; release the maintenance agreement for landscaping Phase A improvements. (CONSENT AGENDA)
This Planning Item was approved.

11. [16-0552](#) Spring Creek Subdivision, site plan, section 1, revision 4 (Spring Creek Center); release the maintenance agreement for landscaping (Hotel) improvements; extend the performance agreement for landscaping (Retail) improvements. (CONSENT AGENDA)
This Planning Item was approved.
12. [16-0553](#) Stream Valley PUD Subdivision, site plan, section 3; release the maintenance agreement for landscaping Phase 1 improvements. (CONSENT AGENDA)
This Planning Item was approved.
13. [16-0554](#) Westhaven PUD Subdivision, site plan, section 21, revision 2 (resubdivision of lot 1140); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.
14. [16-0555](#) Westhaven PUD Subdivision, site plan, section 22; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.
15. [16-0556](#) Westhaven PUD Subdivision, site plan, section 26; release the maintenance agreement for landscaping (Phase 1) and landscaping (Phase 2) improvements. (CONSENT AGENDA)
This Planning Item was approved.
16. [16-0557](#) Westhaven PUD Subdivision, site plan, section 27; extend the performance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.
17. [16-0558](#) Westhaven PUD Subdivision, site plan, section 28; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.
18. [16-0559](#) Westhaven PUD Subdivision, site plan, section 34; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.

19. [16-0560](#) Westhaven PUD Subdivision, site plan, section 35; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

This Planning Item was approved.

REZONINGS AND DEVELOPMENT PLANS

20. [16-0334](#) PUBLIC HEARING: Consideration Of Ordinance 2016-008, To Be Entitled, "An Ordinance To Rezone 30.39 Acres From General Commercial (GC) District To Specific Development-Residential (SD-R 10) District For The Property Located West Of Interstate 65, At 840 And 880 Oak Meadow Drive." (06-23-16 FMPC Recommended Disapproval 7-1; 07-12-16 BOMA WS; 08-09-16 BOMA 1st Reading 4-3) SECOND OF THREE READINGS

Attachments: [6085 Map Epoch Development PUD Subdivision Rezoning](#)
[2016-008 ORD_Epoch Rezoning_Law Approved 3](#)
[Epoch Rezoning Set](#)
[Impact Study \(5.26.16\) - WITHOUT ACCESS ON SRO](#)
[Staff report and attachments from 4.28.16 FMPC Agenda item](#)

Ms. Diaz-Barriga stated that, on December 17, 2015, the Planning Commission approved a change to the Land use Plan for McEwen Character Area 5. Previously it had read:

"The southwest corner of this area is appropriate for a mixture of uses, including Attached and Detached Residential and Neighborhood Retail, but not until the intersection of South Royal Oaks Boulevard and Mack Hatcher Parkway is improved."

The Land Use Plan was amended to now state:

"A mixture of Attached and Detached Residential and Neighborhood or Local Retail uses is recommended."

Therefore, based on the Land Use Plan Amendment approved on December 17, 2015, approval of Ordinance 2016-008 is recommended to the Board of Mayor and Aldermen.

Mr. Adam Crunk, of Crunk Engineering, and Mr. Brian Echols, Attorney-at Law, represented the owner of the property, Mr. Warner Bass.

Mr. Crunk stated that he understood that the staff had recommended approval, in part because they had significantly decreased the units proposed for this project by over 50 units. This had added additional formal open space by 60 percent more than what was required, providing amenities, such as dog parks, pools, etc., around the development. With the reduction in the units, the applicant has been able to meet the parking standards that the City requires for multifamily, so they were no longer seeking a modification of standards. As it related to traffic, he stated that this area would have modest impacts for some movements at specific intersections. Based on this assessment, the applicant did not anticipate widespread or significant impacts within the study area. As part of the traffic study, an analysis was conducted to consider what the traffic and the trips might look like for a number of uses, including office and retail. If the project were built out to the point that it could be for office uses, the peak trips and the peak uses in the morning and the afternoon would actually be more than what their proposed development would be. For retail, it would approximately double the amount of peak trips in the evening time and on a total basis for retail throughout the day, about three times more than an apartment usage would be. If this project was going to be voted on tonight, based on traffic, Mr. Crunk stated that the Planning Commission must consider that it is not a "no build" scenario. This was a developable piece of property.

Trips would be added to anything that goes on this property. This property would be developed with a mixture of uses, which generally tended to decrease across-town trips, and tended to have less impact on the transportation infrastructure. They believed that this would be a benefit to the City, it would have the development very close to the infrastructure and the traffic corridors as opposed to having to criss-cross the City from the other side of town. He appreciated the recommendation for approval from the staff and requested approval to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

The following citizens requested that the Planning Commission recommend disapproval of Ordinance 2016-008 to the Board of Mayor and Aldermen for the following reasons:

Traffic concerns: Mike Skinner, Franklin City Alderman; Dana Ausbrooks, Williamson County Commissioner; Don Mencke; Dave Styblo; Tim Leidig; Rich Buckner, representing ten communities; Todd Hess; Terry Durham; George Oxnam, Cummins Johnson; Eric Smith; Steve Cantrell; Michael Lerche; Bob Kreker; and Dipendra Chattopadhyay.

Economy: Barry Cullen

Spot Zoning: Doug Buttrey

Neighborhood safety and security: Katy Zipper and John Blankenship

Services: George Oxnam

School needs: Leslie Fuller

Threat to wildlife: Dan Sirakis

Infrastructure: Bob Kreker

Attorney Brian Echols introduced Mr. Warner Bass, who stated that his family owned the property, that it was difficult to stand and speak in favor of something that so many individuals were against, and he could understand because of the traffic. He discussed the background and history of this land.

Attorney Brian Echols stated that there were many elements regarding quality of life. He thought that the staff had considered not only the applicant's engineer but the City's own consultant. He thought that that was an objective measure of the expectation of the impact of this development. The second aspect of quality of life went much broader than just traffic, it went to the availability of housing styles. The City was growing as a community and had people come into Franklin every day. That was because jobs were being created in Franklin. There needed to be a better place for the people in those jobs to live. The housing needs assessment in the City of Franklin stated that housing rents in multifamily were greater than those in Nashville because Franklin did not have enough multifamily homes in stock to serve the needs of the community. The people in those jobs will live in Franklin and have a shorter commute, or they will come from some place else. That will create longer commutes and just as many trips as the ones being discussed at this meeting. When one had the chance to create a mixed-use center, which would include retail and residential, and have a chance to make a permanent reduction in the potential traffic from a piece of property, it was worth considering.

Mr. Orr moved, seconded by Ms Gregory, to recommend disapproval of Ordinance 2016-008 to the Board of Mayor and Aldermen. He stated that the piece of property would better benefit the City of Franklin by staying GC than it would be to go Residential. The motion carried by the following vote:

Aye: 7 - Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, and Commissioner Hathaway

No: 1 - Commissioner Harrison

Absent: 1 - Commissioner Lindsey

Chairing: 0

21. [16-0342](#) PUBLIC HEARING: Consideration Of Resolution 2016-20, To Be Entitled: "A Resolution Approving A Development Plan For Epoch Development PUD Subdivision, For The Property Located West Of Interstate 65, At 840 And 880 Oak Meadow Drive." (06-23-16 FMPC Recommended Disapproval 7-1; 07-12-16 WS)

Attachments: [6086 Map Epoch Development PUD Subdivision DP](#)
[6086 Conditions of Approval_02](#)
[2016-20 RES Epoch PUD Development Plan Law Approved 2](#)
[Epoch PUD Site layout sheets](#)
[Epoch PUD elevations and perspectives](#)
[Epoch PUD FULL Resubmittal](#)
[Impact Study \(5.26.16\) - WITHOUT ACCESS ON SRO](#)
[4.28.16 FMPC item.staff report and attachments](#)

Ms. Diaz-Barriga stated that, other than the conditions given this project, the development plan was in order and recommended that approval of Resolution 2016-20 be recommended to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

Alderman Mike Skinner, of 258 Sontag, stated that he represented the Third Ward for the City of Franklin. One of the things that he remembered when the citizens were speaking earlier was that there had been a neighborhood meeting regarding this project, and he had asked someone, "What kind of development and residents did one have in a place that was stuck in between I-65 and the back side of Home Depot." The person told Mr. Skinner that their residents were rather transient. He thought it would be less likely for individuals to feel this way if they had lived somewhere and had set down roots, and that was another reason that he thought this was the wrong plan for the wrong place. He requested denial of Resolution 2016-20.

Mr. Rich Buckner, of 411 Valley View Drive, stated that he was president of the Creekstone Homeowners Association, and represented about 6,000 residents in the coalition that they had put together. They did not think that apartments were the right mix of use for this property. They saw many things that this property could bring, especially with the addition to the Senior Living Center in the vicinity of it, with the retail and office buildings that support it. He and the residents were against the rezoning and Resolution 2016-20.

Mr. Adam Crunk, of Crunk Engineering, stated that they believed this was a good plan, should it be approved by the Board of Mayor and Aldermen, and they were in agreement with the conditions of approval.

Mr. McCarley Davis, Chief Investment Officer of Epoch Residential, stated that he was at the meeting to which Alderman Skinner referred. If Alderman Skinner was quoting anyone, he was quoting Mr. Davis, so he took personal offense to that. Their residents were not transient. This was a stepping-stone to becoming homeowners while they were waiting to get the "American Dream." If they did not live in Franklin, then they would live someplace else, and that was something that should definitely be considered.

Commissioner Allen moved, seconded by Commissioner Orr, to recommend disapproval of Resolution 2016-20, based on the fact that she did not believe that this was the place for more residential development in the City of Franklin due to traffic concerns. The motion carried by the following vote:

Aye: 7 - Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, and Commissioner Hathaway

No: 1 - Commissioner Harrison

Absent: 1 - Commissioner Lindsey

Chairing: 0

22. [16-0513](#) Consideration of Ordinance 2016-21, "An Ordinance to Rezone 35.74 Acres from Agricultural District to Specific Development Residential 0.56 District for the Property Located North of Del Rio Pike and East of Del Rio Court."; Establishing a Public Hearing for September 27, 2016 (07/28/16 FMPC recommended favorably 6-2)

Attachments: [Rizer Withdrawal Request](#)
[6144 MAP RizerPointRezoning.pdf](#)
[Rizer Point Rezoning_6.2.2016.pdf](#)
[Ord 2016-021 RizerPoint_with location map Law Approved](#)
[Rizer Point Rezoning_6.2.2016.pdf](#)
[6144_RP_RZ_Conditions of Approval_01.pdf](#)
[citizen comment Mr. Eric Pan](#)
[citizen comment Mrs Lupe Veloz](#)
[citizen comment Mr Jeff Brodoski](#)
[Item 22- Rizer Agricultural rezoning](#)
[RizerPoint Letter Mr. ONeal](#)

Mr. King stated that the applicant would like to defer Ordinance 2016-21.

Chair Hathaway asked for citizen comments. There were none.

Mr. Greg Gamble, of Gamble Design Collaborative, stated that they requested deferral of Ordinance 2016-21 to the July 28, 2016, Planning Commission meeting.

Commissioner Allen moved, seconded by Commissioner Orr, to defer Ordinance 2016-21, at the request of the applicant. The motion passed by the following vote:

Aye: 8 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, and Commissioner Hathaway

Absent: 1 - Commissioner Lindsey

Chairing: 0

23. [16-0530](#) Consideration of Resolution 2016-30, "A Resolution to Approving a Development Plan for Rizer Point PUD Subdivision, for the Property Located North of Del Rio Pike and East of Del Rio Court."; Establishing a Public Hearing for September 27, 2016. (07/28/16 FMPC recommended for disapproval 7-1)

Attachments: [Rizer Dev Plan Withdrawal request](#)

[6145RizerPointDevPlan.pdf](#)

[Elevations.pdf](#)

[Layout.pdf](#)

[Full_Rizer Point PUD Dev Plan_6.2.2016.pdf](#)

[6145_RizerPoint_COA.pdf](#)

[2016-30 RES_RizerPointPUD Dev Plan with attachment Law](#)

[Approved](#)

[citizen comment Mr. Eric Pan](#)

[citizen comment Mrs Lupe Veloz](#)

[citizen comment Mr Jeff Brodoski](#)

[Item 23- Rizer development plan](#)

[RizerPoint_Letter Mr. ONeal](#)

Mr. King stated that the applicant would like to defer Resolution 2016-30.

Chair Hathaway asked for citizen comments. There were none.

Mr. Greg Gamble, of Gamble Design Collaborative, stated that they requested deferral of Resolution 2016-30, to the July 28, 2016, Planning Commission.

Commissioner Allen moved, seconded by Commissioner Orr, to defer Resolution 2016-30 at the request of the applicant. The motion passed by the following vote:

Aye: 8 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, and Commissioner Hathaway

Absent: 1 - Commissioner Lindsey

Chairing: 0

24. [16-0512](#) Consideration of Ordinance 2016-22, An Ordinance to Rezone 0.99 Acres from Office Residential To Specific Development Residential (10.0) District For The Property Located South of West Main Street, Located At 725 West Main Street. (06-23-16 FMPC 8-0; 07-12-16 WS, 07/12/16 BOMA 1st Reading 7-0; 08/09/16 2nd Reading 7-0) THIRD AND FINAL READING

Attachments: [Ord 2016-22 Arlington at West Main Rezoning Map.pdf](#)
[16-06-02_PUD Rezoning Resubmittal - Bound.pdf](#)
[2016-22 Ord Rezone 725 West Main Steet with Map Law Approved](#)

Mr. King stated that this Rezoning and Development Plan was for a nine-unit condominium complex, replacing an existing nine-unit attached dwelling-unit complex. It was in the historic district, and the Historic Zoning Commission had approved the design elevations. It was recommended that approval of Ordinance 2016-22 berecommended to the Board of Mayor and Aldermen, with conditions.

Chair Hathaway asked for citizen comments. There were none.

Mr. Matt Taylor, of Studio 8 Design, stated that he was representing the applicant, Mr. Bernie Butler, he agreed with the conditions of approval, and he requested approval to the Board of Mayor and Aldermen.

Mr. Harrison moved, seconded by Mr. Orr, to recommend approval of Ordinance 2016-22 to the Board of Mayor and Aldermen. The motion carried by the following vote:

Aye: 8 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, and Commissioner Hathaway

Absent: 1 - Commissioner Lindsey

Chairing: 0

25. [16-0511](#) PUBLIC HEARING: Consideration of Resolution 2016-32, To Be Entitled "A Resolution Approving A Development Plan for Arlington at West Main PUD Subdivision For The Property Located South of West Main Street Located At 725 West Main Street. (06-23-16 FMPC 8-0; 07-12-16 WS)

Attachments: [6148 Arlington at West Main PUD Subd Dev Plan Conditions of Approval.pdf](#)
[Res 2016-32 Arlington at West Main Dev Plan Map.pdf](#)
[Arlington PUD DevPlan Dev Plan Sheets.pdf](#)
[Arlington PUD DevPlan Elevations.pdf](#)
[Res 2016-32 Arlington at West Main PUD Subd DP_with map Law Approved](#)

Mr. King stated that Resolution 2016-32 was the Development Plan, which was supporting the rezoning in item 24. It called for replacing nine dwelling units. Approval of Resolution 2016-32 was recommended to the Board of Mayor and Aldermen, with conditions.

Chair Hathaway asked for citizen comments. There were none.

Mr. Matt Taylor, of Studio 8 Design, stated that he was representing the applicant, Mr. Bernie Butler, he agreed with the conditions of approval, and he requested approval to the Board of Mayor and Aldermen.

Alderman Petersen asked if Resolution 2016-32 could be shown on the walls so the viewers at home could see.

Mr. King described the front elevation and perspectives from different angles of the project, coming in and out of downtown. The second slide showed the front elevation with the neighboring properties and the side elevation, which would not be visible from West Main Street.

Mr. Harrison moved, seconded by Mr. Franks, to recommend approval of Resolution 2016-32 to the Board of Mayor and Aldermen. The motion carried by the following vote:

Aye: 8 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, and Commissioner Hathaway

Absent: 1 - Commissioner Lindsey

Chairing: 0

26. [16-0465](#) Consideration of Ordinance 2016 - 19, To Be Entitled: "An Ordinance To Rezone 5.03 Acres From Specific Development-Residential District (SD-R 2.82) To Specific Development-Residential District (SD-R 2.92) For The Property Located South Of South Carothers Road And East Of Carothers Parkway, 4373 South Carothers Road." (06-23-16 FMPC 8-0; 07-12-16 WS, 07/12/16 BOMA 7-0; (08/23/16 BOMA 8-0) THIRD AND FINAL READING

Attachments: [Updated Ord 2016-19 6021 Lockwood Glen Rezoning Res Map Updated Lockwood Glen PUD Subdivision, rezoning \(Residential\) - submittal 003 Plans.pdf](#)
[Lockwood Glen 2nd reading date move request](#)
[Ordinance 2016-19 Lockwood Glen PUD Subd Rezoning Residential with map Revised-Law Approved 2 Ord 2016-19 6021 Lockwood Glen Rezoning Res Map.pdf](#)

This Ordinance was recommended favorably to the Board of Alderman and. to the Work Session due back on 7/12/2016

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

27. [16-0561](#) Highlands at Ladd Park PUD Subdivision, final plat, section 33 & resubdivision of Lot 1080, creating 38 single-family lots and 4 open space lots located southeast of Carothers Parkway and north of Long Lane. (Consent Agenda)

Attachments: [6149 Highlands at Ladd Park Sec 33 FP Conditions of Approval_01.pdf](#)
[6149 Highlands at Ladd Park PUD Subd. FP, Sec 33 Map.pdf](#)
[2016028-52- final plat ladd sec 33-SUBMITTED 6-1-16.pdf](#)

This Planning Item was approved.

28. [16-0531](#) Sullivan Farms PUD Subdivision, final plat, section G, lots 833-835, a revision to three lots located at the intersection of Inwood Way and Birkdale Court within the Sullivan Farms Subdivision (CONSENT AGENDA)

Attachments: [6146sULLIVANfARMSfp.pdf](#)
[SullivanFarmsPlat.pdf](#)
[6146_SullivanFarms_Conditions of Approval_01.pdf](#)

This Planning Item was approved.

29. [16-0344](#) Watson Glen Subdivision, final plat, Section 1, Revision 17, resubdivision of Lot 24 into 2 lots, on 20.54 acres, located at Oak Meadow Drive. (Consent Agenda)

Attachments: [4.28.16 FMPC item. staff report and attachments](#)
[6091 MAP Watson Glen Subd Sec 1 Rev 17 Final Plat](#)
[Final Plat WATSON GLEN SEC 1 REV 17](#)
[6091 Conditions of Approval_02](#)

This Planning Item was approved.

STREET NAMING APPROVALS AND LAND USE PLAN AMENDMENTS

30. [16-0534](#) Consideration of the street name "Centley Way" for the connector street between Century Court and Beasley Drive". (CONSENT AGENDA)

Attachments: [Map Centley Way](#)

This Planning Item was approved.

31. [16-0533](#) Land Use Plan Amendment request, to amend language in the Franklin Road Small Area Plan (FRSAP) and the Special Area Considerations for Berrys Chapel Character Area, Special Area 7 (BCCO-7).

Attachments: [6142 BCCO-7 LUPA MAP](#)
[Franklin Land Use Plan BCCO 7 Section](#)
[Ironhorse LUPA presentation 6.7.2016](#)

Chair Hathaway recused himself from item 31 and turned the chair over to Vice Chair Petersen.

Mr. Andrew Orr stated that the applicant was seeking to develop a 20-acre parcel located at 145 Legends Club Lane, which was at the northeast corner of the intersection of Mack Hatcher Parkway and Franklin Road. It was locally known as the Ironhorse Property. The property was undeveloped, had an agricultural use, and was zoned Civic/Institutional (CI) with a Scientific Research Overlay (SRO). The applicant was seeking to develop the property with an attached residential use and was requesting two Land Use Plan amendments.

The first was to allow the potential for three-story buildings. The applicant proposed to change Berrys Chapel Special Area 7 Development Form Statement 3 to the following: Building scale should be limited to one to two stories. In certain circumstances, buildings may be at a height up to three stories, pursuant to a Planned Unit Development (PUD). The second amendment would be to the Franklin Road Small Area Plan, Vehicular Circulation and Access Statement 1 and would potentially allow emergency access onto Franklin Road from the Ironhorse property. The proposed language stated, "Legends Club Lane shall be the primary vehicular access on Franklin Road for future development in the northeast quadrant of the intersection. Emergency access to Franklin Road may be considered, subject to City Engineer and TDOT Approval. If the northwest quadrant develops, then access shall be coordinated to create a four-way intersection with signalization, subject to TDOT approval."

The final determination for height and access would be made during the PUD review process, but this amendment opened the door for the requests.

Approval of the Land Use Plan Amendments was recommended to the Planning Commission.

Vice Chair Petersen asked for citizen comments. There were none.

Mr. Greg Gamble, of Gamble Design Collaborative, requested approval of the Land Use Plan Amendments to the Planning Commission.

Vice Chair Petersen asked about the traffic signal on Legends Club Lane and Franklin Road.

Mr. Gamble stated that his understanding was that, when the intersection improvements occurred, with the installation of this light and the turn lanes for the proposed development, an access would be constructed toward the west so that the westerly property would have an access point.

Commissioner Allen moved to approve the Land Use Plan Amendments as recommended by the staff, and Mr. Orr seconded the motion. The motion carried

by the following vote:

Aye: 7 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore,
Commissioner Franks, Commissioner Gregory, Commissioner Allen, and
Commissioner Orr

Absent: 1 - Commissioner Lindsey

Recused: 1 - Commissioner Hathaway

Chairing: 0

32. [16-0501](#) Land Use Plan Amendment request, to remove the property located at 1152 Hillview Lane from Southall Character Area, Special Area 3 (SOCO-3), add it to Southall Character Area, Special Area 7 (SOCO-7), and revise recommendations for SOCO-7.

Attachments: [Land Use Location Map](#)
[Zoning Map](#)
[Franklin Land Use Plan SOCO Section](#)
[Shadow Green LUPA presentation 6.7.2016](#)

Chair Hathaway recused himself from item 32 and turned the chair over to newly elected Vice Chair Petersen.

Mr. Andrew Orr stated that the applicant was requesting to extend the boundary of Southall Special Area 7. The parcel at 1152 Hillview Lane was in Southall 3 and zoned Light Industrial. It was contiguous to the Shadow Green Townhomes.

In addition to the change in special area, the applicant was requesting to delete statement 4, "Interconnectivity to the north shall be prohibited. Interconnectivity shall be provided to the east and west and in addition require north/south interconnectivity to the east within Special Area 1 to Century Court."

Access to Century Court was established with Through the Green PUD Subdivision, and the staff recommended future connectivity to the Sanitation and Environmental Services property of the City.

The applicant was also requesting to add the statement, "Where a property is adjacent to single-family homes or lands intended for a detached residential use, attached residential dwellings should be in the form of townhomes or big houses, where multiple dwelling units resemble detached residential."

Adding this statement would limit the types of attached residential on this property to development forms that are more compatible in massing and scale with single-family development.

Finally, the applicant was requesting that the following statement be added, "That Mack Hatcher Parkway right-of-way should be the southern limit of attached residential dwelling units."

The future Mack Hatcher will likely bisect the southern portion of the property. Adding this statement would keep the attached residential use from continuing south of Mack Hatcher.

This area has changed significantly, with Through the Green making the parcel at 1152 Hillview Lane a natural extension of the residential development.

Approval of the Land Use Plan Amendments was recommended to the Planning Commission.

Vice Chair Petersen asked for citizen comments. There were none.

Mr. Greg Gamble, of Gamble Design Collaborative, requested approval of the Land Use Plan Amendments to the Planning Commission.

Commissioner Allen asked if there was still a house on this property.

Mr. Gamble stated that the house on the property had been removed.

Commissioner Allen verified that this took into account all of the building that was going on around Chick-fil-A.

Commissioner Franks moved, seconded by Commissioner Orr, to approve the Land Use Plan Amendment. The motion carried by the following vote:

Aye: 7 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, and Commissioner Orr

Absent: 1 - Commissioner Lindsey

Recused: 1 - Commissioner Hathaway

Chairing: 0

33. [16-0532](#) Land Use Plan Amendment request, to remove the properties located at 4344 and 4350 South Carothers Road from Seward Hall Character Area, Special Area 3 (SWCO-3), and add them to McEwen Character Area, Special Area 6 (MECO-6).

Attachments: [Location Map](#)
[LUPA presentation_6.2.2016](#)
[Land Use Plan SWCO-3 Section](#)
[Land Use Plan MECO-6 Section](#)

Mr. Orr stated that the applicant was seeking to remove the properties located at 4344 and 4350 South Carothers Road from Seward Hall 3 and move them into McEwen 6.

The two properties totaled 29.1 acres and were located directly south of Cross Creek Subdivision and the Adams Property and could potentially be added to the master plan. Since the Land Use Plan was adopted in 2004, conditions have significantly changed in this area, specifically along South Carothers Road. Lockwood Glen and Simmons Ridge Subdivisions have been approved, totaling over 1,000 attached and detached dwelling units. These neighborhoods are in proximity to the requested properties and have helped shape the development pattern in this area.

If these two parcels were added to McEwen 6, the staff recommended also including the six parcels located directly to the south between the Adams Property and Simmons Ridge Subdivision into McEwen 6 Character Area in order to create a cohesive and consistent development pattern. McEwen 6 calls for detached residential as the predominant use, with townhomes and big-house-style multifamily residential as complimentary uses.

Approval of the Land Use Plan Amendments were recommended to the Planning Commission.

Chair Hathaway asked if there was a title that could be used to identify this when the motion was made.

Mr. Orr stated that the addresses were listed in the staff report for each of the six parcels.

Commissioner Allen stated that the parcels were listed as the following: 4352, 4356, 4364, 4372, 4378, and 4378.

The two parcels within a parcel were listed twice as 4378 and 4378.

Chair Hathaway asked for citizen comments.

Ms. Monique Kueker, of 4245 Warren Road, stated that she had a presentation, with arguments, which she had found online, and it seemed reasonable. She distributed a copy of the online presentation, with justifications for what the developer was proposing. She presented the annotations that she had made to the presentation and requested disapproval for this Land Use Plan Amendment, due to additional traffic, infrastructure, schools, quality of life, the environment, the wildlife, and the property values. It did not make sense that the two properties that would be decided at this meeting were just a

little piece of a much bigger picture. She thought this should be developed within the constraints of Seward Hall, which would be on larger lots.

Mr. Matt Ferguson, of 1112 Ridgeway, stated that this was a stepping-stone into potential development where significant residential development would, most likely, pass through existing county roads, were not build to City standards, that had extremely high standards, so he would ask that the Planning Commission deny this Land Use Plan Amendment.

Ms. Susan Caplen, of 1991 Beacon Hill Drive, stated that there were very few people at this meeting because they had been told to attend the 4:30 p.m. Joint Meeting, and some people may have come to that meeting, but were unable to come to this meeting. She had stood in front of this microphone quite a few times in the last eighteen months. From the outset she and her neighbors had opposed what was the Ashcroft Ridge Development because it was set to bring much traffic to her county roads. In February 2016, the Board of Mayor and Aldermen voted 5 to 3 to support the neighborhood's cause. Her neighborhood would be like a doughnut hole if Ashcroft Valley was developed. They were concerned that the continuity of the City, which looked good on paper, would be very disadvantageous to Ms. Caplen and the neighbors because it would bring much more traffic through the County roads, which were not built to City standards. She requested that the Planning Commission deny this Land Use Plan Amendment for safety reasons.

Mr. Mike Kueker, of 4245 Warren Road, stated, that if this property was annexed, it would lead to the next request, which was the next property that borders his residence. The character area of his and his neighbors' homes would change significantly if this plan were to go through. It was not conducive to high density without clearing many trees and dynamiting a lot of land. He would ask that the Planning Commission deny this Land Use Plan Amendment for safety reasons.

Mr. Greg Gamble, of Gamble Design Collaborative, stated that he wanted to clarify several things that the adjacent neighbors had spoken about. They were asking for a Land Use Plan Amendment, not for annexation, not for a development plan approval, and not for development approval. This was a Land Use Plan Amendment request that addressed the character of development as it related to this area. The vast majority of Carothers Road was in the McEwen Character Area. There were only a handful of lots that were not in the McEwen Character Area. In looking at what had been Plan approved, such as Lockwood Glen across the street, they were looking at creating compatibility and transition. According to the Zoning Ordinance, there were transitional features and design requirements that were additional overlays but work in concert with the Land Use Plan. The Land Use Plan amendment that was being requested was to create a more integrated development pattern along Carothers Road.

Commissioner Allen stated that, when characters were set, the City sets these characters as what it sees as a vision for the City, and, even though development takes place, the City sets the tone and the character for the City. Development does not set the tone for the City, the Planning Commission, as visionaries, set the tone. As things progress and change, the Planning Commission needs to make sure that it does compromise. She did not think that the Planning Commission should get so caught up in growth that it allowed the character of the City to change. Transition was needed, but the City needed to maintain the character. If the City was not careful, it would allow those things to die that had made the City so great.

Commissioner Franks asked if any other property owners wanted to be included in the overlay.

Ms. Hunter stated that the applicant was requesting that two parcels be added to McEwen Character Area Six. That would leave the gap to only six parcels along South Carothers Road on either side that were not in the McEwen Six. Presently, the eight that were shown were the only eight parcels along South Carothers Road on either side that were not in the McEwen Six. The City was trying to show some consistency. As Commissioner Allen stated, the City set the precedence and created the Land Use Plan; however, the Land Use Plan had not been updated in many years. The City was presently going through the process of updating the Land Use Plan. There had been land use decisions that had happened over the past ten years that had changed the development along South Carothers Road.

Commissioner Harrison moved, seconded by Commissioner McLemore, to approve the Land Use Plan Amendment, with an amendment to add the six properties located between the requested parcels and Simmons Ridge.

Aye: 6 - Commissioner Harrison, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Orr, and Commissioner Hathaway

No: 2 - Commissioner Petersen, and Commissioner Allen

Absent: 1 - Commissioner Lindsey

Chairing: 0

NON-AGENDA ITEMS

ANY OTHER BUSINESS

ADJOURN

There being no further business, the meeting adjourned at 8:56 p.m.

Chair, Mike Hathaway