



# City of Franklin

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

## Meeting Minutes

### Franklin Municipal Planning Commission

---

Thursday, June 28, 2018

7:00 PM

Board Room

---

#### CALL TO ORDER

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

#### MINUTES

1. Approval of the May 24, 2018 FMPC Minutes.

**Attachments:** [DRAFT May 2018 FMPC Minutes](#)

**Commissioner Harrison moved, seconded by Commissioner Orr, to approve the minutes from May 24, 2018, as presented. The motion carried by the following vote:**

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

#### CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

*Vice-Chair Lindsey asked for citizen comments. There were none.*

## ANNOUNCEMENTS

*Vice-Chair Lindsey asked if Staff had any announcements.*

*Ms. Emily Hunter, Director of Planning & Sustainability, stated she had an announcement and that the Commissioners had been notified. She stated that the order for Items 29 and 30 had mistakenly been switched on the agenda. She stated Item 29 on the current agenda should be Resolution 2018-46 which is for the Smith property in the Mayes Creek Basin. She stated that Item 30 should be Resolution 2018-47 for the City proposed amendment for the rest of the basin which is contingent upon the item before it. She asked that the Commissioners would make a motion and vote to reorder those two items.*

*Vice-Chair Lindsey and Commissioner Allen confirmed the order Resolution 2018-46 and Resolution 2018-47.*

*Commissioner McLemore moved, seconded by Commissioner Gregory to reorder the items so that Resolution 2018-46 would become Item 29 and Resolution 2018-47 would become Item 30 on the agenda. The motion carried unanimously (8-0).*

*Vice-Chair Lindsey announced that there was monitor in the lobby streaming the meeting. Chairs had been placed to view the meeting. He suggested that people who were standing go to the lobby to allow for adequate egress.*

## VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

*Vice-Chair Lindsey asked if there were any non-agenda items to be presented. There were none.*

## CONSENT AGENDA

*Alderman Petersen requested that Item 26 be pulled from the Consent Agenda.*

*Commissioner Gregory recused herself from items 3,4, 18 and 19.*

### Approval of the Initial Consent Agenda

**Commissioner Allen moved, seconded by Commissioner McLemore, to approve Items 2, 5-17,20-25, 27 and 28, as presented on the Initial Consent Agenda. The motion carried by the following vote:**

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

**Absent:** 1 - Chairperson Hathaway

### Approval of the Secondary Consent Agenda

*Commissioner Gregory recused herself from the vote on Items 3,4, 18 and 19.*

**Commissioner Harrison moved, seconded by Commissioner Orr, to approve Items 3,4,18, and 19, as presented on the Secondary Consent Agenda. The motion carried by the following vote:**

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

**Absent:** 1 - Chairperson Hathaway

**Recused:** 1 - Commissioner Gregory

#### SITE PLAN SURETIES

2. Autozone Subdivision, site plan; release the maintenance agreement for water and landscaping improvements; accept the green infrastructure improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)  
**This Planning Item was approved.**
  
3. Berry Farms Town Center PUD Subdivision, site plan, section 2, revision 1; release the maintenance agreement for landscaping Lewisburg Pike street trees improvements. (CONSENT AGENDA)  
*Commissioner Gregory recused herself from item 3.*  
**This Planning Item was approved.**
  
4. Berry Farms Town Center PUD Subdivision, site plan, section 4, revision 1 (Infrastructure Plan); extend the performance agreement for landscaping Phase 1, landscaping Phase 2 and landscaping Phase 3 improvements for one year. (CONSENT AGENDA)  
*Commissioner Gregory recused herself from item 4.*  
**This Planning Item was approved.**
  
5. Blossom Park PUD Subdivision, site plan; release the maintenance agreement for landscaping open space improvements; accept the landscaping street trees, landscaping east buffer and landscaping west buffer improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)  
**This Planning Item was approved.**
  
6. Cool Springs East Subdivision, site plan, section 36, revision 3, lot 707 (Home 2 Suites Hotel); reduce and extend the performance agreement for landscaping improvements for six months. (CONSENT AGENDA)  
**This Planning Item was approved.**

7. Franklin Christian Academy PUD Subdivision, site plan, section 2 (Morning Pointe of Franklin); extend the performance agreement for landscaping Memory Care improvements for six months. (CONSENT AGENDA)

**This Planning Item was approved.**
8. Franklin Park PUD Subdivision, site plan, (Apartments); extend the performance agreement for landscaping improvements. (CONSENT AGENDA)

**This Planning Item was approved.**
9. Lockwood Glen PUD Subdivision, site plan, sections 4-7; release the maintenance agreement for landscaping section 4 improvements; accept the landscaping section 5, landscaping section 6 and landscaping section 7 buffer and lot 237 improvements, release the performance agreement and establish a maintenance agreement for one year; extend the performance agreement for landscaping section 7 street trees and landscaping section 7 lot 162 improvements. (CONSENT AGENDA)

**This Planning Item was approved.**
10. Pinnacle Commons Subdivision, site plan; accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

**This Planning Item was approved.**
11. Preserve at Echo Estates PUD Subdivision, site plan; release the maintenance agreement for landscaping section 1 street trees and landscaping section 2 street trees improvements; extend the performance agreement for landscaping section 1 buffers, landscaping section 1 open space, landscaping section 2 buffers and landscaping section 2 open space improvements for one year. (CONSENT AGENDA)

**This Planning Item was approved.**
12. Quail Hollow Business Park Subdivision, site plan, section 2, revision 4 (Rolling Hills Hospital Addition); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

**This Planning Item was approved.**
13. Spring Creek Subdivision, site plan, section 1, revision 4 (Spring Creek Center); extend the performance agreement for landscaping (Retail) improvements for one year. (CONSENT AGENDA)

**This Planning Item was approved.**

14. Tywater Crossing PUD Subdivision, site plan, section 4; extend the performance agreement for drainage improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
15. Westhaven PUD Subdivision, site plan, section 27; extend the performance agreement for landscaping improvements for six months. (CONSENT AGENDA)  
**This Planning Item was approved.**
16. Westhaven PUD Subdivision, site plan, section 35; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
17. Westhaven PUD Subdivision, site plan, section 38; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**

**SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS**

18. Berry Farms Reams-Fleming Tract PUD Subdivision, Final Plat, Creating Four Commercial Lots On 176.01 Acres, Located South Of Peytonsville Road And East Of I-65. (CONSENT AGENDA)

**Attachments:** [MAP\\_6722.pdf](#)  
[BFRMT\\_Conditions of Approval\\_01.pdf](#)  
[Berry Farms Reams-Fleming Tract PUD Sub, final plat - submittal\\_002.pdf](#)

*Commissioner Gregory recused herself from item 18.*

**This Planning Item was approved.**

19. Berry Farms Reams-Fleming Tract PUD Subdivision, Final Plat, Revision 1, Section 2, Lots 4 & 5, Creating Two Lots on 34.07 acres, Located at 4425 Peytonsville Rd within the Reams Fleming Tract of Berry Farms. (CONSENT AGENDA)

**Attachments:** [MAP\\_BFRF\\_6724\\_MAP.pdf](#)  
[BFRFT\\_6724\\_Conditions of Approval\\_01.pdf](#)  
[FULLPLAT\\_Berry Farms Reams-Fleming Tract PUD Sub, final plat -  
submittal 002.pdf](#)

*Commissioner Gregory recused herself from item 19.*

**This Planning Item was approved.**

20. City Of Franklin Fire Station Number 7, Site Plan, Located Adjacent To Williamson County Agricultural Center With Access To Peytonsville Rd And Long Lane. (CONSENT AGENDA)

**Attachments:** [MAP\\_6718COFFireNum7.pdf](#)  
[Station7\\_Conditions of Approval\\_01.pdf](#)  
[LAYOUT\\_FireStation7.pdf](#)  
[Elevations\\_Station7.pdf](#)  
[Station 7 Site Plan.pdf](#)

**This Planning Item was approved.**

21. Highlands At Ladd Park PUD Subdivision, Final Plat, Section 31, Creating 27 Single-Family Lots On 6.51 Acres, Located East Of Carothers Parkway And North Of Long Lane. (CONSENT AGENDA)

**Attachments:** [Map - 6713 - Highlands at Ladd Park PUD Subdivision Final Plat  
Section 31](#)  
[6713-COA-Highlands at Ladd Park PUD Subdivision, Final Plat,  
Section 31](#)  
[Plat-2018066-LADD SEC 31 PLAT-COF 6713 RESUBMITTED 6-7-18](#)

**This Planning Item was approved.**

22. Highlands At Ladd Park PUD Subdivision, Final Plat, Section 36, Creating 18 Single-Family Lots And One Open Space Lot On 32.81 Acres, Located East Of Carothers Parkway And North Of Long Lane. (CONSENT AGENDA)

**Attachments:** [Map - 6714 - Highlands at Ladd Park PUD Subdivision Final Plat Section 36](#)  
[6714-COA-Highlands at Ladd Park PUD Subdivision, Final Plat, Section 36](#)  
[Plat-Highlands at Ladd Park PUD Subdivision, final plat, section 36 - submittal 002](#)

This Planning Item was approved.

23. Highlands At Ladd Park PUD Subdivision, Final Plat, Section 41, Creating 14 Single-Family Lots On 2.49 Acres, Located East Of Carothers Parkway And North Of Long Lane. (CONSENT AGENDA)

**Attachments:** [Map-6715 - Highlands at Ladd Park PUD Subdivision Final Plat Section 41](#)  
[6715-COA-Highlands at Ladd Park PUD Subdivision, Final Plat, Section 41](#)  
[Plat-2018066-LADD SEC 41 PLAT-RESUBMITTED 6-7-18 COF 6715](#)

This Planning Item was approved.

24. Longview Subdivision, Final Plat, Section 1, Revision 4, Modifying Easements and Buffers, On 1.5 Acres And Located At 102 Werthan Circle. (CONSENT AGENDA)

**Attachments:** [MAP 6710 Longview FP Rev 4](#)  
[6710 Longview FP Conditions of Approval 01](#)  
[6710 RevisionLongview-Lot13 Plat](#)

This Planning Item was approved.

25. Peak 10 Subdivision, Final Plat, Creating One Commercial Lot On 8.84 Acres, Located At 4600 Carothers Parkway. (CONSENT AGENDA)

**Attachments:** [MAP 6619 Peak 10 FP](#)  
[6710 Peak 10 FP Conditions of Approval 01](#)  
[Peak-10-Final-Plat-Submitted-6-7-2018](#)

This Planning Item was approved.

26. Rizer Point PUD Subdivision, Final Plat, Section 5, Creating Eight Residential Lots And Two Open Space Lots On 12.68 Acres, Located North Of Del Rio Pike. (CONSENT AGENDA)

Attachments: [MAP\\_6678\\_RP\\_Sec5.pdf](#)  
[6678 RP\\_Sec6\\_Conditions of Approval\\_01](#)  
[Rizer-Section-5-Final-Plat-6-7-2018.pdf](#)

*Alderman Petersen requested that Item 26 be pulled from the Consent Agenda.*

*Amy Diaz-Barriga, Current Planning Supervisor, stated that this plat intends to create eight single family residential lots per the previously approved site plan for Rizer Point, Section 5.*

*Staff recommended approval, with conditions, for Item 26.*

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

*The Applicant was represented by Maverick Green with Goodall Homes.*

*Alderman Peterson asked about a Special Note on the plat stating "As per the condition for approval of the Section 5 of the Rizer Point Subdivision, the City of Franklin Board of Mayor and Aldermen indicated the property owners in Sections 1-4 shall not be responsible or obligated to maintain the common open space located in Sections 5 and 6". She stated the other part to this had comments about the Rizer Point Home Owner Association Covenants. She asked if Mr. Green could make a comment concerning this note.*

*Mr. Green stated these were part of the entitlements for Phase 5, which will be annexed into the original Rizer Point. One of the conditions of approval from the Board of Mayor and Aldermen was that Sections 1-4 will not be burdened with the maintenance of open spaces within Section 5 and Section 6, in the future. The declaration amendment reflects that. In working with Staff, they came up with the language for the Special Note on the plat.*

*Alderman Petersen asked about the changes and conditions of the area, the cutting and filling.*

*Mr. Jimmy Wiseman, Assistant Director of Engineering, stated Alderman Petersen's question was about the manipulation within the floodplain, near the river. He stated there was cutting that was approved, but no additional fill placed in the floodplain via a LOMR that was approved by FEMA. So, this should just be cut in the floodplain.*

*Alderman Petersen asked about the greenery that was cut down.*

*Mr. Wiseman stated that no specimen trees would have been removed. He stated that any invasives could have been cut down during the grading operation.*

*Alderman Petersen stated that the area looks a lot different.*

*Vice-Chair Lindsey asked if there were any other questions for the Applicant.*

*Vice-Chair Lindsey asked for a motion.*

*Commissioner Harrison moved, seconded by Commissioner Franks to approve Item 26, with conditions.*

*Vice-Chair Lindsey asked for a vote on the motion.*

*The motion carried unanimously (8-0).*

**Commissioner Harrison moved, seconded by Commissioner Franks to approve Item 26, with conditions. The motion carried by the following vote:**

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

**Absent:** 1 - Chairperson Hathaway

- 27.** The Standard At Cool Springs Subdivision, Final Plat, Revision 2, (Re-subdivision of Lots 2 And 3) Creating 28 Attached Town House Lots On 22.54 Acres, Located At 1222 Liberty Pike. (CONSENT AGENDA)

**Attachments:** [6717 - Standard at Cool Springs, Final Plat, Revision 2, Re-subdivision of Lots 2&3](#)  
[6717-COA-The Standard at Cool Springs](#)  
[Plat-3546124\\_2018\\_06\\_07\\_STANDARD\\_REV2\\_PLAT](#)

**This Planning Item was approved.**

- 28.** Westhaven PUD Subdivision, Final Plat Section 7, Revision 1, Lot 506 And Section 27, Lot 1200, Revision 1, Consolidating 2 Residential Lots On 0.40 Acres, Located At 303 Morning Mist Lane. (CONSENT AGENDA)

**Attachments:** [MAP\\_6720\\_Westahevn\\_KelmLot.pdf](#)  
[Westhaven\\_Sec49Conditions of Approval\\_02.pdf](#)  
[PLAT\\_Kelm180311sealed.pdf](#)

**This Planning Item was approved.**

## **ENVISION FRANKLIN PLAN AMENDMENTS**

29. Consideration Of Resolution 2018-46, To Be Entitled: “A Resolution To Adopt An Envision Franklin Plan Amendment For Properties Located At And Near 3610 And 3698 North Chapel Road And 4417 And 4468 Murfreesboro Road And 151 Trinity Road To Change The Design Concept From Development Reserve To Conservation Subdivision And From Neighborhood Commercial To Neighborhood Mixed-Use.” (Public Hearing)

**Attachments:** [2018-46 RES Envision Franklin Smith Amendment with Map.Law Approved Pattern Book](#)  
[Conceptual Masterplan](#)  
[Scenario Planning Suitability Analysis](#)  
[Open House Comments Nov. 2017](#)  
[Survey Data All Results](#)  
[Neighborhood Meeting Notes 5/23/18](#)  
[E-mail from resident](#)  
[FMPC Combined Comments 06.28.2018](#)

*A motion carried earlier during the meeting to change the order of Items 29 and 30. Per the motion, Resolution 2018-46 became Item 29 on the agenda.*

*Ms. Emily Hunter, Director of Planning and Sustainability, stated that tonight's item (Item 29) is the first consideration in a number of steps required for development approval. This item tonight is regarding an amendment to Envision Franklin, which is the City's long-term visioning document for how property should develop in the future. If approved, future steps required would include detailed discussion of sewer infrastructure, interlocal agreements with the County, and plan of services—all which must occur prior to annexation into the City is considered and prior to development approvals. In order for these future steps to take place an accurate analysis would need to be conducted, it is essential to understand the underlying land use policy, which is why this amendment to Envision Franklin is the first step.*

*She stated as a reminder, a non-contiguous annexation request was submitted by the applicant in July 2016, and the BOMA voted to initiate an annexation study for this property at the June 27, 2017 BOMA meeting. With that action, the Board voted to allow for further study of the land use policy in Envision Franklin and for more details on the feasibility and costs of providing city services and infrastructure. If Envision Franklin is amended, the new land use policy would provide a baseline to ascertain detailed costs and analysis of sewer extension and other necessary services and infrastructure. These studies and costs would be discussed at a future time prior to annexation or development approval.*

*Planning staff would like to be clear with the Planning Commission that until further study is conducted on infrastructure costs and until decisions regarding that infrastructure are made by the Board of Mayor and Aldermen, the Planning and Sustainability Department would not be able to support annexation of the property. However, tonight is a hearing regarding the future land use policy only and not plan of services or annexation.*

*Mr. Andrew Orr, Principal Planner stated that the Smith property is made up of*

approximately 500 acres in the Mayes Creek Drainage Basin, located in the eastern part of the Franklin Urban Growth Boundary (UGB). The property boundaries are hatched on the projected map and encompass the northeast and southeast quadrants of the North Chapel Road and Murfreesboro Road intersection, as well as land spanning along the north side of Highway 96. Mayes Creek flows through the property, creating a significant amount of floodplain.

The Envision Franklin Design Concept for this area is mostly Development Reserve, which supports low density residential uses due to the lack of existing infrastructure and services. Envision Franklin also supports a future Neighborhood Commercial node at the intersection of North Chapel and 96.

The applicant is proposing a change from Development Reserve to Conservation Subdivision. This change would support clustered development of single-family homes and secondary uses of big houses (up to 4 units) and duplexes (up to 2 units), with a minimum of 50 percent preserved open space. Moreover, the applicant is proposing a Special Consideration be added that would increase the building height maximum from 2.5 stories for the Conservation Subdivision Design Concept to three stories.

The applicant is also proposing to change the Neighborhood Commercial node at the North Chapel Road and 96E intersection to a Neighborhood Mixed-Use node. The key differences being the inclusion of a variety of residential uses including multifamily, assisted living, mixed uses and a maximum building height of three stories.

The project submittal contains a conceptual masterplan, as required by the Envision Franklin amendment process. However, Land entitlements are requested and approved during the Development Plan process and are not granted with this amendment request. If the amendment is approved, the masterplan will undergo a detailed review by the Franklin Departmental Review Team (DRT), the Planning Commission, and the Board of Mayor and Aldermen. It should be noted that the intensity of the masterplan is counter to the overall majority opinion expressed during the public outreach phase and by the survey results, but would be needed to offset the cost of extending infrastructure.

Infrastructure has been a key consideration in every discussion, specifically regarding sewer availability, roadway improvements, and school capacity. We are still in the early phases of a lengthy process so the details have yet to be worked out. The roadway and sewer components are initiated during the Plan of Service discussion and during the assessment of impact fees. Citizens repeatedly voiced concerns about overcrowding at Page Middle School and the nearing capacity at Trinity Elementary and Page High. These issues would need to be collaboratively addressed in the coming years.

Since the fall of 2017, several attempts have been made to engage the citizens, the Planning Commission, and the Board of Mayor and Aldermen. The staff have addressed topics related to Mayes Creek at five different Joint Conceptual Workshops, a mobile workshop, two public meetings, and an online survey. At the May 23rd neighborhood meeting, the staff provided an overview of the process and the applicant made a presentation outlining their vision for the property. The meeting was well attended and many citizens voiced their concerns.

As a reminder, a special BOMA work session was held on May 1st to discuss growth and annexation in the UGB. The Mayes Creek Basin was the only basin to rate as a mid-term annexation capability. The other areas designated as Development Reserve in Envision Franklin rated as long-term capabilities. Due to this mid-term capability ranking, the Mayes Creek basin would be the most appropriate of all the Development Reserve areas for consideration of a land use policy change.

This amendment request represents the largest landholding under single ownership within the eastern part of the Franklin UGB. If the Planning Commission decides to maintain the current land uses and the Smith property is developed in Williamson County, under the County zoning, the likelihood of the City ever expanding into the Mayes Creek Basin is significantly diminished. If the Planning Commission chooses to approve the Smith

amendment request, it will open the door for detailed discussions during the annexation process on the feasibility of providing sewer and other municipal services. In order to move to the next step of analysis and discussion of feasibility of services, Staff recommended Approval, with conditions, of Resolution 2018-46.

Staff recommended disapproval of the Special Consideration to change the height maximum from 2.5 stories to 3 stories in the Conservation Subdivision Design Concept for properties within 750' of the Murfreesboro Road right-of-way to maintain the single-family scale of the big houses.

Staff also recommended adding a Special Consideration limiting multifamily residential to be located above active ground-level commercial uses to ensure a vertical mix of uses and to prevent conventional multifamily structures. This special consideration is recommended because land area at the intersection should be primarily utilized for commercial uses and not stand-alone multi-family buildings, and also a precedent to allow multifamily structures to flank sections of Murfreesboro Road would be set.

Vice-Chair Lindsey asked if there were any citizen comments. He advised the speakers to line up, speak into the microphone, state their name and address, and that they would be allowed two minutes to speak to allow everyone to have the opportunity to speak. He stated that once the citizen comments were complete, he would declare the Public Hearing closed and the Planning Commission would begin deliberations concerning the item. At that point, the opportunity for public comment would be over.

The following citizens spoke:

1. James Anderson, 3795 North Chapel Road: Opposed - traffic and did not have infrastructure in place
2. Dr. Michelle Fiscus, 167 Chester Stevens Road: Opposed- School and bus overcrowding
3. Lauren O'Meara, 4168 Clovercroft Road: Opposed- Infrastructure should be in place before developing
4. Kathy Danner, 513 Brennan: Opposed – High Density Planning concerns. Let the county develop the area with a step system. Schools will be needed. Tax increase
5. Meredith Zeller, 3141 Lorena Court: Opposed - tax increase concerns
6. Kathy Webber, 1900 Springcroft Drive: Opposed - Harpeth Conservatory-cost of sewer line
7. Douglas York, 4000 Nestledown Drive: Opposed- Lack of Infrastructure
8. Kim Davidson, 4115 Trinity Road: Opposed- Sewer capacity concerns and expenses, schools
9. Swan Burrus, 203 Waterbury Circle: Opposed- read zoning statements
10. Walter Chism, 4893 Murfreesboro Road: In Favor
11. Amy May, 2212 Grace Point Court: Opposed- Cost of Schools for new students and taxes
12. Janet Curtis, 3665 North Chapel Road: Opposed- Traffic and Safety for Children with increased congestion
13. Rick Canada, 4348 North Chapel Road: Opposed- Traffic and High Density Development concerns
14. Jackie Perry, 4022 Trinity Road: Opposed- Traffic and Environmental Effects
15. Eva Nicole Potts, Ladd Road: Opposed- Flooding and Traffic concerns
16. Kate Lougee, Guy Ferrell Road: Opposed- Safety and Overcrowded Schools Cheryl Hughes 1752 and 1790 Burke Hollow Road, Nolensville: Traffic and Growth Concerns
17. Leigh Ann Miller, 1316 Starnes Mill: Opposed- Appreciates growth, but concerned about rate of growth
18. Barbara Padovich, 1758 Burke Hollow Road: Opposed- Traffic and Health Care

*Services*

*19. Randy Fossler: Opposed- Emergency Service and Sewer Concerns*

*Vice-Chair Lindsey asked if there were any other citizens speaking. With no more citizens speaking, Vice-Chair declared the time for public comments closed.*

*Vice-Chair Lindsey asked who was representing the Applicant.*

*The Applicant was represented by Jeff Heinze, Catalyst Design Group. The Applicant stated this was the first step in a long process. That they had to go through the process to determine the alternatives. He stated that there was a lot of misinformation on social media. The amendment would take the proposed neighborhood and allow for a neighborhood mixed use to support 86 acres for a commercial node. He stated that 425 acres would be conservation subdivision. Approximately half of the remaining area would be undeveloped, conservation area. Concerning the density, the policy removes the multifamily use from the mixed use. Only four units per structure would be allowed, so, the density would be lower. The single family would not change. He stated that the development would not go forward if sewer funding could not be worked out. He stated that no one (citizen) in the County or City would incur any of the cost for the sewer. The proposal for funding the cost for the extended sewer is to leverage the developers and look at special assessments. Mr. Heinze stated that the timeline for the development would be at least 4 to 5 years before the first resident would move in and 25 years for build out. He said that traffic improvements to Highway 96 would be complete, as well as the sewer. Last, he addressed the concerns about the inadequacy of the schools. He stated there is a need for the City to work with the County School system. He stated with the sewer, Trinity Elementary could be taken off the step sand filter system, allowing the land to be used for the expansion of the school. Also, the need for land for schools needs to be discussed. Finally, he addressed the concern regarding that the gateway anchor development which needs to fit the community and not change the vision. He stated that there had been some changes since Envision Franklin was adopted. First, he stated that the funding for the expansion of Highway 96 had been approved. Also, the sewer would be part of the solution. Lastly the proposed fire station is necessary to improve response times.*

*Mr. Wayne Hicks asked to speak after the Applicant, Mr. Heinze. Vice-Chair Lindsey allowed Mr. Hick's statement even though the time for public comment had been closed. Mr. Hicks, 6303 Ladd Road, was opposed to the amendment. He stated concerns about the cost of Infrastructure and expansion of sewer.*

*With no more citizens speaking, Vice-Chair declared the time for public comments closed.*

*Vice-Chair Lindsey asked for a motion:*

*Commissioner Franks moved, seconded by Commissioner Harrison, that Resolution 2018-46 be approved, with conditions.*

*Commissioner Allen asked about staff's recommendations. Vice-Chair Lindsey repeated and confirmed staff's recommendations.*

*The following discussion ensued:*

*Alderman Petersen stated that the difficulty was the sewer. Recently, the City had received bids to update the water treatment plant for \$130,000,000 to improve the processing to 16 million gallons per day. This bid did not include anything that would serve the Mayes Creek Basin community. To include this community, this would include the need to add miles of sewer or another sewer plant. She stated this would be a difficulty that the City could not handle at this time, if ever.*

*Commissioner Allen stated that this plan would not move forward without sewer. She stated that the Commission took this vote very seriously. She stated that they were simply looking to allow Envision Franklin to be changed to look at the cost of this plan.*

*Commissioner McLemore stated that the schools were her concern, especially with the recent increased tax plan. She stated that the schools were the driving force of why people were moving here. She stated she wanted to know what it would cost tax payers to fund more schools. She stated there was a funding issue for the schools, and there were 8900 dwellings in the pipeline to be constructed. She stated that schools were overcrowded and she could not support this item at this time.*

*Commissioner Allen stated that the developers need to work with the school board and should look at some dedication for the schools.*

*Commissioner Gregory stated that she had several issues with this amendment. She stated that she didn't understand why we would go forward with this amendment. She stated that Envision Franklin was just recently adopted, and this was an area that the City did not want to develop in the near future. She stated she realized this amendment was to allow the City to look at funding. She asked why would the City would want to waste tax dollars and staff's time when the City had already said they were not ready to develop this area. She stated she would not support this amendment.*

*Commissioner Allen stated that the City of Franklin Planning staff was excellent and would do a good job. She stated this land was going to be developed. She stated she wanted low density. She said the only reason she would consider this amendment is because she was concerned if another planning staff oversaw the development.*

*Commissioner Gregory stated that researching this project would take up the staff's time. She stated that she was not against annexation, but it should be systematic. She did not understand how the City could say 17 months ago that this area was not ready to develop, but consider changing their minds today.*

*Commissioner Franks stated that we had to figure out what was in the best interest for the people of Franklin. He discussed the approval of past developments. He stated that we had to think about the people who work in the Cool Springs area. There was a need for well planned areas with connectivity.*

*With no further discussion, Vice-Chair Lindsey asked for a vote on the motion.*

*The motion carried by the following vote (4-3). The roll call vote was:*

*Commissioner Lindsey - did not vote  
Commissioner Harrison - aye  
Commissioner Orr - aye  
Commissioner Franks- aye  
Commissioner Allen - aye*

Commissioner Gregory - no  
Commissioner McLemore -no  
Alderman Petersen - no

-----  
After Item 30 (Resolution 2018-47) was discussed and the motion voted on,  
Commissioner Gregory asked that the previous vote on Item 29 (Resolution 2018-46) be  
reconsidered.

Ms. Shauna Billingsley, City Attorney, stated that the motion to reconsider has to be  
presented by someone who voted on the winning side. She stated that the second did not  
have to be from the winning side.

Commissioner Allen moved, seconded by Commissioner Gregory, to reconsider the vote  
on Item 29 (Resolution 2018-46).

Ms. Hunter stated to clarify this would be a revote on the Smith Property.

Vice-Chair Lindsey asked if there was any discussion on the motion.

Alderman Petersen stated that to reconsider just meant that this would enable the  
Commission to revote on Item 29 (Resolution 2018-46). The reconsideration does not  
mean that Resolution 2018-46 would pass or fail. It is just a reconsideration.

Ms. Billingsley stated that this was a motion to reconsider only. She stated, after the  
reconsideration vote, the motion to vote on Item 29 (Resolution 2018-46) would need to  
be brought back for a vote.

Vice-Chair Lindsey asked for a vote on the motion to reconsider.

The motion to reconsider carried by the following vote (5-3).

Commissioner Lindsey - aye  
Commissioner Harrison - no  
Commissioner Orr - no  
Commissioner Franks- no  
Commissioner Allen - aye  
Commissioner Gregory - aye  
Commissioner McLemore -aye  
Alderman Petersen - aye

Vice-Chair Lindsey asked for motion for the approval of Item 29 (Resolution 2018-46).

Commissioner Franks moved, seconded by Commissioner Harrison to approve Item 29  
(Resolution 2018-46).

Vice-Chair Lindsey asked if there was any discussion. There being none, Vice-Chair  
Lindsey asked for a vote.

The motion failed by the following vote (3-5).

Commissioner Lindsey - no  
Commissioner Harrison - aye  
Commissioner Orr - aye  
Commissioner Franks- aye  
Commissioner Allen - no  
Commissioner Gregory - no  
Commissioner McLemore -no  
Alderman Petersen - no

Ms. Billingsley stated, for clarification, the Commissioners could consider making a motion to deny Item 29 (Resolution 2018-46)

Commissioner Gregory moved, seconded by Commissioner Allen, to deny the approval of Item 29 (Resolution 2018-46).

Ms. Billingsley asked Commissioner Gregory to state her purpose.

Commissioner Gregory stated that Item 29 (Resolution 2018-46) should be denied because this area should remain as Development Reserve, as was approved seventeen months earlier in Envision Franklin. She stated that the infrastructure to support this resolution was not in place. She stated she did not see any compelling reasons to consider spending tax payer dollars and Staff's time to research changing the area.

Commissioner Allen stated that the County officials should handle any development responsibly and she would attend the meetings.

Vice-Chair Lindsey asked for a vote to deny Item 29 (Resolution 2018-46).

The motion carried by the following vote (5-3).

Commissioner Lindsey - aye  
Commissioner Harrison - no  
Commissioner Orr - no  
Commissioner Franks- no  
Commissioner Allen - aye  
Commissioner Gregory - aye  
Commissioner McLemore -aye  
Alderman Petersen - aye

**Commissioner Gregory moved, seconded by Commissioner Allen, that Item 29 (Resolution 2018-46) be denied. The motion carried by the following vote:**

**Aye:** 5 - Commissioner McLemore, Commissioner Petersen, Commissioner Gregory, Commissioner Lindsey, and Commissioner Allen

**No:** 3 - Commissioner Franks, Commissioner Orr, and Commissioner Harrison

**Absent:** 1 - Chairperson Hathaway

30. Consideration Of Resolution 2018-47, To Be Entitled: “A Resolution To Adopt An Envision Franklin Plan Amendment For Properties Located In The Mayes Creek Drainage Basin, Located Generally Along Murfreesboro Road (96E) In The Eastern Part Of The Franklin Urban Growth Boundary To Change The Design Concept From Development Reserve To Large-Lot Residential, Mixed Residential, And Conservation Subdivision And From Neighborhood Commercial To Neighborhood Mixed-Use And From Single-Family Residential To Mixed Residential (Public Hearing).”

**Attachments:** [2018-47 RES Envision Frankli Staff Sponsored amendment with map.Law Approved Scenario Planning Suitability Analysis](#)  
[Open House Comments Nov. 2017](#)  
[Survey Results](#)  
[5.23.2018 MTG notes](#)  
[FMPC Combined Comments 06.28.2018](#)

*A motion carried earlier during the meeting to change the order of Items 29 and 30. Per the motion, Resolution 2018-47 became Item 30 on the agenda.*

*Mr. Andrew Orr stated that Resolution 2018-47 responds to the previous Envision Franklin Amendment request specified in Resolution 2018-46, the Smith Property Amendment. Due to the approval of 2018-46, the staff recommends approval of Resolution 2018-47.*

*The Mayes Creek Basin is an area in the eastern part of the Franklin Urban Growth Boundary (UGB) demarcated by natural drainage patterns. The basin is comprised of approximately 10,000 acres, of which approximately 6,000 acres are within the Franklin UGB. Roughly 1,200 acres within the UGB are within the 100-year floodplain.*

*The current design concepts are mostly Development Reserve, Large-Lot Residential, and Neighborhood Commercial at the intersection of North Chapel Road and SR-96E. The staff proposes removing the 2,600 acres of Development Reserve Design Concept from the Mayes Creek Basin and replacing it with a combination of design concepts.*

*The key design principle is to support the most intensive development around the North Chapel Road and 96E intersection by making each quadrant of the intersection Neighborhood Mixed-Use and buffering these parcels with Mixed Residential. The staff also recommends changing the design concept for a few parcels adjacent to the Smith Property to Conservation Subdivision.*

*The second key design principle is to transition the intensity away from 96E into the outlying areas. The staff recommends changing most of the property north and south of 96E to Large-Lot Residential which generally reflects the County zoning of Municipal Growth Area-1 (MGA-1), one-unit/acre. The outlying roadway infrastructure in the northern and southern halves of the basin are not equipped to take on intense growth and the land uses should remain low density until improvements to Wilson Pike, Trinity Road, Pate Road, and North Chapel Road are programmed and sewer infrastructure becomes available.*

*The City of Franklin engaged the Mayes Creek Basin residents through an online survey and also an open house meeting to understand their vision for the future. The open house was held on November 7, 2017, at the Franklin City Hall. Over 100 people attended. The overall sentiment expressed was a desire to maintain the limited growth policy and rural character of the basin. Although some property owners voiced a desire*

*be on sewer and some were interested in being annexed at a future date, most citizens voiced concerns about traffic, infrastructure, school crowding, and the land disturbances that sewer extensions into the basin would cause. Residents of Watkins Creek expressed specific concerns about potential sewer extensions to the Ingraham Property through their preserved open space and other residents had concerns about easements that would be needed to reach the Mayes Creek Basin. Similar infrastructure-related concerns were echoed at the May 23, 2018, neighborhood meeting. The staff believes this proposal balances the development pressure by keeping it along Murfreesboro Road and transitioning to lower density residential.*

*Staff recommended due to the approval of Resolution 2018-46, that Resolution 2018-47 be approved.*

*Vice-Chair Lindsey asked if there were any citizen comments.*

*Alderman Petersen suggested that Mr. Orr specify the areas on the map that were under consideration.*

*Mr. Orr stated that the areas were labeled. The areas in SR252 would change from Development Reserve to Large Lot Residential which is one home per acre. The Smith property is the gray area, which is excluded. The yellow is Mixed Residential which would support a variety of uses. The purple area is Neighborhood Mixed Use. The darker green area would go from Development Reserve to Conservation Subdivision. The lower green area (on the map) would go from Development Reserve to Large Lot.*

*Alderman Petersen asked if all of the properties would need to be annexed in before they would be under the City's control.*

*Mr. Orr confirmed this.*

*Commissioner Allen asked what was the difference between the amendments.*

*Ms. Hunter stated that this amendment responds to changes in Envision Franklin. Since everything was, for the most part, in Development Reserve until the last vote. Now, we don't want to be left with fragments of Development Reserve surrounding areas that have now been changed. This provides a better transition of land use and responds to public comments by providing Large Lot Residential and low density of one unit per acre.*

*Commissioner Allen stated that with this map, areas were now being specified as low and high density.*

*Ms. Hunter stated that Commissioner Allen could make amendments to the Resolution if she wanted.*

*Mr. Orr restated what the colors on the map represented.*

*Commissioner Allen asked about the land use regarding schools if developers offered property. She asked if there would need to be an amendment.*

*Ms. Hunter stated that Civic and Institutional uses are generally allowed in every design concept as long as they are provided in locations that can handle intense traffic. The traffic is associated with peak timing of schools. Generally, we like to see them along thoroughfares that can handle that capacity. But they are permitted as secondary uses in*

*most every design concept.*

*Alderman Petersen stated if the Smith Property is the grey area, then some other areas are being recommended for some additional proposed Neighborhood Mixed Use and Mixed Residential.*

*Mr. Orr confirmed this.*

*Alderman Petersen confirmed that the blue area would be the school and the park. Then, the purple and the yellow are recommended for a different use.*

*Mr. Orr stated the area was previously Neighborhood Commercial. Two of the quadrants, the Northeast and Southeast, were just changed to Neighborhood Mixed Use. Staff is recommending to change the whole quadrant to Neighborhood Mix Use, so it is balanced.*

*Dr. Douglas York asked if Envision Franklin extended to the properties east of Trinity Road.*

*Ms. Hunter confirmed that all of the parcels that are colored areas on the map were in the Urban Growth Boundary and are under the City's planning jurisdiction with Envision Franklin.*

*Mr. Orr stated that properties in white on the map are not in the Urban Growth Boundary.*

*The following citizens spoke:*

- 1. Douglas York, 4000 Nestledown Drive: Opposed - Nestledown Farms opposes increased density*
- 2. Megan Johnson, 4383 North Chapel Road: Opposed- Effects of Development and Congestion*
- 3. Dr. Michelle Fiscus, 167 Chester Stevens Road: Opposed- Concern about motivation for approval*
- 4. Ike Ladd, 174 Trinity Road: Opposed- Concern about Infrastructure especially traffic*
- 5. Rick Canada, 4348 North Chapel Road: Opposed- Should not change Envision Franklin*
- 6. Janet Curtis, 3665 North Chapel Road: Opposed- Traffic Concerns*
- 7. Kate Lougee, Guy Ferrell Road: Opposed- Leave area as County for Schools*
- 8. Margy Spivey, 4385 North Chapel Road: Opposed- Concerns for Wildlife*
- 9. James Anderson, 3795 North Chapel Road: Opposed- Concerns about why certain areas were chosen for development*
- 10. Nola Gephart, 4441 North Chapel Road: Growth Opposed- Concerns especially for schools*
- 11. Alex Davidson, Trinity Road: Opposed- Concerns about overcrowded schools*
- 12. Ralph Mabry Tullus Road: Opposed- Traffic and School Congestion Concerns, Tax increase*
- 13. Sabastian (College Student): Opposed- Traffic and Environmental concerns*
- 14. Jackie Perry, 4022 Trinity Road: Traffic concerns*
- 15. Nicole Caraher, 4592B North Chapel Road: Opposed- Traffic and Environmental concerns*
- 16. Cathy Manoukian, 123 Trinity Road: Opposed- Environmental concerns*
- 17. Tyler (No last name or address given): Opposed- Keep the area country, low density*

*After all citizens had spoken, Vice-Chair Lindsey declared the public hearing closed.*

*Ms. Hunter stated that the City of Franklin was the Applicant.*

*Vice-Chair Lindsey asked for a motion.*

*Commissioner Franks moved, seconded by Commissioner Harrison, that Resolution 2018-47 be approved.*

*Commissioner Allen stated that she does not want high density. She asked if this vote would lock in the uses on the map. She stated she did not want to lock in these proposed uses at this time, particularly the high density areas.*

*Ms. Hunter stated that the purple and yellow areas do allow for more density. The green areas are one unit per acre which is a change from Development Reserve. She added that if the area was left Development Reserve, it would make the sewer calculations very difficult at that point. She said the calculations would not be helpful to the Board in making further determinations.*

*Commissioner Allen stated she is not prepared to vote on this, as is, if it locks areas in. She said she is not for high density.*

*Commissioner Gregory stated that there are two options: either vote to control the development and do it in a good way, but allow high density or opt to vote for the lower density and let the County control the development. She stated that she felt this would continue every time a developer wanted to develop in the Urban Growth Boundary. She wanted to seek a way so there would not be high density in the Urban Growth Area. She stated that this was not the right place for density. She stated you should be able to have good developments and low density.*

*Commissioner Allen, Commissioner McLemore, and Commissioner Gregory discussed the gateway to Franklin and the control of density.*

*Commissioner Franks stated that he understood the traffic concerns. He stated the Planning Commissioners were there to bring a practical approach and discuss the issues. He discussed the problems with septic systems for developments in the County.*

*Vice-Chair Lindsey asked for a vote on the motion.*

*The motion failed by the following vote (4-4).*

*The roll call vote was:*

*Vice Chair Lindsey: aye*

*Commissioner Harrison: aye*

*Commissioner Franks: aye*

*Commissioner Orr: aye*

*Commissioner Allen: no*

*Commissioner McLemore: no*

*Commissioner Gregory: no*

*Alderman Petersen: no*

*Commissioner Gregory asked for a revote on Item 29 (Resolution 2018-46).*

*Ms. Hunter asked Vice-Chair Lindsey to recap the vote and state that the motion failed.*

*Vice-Chair Lindsey stated that the motion failed.*

*Commissioner Gregory, again, asked for a revote for Item 29 (Resolution 2018-46).*

*Further Information for this vote is under the action notes of Item 29.*

**Commissioner Franks moved, seconded by Commissioner Harrison, that Resolution 2018-47 be approved. The motion failed by the following vote:**

- Aye:** 4 - Commissioner Lindsey, Commissioner Franks, Commissioner Orr, and Commissioner Harrison
- No:** 4 - Commissioner McLemore, Commissioner Petersen, Commissioner Gregory, and Commissioner Allen
- Absent:** 1 - Chairperson Hathaway

#### **NON-AGENDA ITEMS**

*Vice-Chair Lindsey asked if there were any other items to discuss. There were none.*

#### **ANY OTHER BUSINESS**

*Vice-Chair Lindsey asked if there was any further business. There was none.*

#### **ADJOURN**

*There being no further business, the meeting adjourned at 9:38 p.m.*

---

*Chair, Mike Hathaway*