

MINUTES OF THE MEETING OF THE FRANKLIN MUNICIPAL PLANNING COMMISSION SEPTEMBER 22, 2011

The Franklin Municipal Planning Commission held a regular meeting on Thursday, September 22, at 7:00 p.m. in the city hall boardroom.

Members present: Marcia Allen
 Clyde Barnhill, Alderman
 Greg Gamble
 Scott Harrison
 Mike Hathaway, Chair
 Roger Lindsey, Vice Chair
 Alma McLemore
 Michael Orr
 Ann Petersen, Alderman

Members absent:

Staff present: Dan Allen, Planning and Sustainability Department
 Katy Daugherty, Planning and Sustainability Department
 Catherine Powers, Planning and Sustainability Department
 Vernon Gerth, Community and Economic Development Department
 Emily Hunter, Planning and Sustainability Department
 Jonathan Langley, Planning and Sustainability Department
 Andrew Orr, Planning and Sustainability Department
 Micah Wood, Planning and Sustainability Department
 Brenda Woods, Planning and Sustainability Department
 Eric Stuckey, Administration Department
 Shauna Billingsley, Law Department

The purpose of the meeting will be to consider matters brought to the attention of the Planning Commission and will include the following. The typical process for discussing an item is as follows:

1. Staff presentation,
2. Public comments,
3. Applicant presentation, and
4. Motion/discussion/vote.

Applicants are encouraged to come to the meeting, even if they agree with the staff recommendation. The Planning Commission may defer or disapprove an application/request unless someone is present to represent it.

For accommodations due to disabilities or other special arrangements, please contact the Human Resources Department at (615) 791-3216, at least 24 hours prior to the meeting.

1. CALL TO ORDER

2. MINUTES

- 8/25/11 Regular Meeting

3. CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

Open for Franklin citizens to be heard on items not included on this Agenda. As provided by law, the Planning Commission shall make no decisions or consideration of action of citizen comments, except to refer the matter to the Planning Director for administrative consideration, or to schedule the matter for Planning Commission consideration at a later date. Those citizens addressing the Planning Commission are required to complete a Public Comment Card in order for their name and address to be included within the official record.

4. ANNOUNCEMENTS

5. VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

The non-agenda process, by design, is reserved for rare instances, and only minor requests shall be considered. Non-agenda items shall be considered only upon the unanimous approval of all of the Planning Commission members.

6. CONSENT AGENDA

The items under the consent agenda are deemed by the Planning Commission to be non-controversial and routine in nature and will be approved by one motion. The items on the consent agenda will not be individually discussed. Any member of the Planning Commission, City Staff, or the public desiring to discuss an item on the consent agenda may request that it be removed and placed on the regular agenda. It will then be considered in its printed order.

- Initial Consent Agenda
- Secondary Consent Agenda- to include any items in which Commissioners recuse themselves

REGULATING PLANS

7. Resolution 2011-45, A Resolution approving a Regulating Plan (Revision 1) to page 28 – building types – of the Pattern Book for the Berry Farms Town Center PUD Subdivision, located along Lewisburg Pike and Goose Creek Bypass, by the City of Franklin, Tennessee.

Project Number:	2266
Applicant:	Ryan McMaster, Littlejohn Engineering Associates
Staff Recommends:	Approval, with conditions
Consent Status:	Consent

FINAL PLATS AND SITE PLANS

8. Liberty Park Phase Two, site plan, revision 1 (Salt Storage Facility), addition of a 4,000 square foot building on 84.59 acres, located at 2080 Turning Wheel Lane.

Project Number: 2280
Applicant: Steve Grubb, City of Franklin Streets Department
Staff Recommends: Approval, with conditions
Consent Status: Consent

9. Quail Hollow Business Park Subdivision, site plan, section 1, revision 1, lot 3 (Mapco Drive-through Addition), a drive-through window addition on 2.43 acres, located at 1501 Murfreesboro Road.

Project Number: 2267
Applicant: Ray Flake, Civil Engineering Services
Staff Recommends: Approval, with conditions
Consent Status: Consent

LAND-USE PLAN AMENDMENT

10.AMEND THE BERRYS CHAPEL CHARACTER AREA SECTION OF THE FRANKLIN LAND USE PLAN

Applicant: Catherine Powers, Planning Director
Staff Recommends: Approval
Consent Status: Non-consent

FMPC / ADMINISTRATIVE 2012 MEETING AND DEADLINE SCHEDULE

11. Adopt the FMPC / Administrative 2012 Meetings and Deadlines Schedule

Applicant: Catherine Powers, Planning Director
Staff Recommends: Approval
Consent Status: Consent

INTER-PLANNING COMMISSION REVIEW

12. Inter-Planning Commission Review of a Special Use Permit to allow an Event of Public Interest, Extensive Impact (The Grape Stomp) at 3105 Boyd Mill Pike in the 2nd Voting District.

Applicant/Rep: Micah Wood, Current Planning Supervisor
Consent Status: Consent

NON-AGENDA ITEMS

ANY OTHER BUSINESS

ADJOURN

1. CALL TO ORDER

Chair Hathaway, called the meeting to order at 7:00 p.m.

2. MINUTES

Mr. Harrison moved to approve the August 25, 2011, minutes as presented, and Mr. Orr seconded the motion.

Alderman Petersen moved to amend the minutes by making a correction to page 19, Mr. Lindsey seconded the motion, and the amendment passed unanimously (8-0).

With the motion to approve the amended minutes having been made and seconded, it passed unanimously (8-0).

3. CITIZEN COMMENTS

No one came forward.

4. ANNOUNCEMENTS

Ms. Powers reminded the Planning Commissioners of the training on non-conforming uses, which will be held on Monday, September 26, from 1:00 to 3:00 p.m. She urged everyone to attend the training. Also, the Tennessee American Planning Association (TAPA) conference will be held on September 28th through September 30th. If you are interested in attending, please let Brenda know, and she will handle.

5. VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

No one came forward.

6. CONSENT AGENDA

Chair Hathaway stated that items 7 through 9, and 11 and 12 were on the Consent Agenda. Mrs. McLemore moved to approve the Consent Agenda, Mr. Harrison seconded the motion, and it passed unanimously.

7. Resolution 2011-45, A Resolution approving a Regulating Plan (Revision 1) to page 28 – building types – of the Pattern Book for the Berry Farms Town Center PUD Subdivision, located along Lewisburg Pike and Goose Creek Bypass, by the City Of Franklin,

CONDITIONS OF APPROVAL:

PLANNING:

1. None;

PLANNING (LANDSCAPE):

2. The following note shall be added to the Guidelines: "Trees shall not be placed in front of porticos, awnings or arcade columns."

ENGINEERING:

3. The statement "Arcade columns, porticos and awnings may extend 10 feet into the setback (to within 2 feet of the face of curb)" shall be revised to read: "Arcade columns, porticos and awnings may extend 10 feet into the setback (to no less than 2 feet of clearance between the face of curb and any structure) and shall provide an area no less than 5 feet wide for pedestrians."

BUILDING AND NEIGHBORHOOD SERVICES:

4. None;

FIRE:

5. None;

PARKS:

6. None;

WATER/SEWER:

7. None;

PROCEDURAL REQUIREMENTS:

1. The city's project identification number shall be included on all correspondence with any city department relative to this project.
2. The applicant shall submit two (2) complete, revised copies and a .pdf file of the Pattern Book to the Department of Building and Neighborhood Services. A response letter addressing each condition of approval shall be included with the .pdf submittal and the corrected Pattern Book copies.

8. Liberty Park Phase Two, site plan, revision 1 (Salt Storage Facility), addition of a 4,000 square foot building on 84.59 acres, located at 2080 Turning Wheel Lane.

CONDITIONS OF APPROVAL:

PLANNING:

1. The applicant shall note on the plans that the east side of the building is open and that the front elevation on Sheet 3 corresponds to this side.
2. The applicant shall note the proposed building's dimensions (40' x 100') on the site layout.

PLANNING (LANDSCAPE):

3. None;

ENGINEERING:

4. Franklin ISD tool water quality calculations shall be submitted with Post-PC submittal.

BUILDING AND NEIGHBORHOOD SERVICES:

5. None;

FIRE:

6. None;

PARKS:

7. None;

WATER/SEWER:

8. None;

PROCEDURAL REQUIREMENTS:

1. The applicant shall submit two (2) complete and folded sets and a .pdf file of corrected site plan to the Department of Building and Neighborhood Services. All revisions to the approved plans shall be "clouded." A response letter addressing each condition of approval shall be included with the .pdf submittal and each set of corrected plans.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.
3. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.
4. Once the corrected site plan has been approved, one full-size and one half-size copy of the final approved landscape plans shall be submitted to the Department of Building and Neighborhood Services for future landscape inspection purposes.
5. The applicant shall submit one (1) half-size copy and four (4) full-size copies of corrected grading and drainage plans to the Department of Building and Neighborhood Services to be stamped and signed by city officials prior to the issuance of a grading permit.

9. Quail Hollow Business Park Subdivision, site plan, section 1, revision 1, lot 3 (Mapco Drive-through Addition), a drive-through window addition on 2.43 acres, located at 1501 Murfreesboro Road.

CONDITIONS OF APPROVAL:

PLANNING:

1. The setbacks listed in the site data chart shall be revised to match the recorded plat. The side yard setback shall be listed as 25 feet, and the rear yard setback shall be listed as 40 feet. The front setback (yard fronting any street) is correctly noted on the site data chart.
2. The minimum parking requirement for building 1 on the site data chart shall be revised to 24 spaces, as required by the Franklin Zoning Ordinance. The amount of existing parking for each building on this lot shall be listed in the site data chart, as well.
3. Email addresses shall be added to the professional contact info on the cover sheet.
4. The development standard listed on the site data chart shall be revised from "either" to "conventional." The character area overlay shall be revised to state "McEwen, Special Area 5" or MECO-5.
5. The zoning information shown on each property on Sheet C-1 shall be revised. None of the properties shown on this sheet are in the 500' HHO Buffer.

PLANNING (LANDSCAPE):

6. None;

ENGINEERING:

7. The applicant shall provide the location of the emergency pedestrian exit door from the building on the site plan.

BUILDING AND NEIGHBORHOOD SERVICES:

8. None;

FIRE:

9. The sidewalk proposed for removal may be required pending construction drawings and requirements for egress in accordance with building and safety codes.

PARKS:

10. None;

WATER/SEWER:

11. None;

PROCEDURAL REQUIREMENTS:

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3. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.
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5. The applicant shall submit one (1) half-size copy and four (4) full-size copies of corrected grading and drainage plans to the Department of Building and Neighborhood Services to be stamped and signed by city officials prior to the issuance of a grading permit.

11. Adopt the FMPC / Administrative 2012 Meetings and Deadlines Schedule

STAFF RECOMMENDATION TO FMPC:

Approval

12. Inter-Planning Commission Review of a Special Use Permit to allow an Event of Public Interest, Extensive Impact (The Grape Stomp) at 3105 Boyd Mill Pike in the 2nd Voting

COMMENTS:

This item is scheduled for review by the Williamson County Board of Zoning Appeals at the September 23, 2011, meeting. The Special Use Permit is limited to a one (1) time occurrence. The event is scheduled for October 8, 2011.

This completed the consent agenda.

10.AMEND THE BERRYS CHAPEL CHARACTER AREA SECTION OF THE FRANKLIN LAND USE PLAN

Ms. Powers stated that Item 10 was the amendment to the Land Use Plan for the Berrys Chapel Character Area. This particular Land Use Amendment had gone through a number of public meetings, including a meeting in which 44 residents of the area attended an Open House. Staff has received many comments. Since last month's Joint Conceptual Workshop,

additional comments had been received from individuals who had interest in some developments in two separate areas, Special Area 2 and Special Area 4. Staff had met with the property owners in Special Area 2 and had talked with them regarding how they might be able to develop a piece of property that they currently own while keeping the character of the area. She referred the Planning Commissioners to page two of the revised staff report for item 10 under Special Area 2, Development Form. Staff was recommending that this language be included on pages 12 and 13. Also, staff was looking at presenting three options for review of a piece of property that was part of the 2004 plan then designated as Suburban Conventional. Ms. Powers then introduced Intern Katy Daugherty, who had also worked very diligently on the Land Use Plan for Berrys Chapel.

Ms. Daugherty stated that she would address Special Area 4 first. Special Area 4 did not deal with any changes to the language in the document. It actually dealt with the boundaries, specifically the southeastern boundary. Ms. Daugherty presented the following options:

- Option 1 - The southeastern boundary will remain as it is outlined in the attached packets. This will include Clearview Baptist Church on the southwest and move parcels 73, 74, and 75 out and into Special Area 3, Suburban Conventional, which is how it is classified.
- Option 2 - The southeastern boundary will be maintained at the 2004 location (just north of parcel 73)
- Option 3 - The southeastern boundary will move south to include parcel 73.
- Option 4 - All boundaries will be maintained at the 2004 locations.

Ms. Daugherty stated that staff was seeking guidance on Special Area 2 as well. Option 1 was the information that was in the packets. Option 2 would be what was included in the revised staff report. Either option would not have staff opposition. Each allowed for limited development, protected City interests and addressed neighborhood concerns.

Mr. Wood stated that this was related to text changes and not map changes.

Ms. Daugherty stated that there were not any changes in Special Area 3. The only thing that would affect Special Area 3 would be the change in boundary on the southeast corner to Special Area 4.

Alderman Petersen stated that she had a question about Special Area 1 on page 12 number 3 at the top, which was regarding street connections. There was a great deal of opposition from the attendees at the previous workshop regarding Echo Lane northward and Scramblers Knob eastward. She did not think it would be good to add a street at this location due to the topography.

Mr. Wood stated that removing "particularly" would be fine.

Alderman Petersen stated that it might be fine, but she also had a concern about the language, "provide street connections in all directions."

Ms. Powers stated that staff did want to review this for connectivity purposes, had agreed that this had not been engineered, knew the topography was problematic, and did not have an objection to removing it.

Mr. Wood stated that interconnectivity was actually a zoning requirement now, except when there were topographical issues, and leaving the policy for interconnectivity in would match the zoning requirements. If it was impractical to connect, then a connection would not be required.

Chair Hathaway asked for citizen comments.

Mr. Dwight Kiser, President of Kiser and Vogrin Design, LLC, stated that he was representing Mr. Al Buckley, who resided at 6776 Sawyer Road and who owned roughly 58 acres, which was the entirety of the parcels north of Linwood Way and Gateway Village. He has spoken at the Joint Conceptual meeting on August 25th, since then there had been follow-up meetings with the Planning and Sustainability staff, and he really appreciated Ms. Daugherty and Ms. Powers' time in working with them. He was fully in support of Option 2 and would request approval. This property was zoned Agriculture at this time, and any type of development that would be considered in the future would require a rezoning.

Mr. Steve Rogers, of 554 Franklin Road, stated that he was the owner of parcel 73 that had just been discussed. He was speaking on behalf of himself and the three adjacent property owners who had requested that he speak. He was not privy to the three or four options that had been discussed regarding Special Area 4. He; however, he referred to the map, and stated that he and the three adjacent property owners did not want to see the line moved north to the Nazarene Church. They would like to see it moved south to Country Road Estates because it would establish a hard boundary. He was in support of Option 3 and would request approval.

Mr. Gary Fagan stated that he owned parcel 75 where the boundary was presently drawn. He concurred that he would like to see the boundary line moved south to Country Road Estates. His parcel had been in the overlay since 2004 as a Mixed Use development, and he would benefit from leaving it in the overlay that it was presently in. His property was across from Gateway Village, which presently was so robust that he did not know who would be interested in his property if it were residential since it was across from Gateway Village. He requested that the property be left as it was presently zoned, Mixed Use.

Mr. Dwight Kiser, of 103 Century Oak Drive, stated that he backed up to Clearview Baptist Church. He was against moving the activity center south. The Clearview Baptist Church property had been built, and he was concerned about creep south along Franklin Road. He did not understand why the Land Use designation needed to be changed on an already built and functioning property. He urged the Planning Commission to maintain the current Land Use designation as opposed to adding Activity Center to it.

This ended citizen comments.

Ms. Daugherty clarified the following:

- Option 1 - The southeastern boundary will remain as it is outlined in the attached packets, and Clearview Baptist Church will be included.
- Option 2 - The southeastern boundary will be maintained at the 2004 location, just north of parcel 73, and include Clearview Baptist Church.
- Option 3 - The southeastern boundary will move south to include parcel 73 and include Clearview Baptist Church.
- Option 4 - All boundaries will be maintained at the 2004 location.

Alderman Petersen stated that since Clearview Baptist Church was already built, she did not know why staff would want to make that an Activity Center.

Mr. Wood stated that the thought behind that was that the Land Use decision was made to have that as a large campus development. It provided a hard edge to the Activity Center and the rural development south. Since that decision had already been made, it was already an existing condition. There were several parcels in between Gateway Village and Clearview Baptist Church that under the 2008 Zoning Ordinance were zoned Civic Institutional, but were not really used for that purpose. Getting them rezoned presently was really difficult. The policy for them was Residential, even though they were between a campus church and Gateway Village.

Alderman Petersen stated that there was a difference between Gateway Village and Clearview Baptist Church. Those were two entirely different entities as there was a real difference in use at each location. She also stated that County Road was a residential subdivision that was built, and she was a little concerned about going all the way to Country Road. She thought that, perhaps, the boundaries in 2004 might be a compromise.

Alderman Petersen moved to change Option 4 to make the boundaries as they were in 2004, and Mr. Harrison seconded the motion.

Mr. Wood stated that these two parcels were somewhat frozen in Civic Institutional zoning, but they did not need a policy to change it. Whether the uses were different, it would be awkward to have Single Family Residential in between a church and a Mixed Use development. It should contain the language, "the parcels not owned by the church."

Ms. Powers stated that staff was looking for a hard boundary somewhere.

Alderman Petersen stated that it could not be County Road, in her opinion, because there were already houses on the north side of Country Road.

Chair Hathaway asked what the lot numbers were for the three parcels that were adjacent to Clearview Baptist Church that had been previously discussed.

Mr. Wood stated that this could be provided, but they were not currently owned by Clearview Baptist Church.

Ms. Allen wanted clarification on Option 3.

Mr. Harrison moved to amend Option 4 to include parcels 73, 72, and any parcels north of Clearview Baptist Church that were not owned by the church. Mr. Lindsey seconded the motion, and it passed unanimously (8-0).

Mr. Gamble moved to amend Special Area 2 to adopt staff's language for Special Area 2, and Mr. Harrison seconded the motion.

Mr. Gamble stated that in Special Area 7 there was a 150 foot corridor setback because that would be consistent with the setback of the existing architecture along the roads in this location. Was there precedence for the 150 foot setback along Linwood Way?

Ms. Powers stated that this was part of the rural character in the Land Use Plan, and because of that staff was looking at either the viewshed study or the 150 foot buffer.

With the amendment to Special Area 2 to adopt staff's language having been made and seconded it passed unanimously (8-0).

Alderman Petersen moved to amend Special Area 1 by amending the language on page 12, number 3 at the top, to delete the language, "particularly the extension of Echo Lane northward and Scramblers Knob eastward." Ms. Allen seconded the motion, and it passed unanimously (8-0).

Mr. Harrison moved to adopt the Land Use Plan, as amended, Mr. Gamble seconded the motion, and it passed unanimously (8-0).

There being no further business, the meeting adjourned at 7:36 p.m.

Chair, Mike Hathaway