



City of Franklin

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

Meeting Minutes - Final

Franklin Municipal Planning Commission

Thursday, December 15, 2016

7:00 PM

Board Room

CALL TO ORDER

Present 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

MINUTES

1. [16-1082](#) November 17, 2016 FMPC Minutes

Attachments: [11-17-16 FMPC Minutes](#)

A motion was made by Commissioner Petersen, seconded by Commissioner Lindsey, that the Minutes from the November 17, 2016 FMPC meeting be approved as presented . The motion carried by a unanimous vote.

Aye: 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

Chairing: 0

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

Chairman Hathaway asked for citizen comments. There were none.

ANNOUNCEMENTS

Ms. Emily Hunter, Director of Planning and Sustainability, wished everyone Happy Holidays and thanked the Commissioners for their service. She also introduced, Elaine Ellis, the new Administrative Assistant for the Planning Department.

VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Harrison, seconded by Commissioner McLemore, to approve items 2 through 6, 11, and 15 on the Initial Consent Agenda. The motion carried unanimously by the following vote:

Aye: 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

Chairing: 0

Approval of the Consent Agenda

A motion was made by Commissioner Harrison, seconded by Commissioner McLemore, to approve Item 12 on the Secondary Consent Agenda. The motion carried by the following vote:

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

Recused: 2 - Commissioner Gregory, and Commissioner Hathaway

Chairing: 0

SITE PLAN SURETIES

2. [16-1076](#) Alexander Plaza PUD Subdivision, site plan, (Kroger Site Renovations); extend the performance agreement for drainage improvements. (CONSENT AGENDA)
This Planning Item was approved
3. [16-1077](#) Generals Retreat PUD Subdivision, site plan; accept the drainage/detention improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)
This Planning Item was approved
4. [16-1078](#) Hearth at Franklin Subdivision, site plan, (Assisted Living); release the maintenance agreement for drainage improvements. (CONSENT AGENDA)
This Planning Item was approved
5. [16-1079](#) Through the Green PUD Subdivision, site plan, lot 5; extend the performance agreement for sidewalks and drainage improvements. (CONSENT AGENDA)
This Planning Item was approved
6. [16-1080](#) Tywater Crossing PUD Subdivision, site plan, section 1; extend the performance agreement for drainage improvements for one year. (CONSENT AGENDA)
This Planning Item was approved.

REZONINGS AND DEVELOPMENT PLANS

7. [16-1038](#) PUBLIC HEARING: Consideration Of Ordinance 2016-48, To Be Entitled, "An Ordinance To Rezone 1.30 Acres From Detached Residential 2 (R-2) District To General Office (GO) District, Located West Of Royal Oaks Boulevard And North Of Murfreesboro Road, 203 North Royal Oaks Boulevard." (12/15/16 FMPC 9-0; 1/10/17 1ST BOMA Reading 8-0)
SECOND OF THREE READINGS

Attachments: [Dodson and Herbert,Rezoning Map](#)

[Ord 2016-48 Dodson and Herbert Subd with Map Law Approved](#)

[203 NRB Zoning Map-24x36](#)

Mr. Baumgartner stated that the existing Land Use Plan and Envision Franklin supports the rezoning request. This property is one of the four lots mentioned in the existing Land Use Plan that would be appropriate for an office use.

Staff recommended a Favorable Recommendation To The Board Of Mayor And Aldermen.

Chairman Hathaway asked for citizen comments. There were none.

Mr. Adam Crunk, of Crunk Engineering, was present to represent the item and answer any questions.

Commissioner McLemore moved, seconded by Commissioner Harrison , that Ordinance 2016-48 be recommended to the Board of Mayor and Alderman for approval. The motion carried unanimously by the following vote:

Aye: 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

Chairing: 0

8. [16-1041](#) PUBLIC HEARING: Consideration Of Resolution 2016-45 To Be Entitled, "A Resolution Adopting A Plan Of Services For The Annexation Of 459, 463 And 467 Franklin Road, By The City Of Franklin, Tennessee." (12/10/16 FMPC 9-0, 01/10/17 WS)

Attachments: [459 463 467 Franklin Rd Annexation Map](#)
[2016-45 RES Revised Draft POS_with map_459 463 467 Franklin Rd.Law Approved 2](#)

Mr. Baumgartner stated Resolution 2016-45 is a City of Franklin drafted Plan of Services for the properties being considered for annexation located at 459, 463, and 467 Franklin Road. The Plan of Services outlines how infrastructure will be extended to serve the proposed annexed properties and how the City will provide for the safety of residents of the newly annexed properties. This Plan of Services includes 3 single-family dwelling units.

Staff recommended a favorable recommendation to The Board Of Mayor And Aldermen.

Chairman Hathaway asked for citizen comments.

Daniel Hollingsworth addressed the Commission about his questions about the number of properties being added and whether sewer was being extended down Franklin Road and whether only the three properties being annexed would be able to connect to the sewer.

Mr. Baumgartner confirmed that only 3 properties were to be annexed.

Commissioner Petersen commented that landowners must request to be annexed .

Mr. Jimmy Wiseman, Assistant Director of Engineering for the City of Franklin, confirmed that only 3 parcels were to be annexed and that the sanitary sewer infrastructure was currently in place. The property owners requesting the annexation will be required to bore underneath the roadway to tie into the sanitary sewer.

Mr. Hollingsworth was satisfied that he would not be required to be annexed and had no other comments or objections.

Adam Crunk, of Crunk Engineering, was present to represent the item and answer questions.

Commissioner Harrison moved, seconded by Commissioner Lindsey, that Resolution 2016-45 be recommended to the Board of Mayor and Alderman for approval. The motion carried unanimously by the following vote:

Aye: 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

Chairing: 0

9. [16-1039](#) PUBLIC HEARING: Consideration Of Resolution 2016-87/Ordinance 2016-49 To Be Entitled, "A Resolution And Ordinance To Annex 459, 463, 467 Franklin Road, Consisting Of 5.4 Acres, Located West Of Franklin Road And North Of Mack Hatcher Parkway And Adjoining The City Limits Within The Western Part Of The Franklin Urban Growth Boundary (UGB)." (12/15/16 FMPC 9-0; 1/10/17 1ST BOMA Reading 8-0) SECOND OF THREE READINGS

Attachments: [Res 2016-87 Ord 2016-49 459 463 467 Franklin Road with Map.Law Approved](#)
[459 463 467 Franklin Rd Annexation Map](#)
[Letter of Request - SIGNED](#)
[Annexation Application - SIGNED](#)
[Owner Affidavit - SIGNED](#)
[Phyllis Anexation documents \(Additional Property Owner\)](#)

Mr Baumgartner stated that Resolution 2016-85/Ordinance 2016-49 is the document required to annex the 5.4 acres of property into the Franklin City Limits. The property is adjacent to the current City Limits and within the City's established Urban Growth Boundary (UGB). A Plan of Services and Zoning ordinance will accompany this Resolution/Ordinance.

Staff recommended a Favorable Recommendation To The Board Of Mayor And Aldermen.

Chairman Hathaway asked for citizen comments. There were none.

Adam Crunk, of Crunk Engineering, was present to represent the item and answer any questions about the item.

Commissioner Harrison moved, seconded by Commissioner Allen , that Resolution 2016-85/Ordinance 2016-49 be recommended to the Board of Mayor and Alderman for approval. The motion carried unanimously by the following vote:

Aye: 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

Chairing: 0

10. [16-1040](#) PUBLIC HEARING: Consideration Of Ordinance 2016-50, To Be Entitled, "An Ordinance To Zone 5.4 Acres Detached Residential 1 (R-1) District, Hillside/Hillcrest Overlay (HHO) District, Berry's Chapel Character Area Overlay (BCCO- 7) District, And Designate The Development Standards As Being Appropriate For Either Traditional Or Conventional Area Development Standards, For The Property Located West Of Franklin Road And North Of Mack Hatcher Parkway, 459, 463, 467 Franklin Road."(12/15/16 FMPC 9-0; 01/10/17 WS, 1ST BOMA Reading 8-0) SECOND OF THREE READINGS

Attachments: [Ord 2016-50 Zone 459 463 467 Franklin Road with Map.Law Approved](#)
[459.463.467 Franklin Road Rezoning Map](#)

Mr. Baumgartner stated the existing Land Use Plan and Envision Franklin support the zoning request to remain detached residential. The base zoning of Detached Residential 1 (R1) District is consistent with the zoning along this stretch of Franklin Road.

Staff recommended a Favorable Recommendation To The Board Of Mayor And Aldermen.

Chairman Hathaway asked for citizen comments. There were none.

Adam Crunk, of Crunk Engineering, was present to represent the item and answer any questions about the item.

Commissioner McLemore moved, seconded by Commissioner Harrison, that Ordinance 2016-50 be recommended favorably to the Board of Alderman. The motion carried unanimously by the following vote:

Aye: 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

Chairing: 0

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

11. [16-0959](#) Eddy Lane Industrial Office, Site Plan, Revision 1, a 73,022 Square-Foot Data Center On 14.61 Acres, Located At 309 Eddy Lane. (CONSENT AGENDA)

Attachments: [6287 MAP Eddy Lane Industiral Office, SP, Rev 1, Ph 2](#)
[Eddy Lane Industrial Office SP COA](#)
[Eddy Lane Industrial Office, site plan, revision 1 \(Phase 2&3\) - submittal 004](#)

This Planning Item was approved

12. [16-1048](#) McEwen Place PUD Subdivision, Final Plat, Section 3, Revision 2 (Northside At McEwen), Six Lots On 44.9 Acres, Located Near The Intersection Of Rush Street And East McEwen Drive. (CONSENT AGENDA)

Attachments: [MAP_6306McEwenPlacePUDSubdivisionFP.pdf](#)

[McEwenPlace_FP.pdf](#)

[PLAT_McEwenPlace.pdf](#)

*Chairman Hathaway and Commissioner Gregory recused themselves from Item 12.
Chairman Hathaway passed the Chair to Vice-Chairman, Roger Lindsey.*

This Planning Item was approved

13. [16-1049](#) McEwen Place PUD Subdivision, Site Plan, Section 3, Lot 302 (Block B), 207,600 Square Feet Of Commercial Space And 76 Attached Residential Units On 4.99 Acres, With One Design Modification (Building Length), Located Near The Intersection Of Rush Street And East McEwen Drive.

Attachments: [MAP_6307McEwenPlacePUDSubdivisionSP\(BlockB\)](#)

[McEwenPlaceSP_BlockB.pdf](#)

[Site Layout Sheet McEwenPlaceB&C.pdf](#)

[ELEVATIONS_BlockB.pdf](#)

[BLOCK B Northside at McEwen - Block B Lot 302 - Site Plan](#)

[Resubmittal - 2016-12-01.pdf](#)

Chairman Hathaway and Commissioner Gregory recused themselves from items 13 and 14.

Chairman Hathaway passed the Chair to Vice-Chairman, Roger Lindsey.

Mr. King stated that the site plan for this part of the McEwen PUD Subdivision includes an office building, a one-story retail building, and a parking garage wrapped with attached residential units. The development plan revision for this section was approved by the Franklin Municipal Planning Commission at the special FMPC meeting held November 7, 2016.

The applicant requests a Design Modification from Section 5.3.5 (b) (ii) to allow for an attached residential building to be longer than 200 feet. The longest elevation is 400 feet in length. Staff finds that this design modification is appropriate because the applicant has suitable architectural detailing and articulation along the long facades.

Staff recommends approval of the Design Modification and approval of the site plan with conditions.

Vice-Chairman Lindsey asked if there were any citizen comments. There were none.

Ryan McMaster, of Kimley-Horn and Associates, was present to represent the item and answer any questions.

Vice Chairman Lindsey stated that the main motion for the site plan would be handled first, followed by consideration of the motion for the Design Modification.

Commissioner Harrison moved for approval of the site plan, with conditions, seconded by Commissioner McLemore.

Vice-Chairman Lindsey then asked for a motion for approval of the Design Modification.

A Discussion ensued and Commissioner Petersen and Mr. King confirmed that the request for the Design Modification was for the Rush Street and Spring Creek Drive location. Mr. King provided specific details about the requested design modification.

Commissioner Harrison moved, seconded by Commissioner McLemore, that the Design Modification be approved.

Vice Chairman Lindsey asked if there was any discussion.

The motion to approve the Design Modification passed unanimously.

*The Vice Chair then called for the vote on the main motion with the Design Modification.
The motion was approved unanimously.*

Commissioner Harrison moved, seconded by Commissioner McLemore that the site plan for Item 13 be approved, with conditions. Commissioner Harrison moved, seconded by Commissioner McLemore that the Design Modification for Item 13 be approved. Both motions were approved unanimously by a vote of (7-0).

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

Recused: 2 - Commissioner Gregory, and Commissioner Hathaway

Chairing: 0

14. [16-1074](#) McEwen Place PUD Subdivision, Site Plan, Section 3, Lot 303 & 304 (Block C), 274 Attached Residential Units On 4.41 Acres And One Open Space Lot On 2.82 Acres, With One Design Modification (Building Length), Located Near The Intersection Of Rush Street And East McEwen Drive.

Attachments: [MAP_6308McEwenPlacePUDSubdivisionSP\(BlockC\).pdf](#)
[McEwenPlaceLot302_COA.pdf](#)
[ELEVATIONS_BlockC.pdf](#)
[Site Layout Sheet_McEwenPlaceB&C.pdf](#)
[BlockC_NORTHSIDE AT MCEWEN BLOCK C LOT 303 SITE PLAN RESUBMITTAL 2016-12-01.pdf](#)

Chairman Hathaway and Commissioner Gregory recused themselves from Item 14.

Chairman Hathaway passed the Chair to Vice-Chairman Lindsey.

Mr. King stated the site plan for this part of the McEwen PUD Subdivision includes one attached residential building with 274 dwelling units. The development plan revision for this section was approved by the Franklin Municipal Planning Commission at the special FMPC meeting held November 7, 2016.

The applicant requests a Design Modification from Section 5.3.5 (b) (ii) to allow for an attached residential building to be longer than 200 feet. The longest elevation is 465 feet in length. Staff finds that this design modification is appropriate because the applicant has suitable architectural detailing and articulation along their long facades.

Staff recommends approval of this Design Modification and recommends approval of the site plan, with conditions.

Vice-Chairman Lindsey asked if there were any citizen comments. There were none.

Ryan McMaster, of Kimley-Horn and Associates, was present to represent the item and answer any questions.

Vice-Chairman Lindsey asked for a motion for the approval on the main motion, the site plan. Commissioner Allen moved, seconded by Commissioner Franks for approval on the main motion.

Vice-Chairman Lindsey asked for a motion on the approval of the Design Modification. Commissioner Petersen moved, seconded by Commissioner McLemore. The motion was approved unanimously.

Vice-Chairman Lindsey asked if there was any discussion concerning the Main Motion, the site plan.

Commissioner Harrison moved to amend the original motion to include approval of the Site Plan with staff conditions, seconded by Commissioner Allen. The motion to amend the main motion was approved unanimously.

Kristen Corn, Attorney for the City of Franklin, advised that there was now a Main Motion

with 2 amendments to be voted on by the Planning Commission.

The motion, as amended, to approve the site plan with staff conditions, and approve the Design Modification, was approved unanimously.

Commissioner Allen moved, seconded by Commissioner Franks that the site plan for Item 14 be approved. Commissioner Petersen moved, seconded by Commissioner McLemore that the Design Modification for Item 14 be approved. Commissioner Harrison moved, seconded by Commissioner Allen that the site plan be amended to include staff conditions. All motions were approved unanimously by a vote of (7-0).

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

Recused: 2 - Commissioner Gregory, and Commissioner Hathaway

Chairing: 0

- 15.** [16-1043](#) Ranco Farms Subdivision, Final Plat, Revision 3, (Resubdivision of Lot 2), Two Commercial Lots On 17.89 Acres, Located At 770 Jordan Road. (CONSENT AGENDA)

Attachments: [6299 MAP Ranco Farms Subd, Rev 3, \(Resub Lot 2\)](#)

[Ranco Farms_FP_Rev3_COA](#)

[RANCO FARMS REV 3 6299- FINAL PLAT](#)

This Planning Item was approved

ZONING ORDINANCE TEXT AMENDMENTS

16. [16-0904](#) PUBLIC HEARING: Consideration Of Ordinance 2016-45, To Be Entitled, To Be Entitled: "An Ordinance To Amend Chapter 3 Of The Zoning Ordinance Of The City Of Franklin, Tennessee, In Order To Add Parking Structures To The List Of Permitted New Uses/Encroachments In The FFO - Floodway Fringe Overlay District And Revise The Requirements For Parking Lots located in the FFO." (12/15/16 FMPC 9-0; 1/10/17 1ST BOMA Reading 8-0) SECOND OF THREE READINGS

Attachments: [ORD 2016-45 Amend FFO Parking Structures Law Approved \(3\)](#)

Mr. Svoboda stated that this item has been discussed at several different Joint Conceptual Workshops and referred to the detailed information contained in the staff report.

Mr. Svoboda stated that proposed amendment removes the requirement that parking lots be completely constructed of pervious pavers, pervious asphalt, or pervious concrete, and adds Parking Structures to the list of permitted uses/encroachments that may be constructed and encroach into the 100-year floodplain/FFO boundary. The purpose of the parking lot change is to bring that Section of the Ordinance into compliance with the Stormwater Management Ordinance.

Mr. Svoboda described the proposed amendment for the addition of parking structures as a permitted encroachment and the two options for how parking structures could be constructed within the FFO. Parking structures must meet the requirements of the Stormwater Ordinance, Building Code and Floodplain Development Standards. Ground level parking would have to be required to be screened as required by the Zoning Ordinance. No basement or below ground level (grade) parking would be permitted, and no other uses would be permitted to be constructed above, or included as part of the Parking Structure located within the FFO. If a portion of the Parking Structure is located outside of the FFO, additional uses would be permitted to be constructed in the portion of the Parking Structure or building that is located outside of the FFO.

Mr. Svoboda stated that the proposed Amendment is in keeping with the policies outlined in the Franklin Land Use Plan for development within conservation areas and for the preservation of floodplains. The proposed amendment establishes strict standards for the development of Parking Structures and parking lots that minimize the amount of development permitted to encroach into the floodplain and have a minimal impact on the integrity of conservation areas.

For those reasons, Staff recommends that the Planning Commission recommend approval of Ordinance 2016-45 to the Board of Mayor and Alderman.

Chairman Hathaway asked for citizen comments. There were none.

Commissioner Lindsey moved, seconded by Commissioner Orr, that Ordinance 2016-45 be recommended to the Board of Mayor and Alderman for approval. The motion carried unanimously by the following vote:

Aye: 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

Chairing: 0

NON-AGENDA ITEMS

ANY OTHER BUSINESS

Chairman Hathaway thanked each person for their contribution and wished everyone a Happy Holiday.

ADJOURN

There being no further business, the meeting adjourned at 7:25 p.m.

Chair, Mike Hathaway