

MINUTES OF THE MEETING OF THE FRANKLIN MUNICIPAL PLANNING COMMISSION AUGUST 28, 2014

The Franklin Municipal Planning Commission held a regular meeting on Thursday, August 28, at 7:00 p.m. in the city hall boardroom.

Members present:

Jimmy Franks
Scott Harrison
Mike Hathaway, Chair
Roger Lindsey, Vice Chair
Alma McLemore
Michael Orr

Members absent:

Marcia Allen
Lisa Gregory
Ann Petersen, Alderman

Staff present:

Emily Hunter, Planning and Sustainability Department
Catherine Powers, Planning and Sustainability Department
Carl Baughman, Engineering Department
Dustin Scruggs, Engineering 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

- 7/24/14 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

SITE PLAN SURETIES

Consent: Items 7 – 8

7. Franklin Crest PUD Subdivision, site plan, (Circle at Cool Springs Apartments); release the maintenance agreement for drainage onsite/offsite improvements.
8. Gateway Village PUD Subdivision, site plan, sections 3 and 6, revision 1; release the maintenance agreement for Mohr Boulevard pavement improvements.

REZONINGS AND DEVELOPMENT PLANS

9. ORDINANCE 2014-18, TO BE ENTITLED “AN ORDINANCE TO REZONE 77.7 ACRES FROM GENERAL COMMERCIAL (GC) TO SPECIFIC DEVELOPMENT-VARIETY DISTRICT (SD-X 12.23/480,000/450) FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EAST MCEWEN DRIVE AND CAROTHERS PARKWAY.”

Project Number: 4542
 Applicant: Gary Vogrin, Kiser + Vogrin Design
 Staff Recommends: Favorable Recommendation to BOMA

Consent Status: Nonconsent

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

10. 264 Natchez Street Subdivision, final plat, two lot subdivision on 0.54 acres, located at 264 Natchez Street.
 Project Number: 4629
 Applicant: Greg Hartman, Dewaal & Associates
 Staff Recommends: Approval, with conditions
 Consent Status: Consent

11. Harpeth Community Church Subdivision, final plat, consolidation of three properties totaling 8.74 acres, located at 1101 Gardner Drive.
 Project Number: 4625
 Applicant: Greg Terry, James Terry & Associates
 Staff Recommends: Approval, with conditions
 Consent Status: Consent

12. Harpeth Community Church Subdivision, site plan, lot 1, revision 1 (phase two), 17,584 square foot addition to an existing church, on 8.74 acres, located at 1101 Gardner Drive.
 Project Number: 4631
 Applicant: Gary Batson, Batson and Associates, Inc.
 Staff Recommends: Approval, with conditions
 Consent Status: Consent

13. Highlands at Ladd Park PUD Subdivision, final plat, section 15, revision 2, creating 29 single family lots and three open space lots on 9.73 acres, located at 0 Irvine Lane.
 Project Number: 4626
 Applicant: David Reagan, HFR Design, Inc
 Staff Recommends: Approval, with conditions
 Consent Status: Consent

14. Highlands at Ladd Park PUD Subdivision, final plat, section 24, creating 17 single family lots and two open space lots on 4.87 acres, located at 0 Truman Road West.
 Project Number: 4626
 Applicant: David Reagan, HFR Design, Inc
 Staff Recommends: Approval, with conditions
 Consent Status: Consent

15. Rizer Point PUD Subdivision, final plat, section 3, creating 16 single family lots and one open space on 4.09 acres, located at 0 Del Rio Pike.
 Project Number: 4630
 Applicant: Michael Dewey, Dewey-Estes Engineering
 Staff Recommends: Approval, with conditions
 Consent Status: Consent

16. Westhaven PUD Subdivision, final plat, section 42, creating 9 residential lots and five open space lots on 0.70 acres, located along Keats Street.

Project Number: 4624
Applicant: Judy Gregg, Wilson and Associates
Staff Recommends: Approval, with conditions
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

Vice Chair Lindsey moved to approve the July 24, 2014, Planning Commission minutes as presented, Ms. McLemore seconded the motion, and it passed unanimously (5-0).

3. CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

No one came forward.

4. ANNOUNCEMENTS

Ms. Powers reminded everyone about the retreat coming up on Thursday, September 4, at the Spark Center from 9:00 a.m. to 2:00 p.m. Breakfast and lunch will be served. She stated that Vice Chair Lindsey and Mr. Franks would be brought up to date regarding the retreat at a later time.

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

No one came forward.

6. CONSENT AGENDA

Chair Hathaway stated that the items under the consent agenda were deemed by the Planning Commission to be non-controversial, routine in nature and would be approved by one motion. He stated that items 7, 8, and 10 through 16 were the items on the consent agenda. Chair Hathaway asked if anyone wanted to pull any other items, and no one came forward.

Mr. Harrison moved to approve Consent items 7, 8, and 10 through 16, Mr. Orr seconded the motion, and it passed unanimously (5-0).

7. FRANKLIN CREST PUD SUBDIVISION, SITE PLAN, (CIRCLE AT COOL SPRINGS APARTMENTS)

Maint agreement: **Drainage onsite/offsite \$28,800**
 Established: March 28, 2013
 Previous Action: 2/28/09 FMPC granted 6-month extension to 8/28/09.
 7/23/09 FMPC granted 2nd 6-month extension to 2/28/10.
 1/19/10 PA posted
 11/12/10 Approved extension to 11/11/11
 NEW APPLICANT 12/10/10
 11/11/11 Reduce 75%+ from \$288,000, extend to 11/9/12.
 11/9/12 Release denied; extend to 11/8/13; as-builts okay.
 1/18/13 Release denied; extend to 7/19/13
 3/28/13 Release PA, establish MA for \$28,800
 4/5/13 MA posted
 3/27/14 Extend to 9/25/14
 Recommendation: Release the maintenance agreement.

8. GATEWAY VILLAGE PUD SUBDIVISION, SITE PLAN, SECTIONS 3 AND 6, REVISION 1

Maint agreement: **Mohr Boulevard pavement \$6,700**
 Established: July 19, 2013
 Previous Action: 2/24/11 PA posted
 1/20/12 Extend to 7/20/12
 7/20/12 Extend to 1/18/13
 1/18/13 Release denied; extend to 1/17/14
 7/19/13 Release PA, establish MA for \$6,700
 7/30/13 MA posted
 7/24/14 Extend to 1/22/15
 Recommendation: Release the maintenance agreement.

10. 264 Natchez Street Subdivision, final plat, two lot subdivision on 0.54 acres, located at 264 Natchez Street.

Recommendation

Staff recommends **approval, with conditions.**

FRANKLIN MUNICIPAL PLANNING COMMISSION (FMPC) PROCESS AND PROCEDURES

If the applicant has questions about, or is in disagreement with, a condition of approval, they shall contact the project planner within the Department of Planning and Sustainability prior to the FMPC meeting. If the applicant fails to notify the Department of Planning and Sustainability of an objection to a condition of approval by one (1) day prior to the FMPC Meeting and raises their objection at the FMPC meeting, staff shall recommend deferral of the item until the next available Agenda.

The following is the process for an item to be heard by the FMPC during their monthly meetings:

1. Staff Presentation,
2. Public Comments,
3. Applicant presentation, and

4. Motion/discussion/vote.

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PROCEDURAL REQUIREMENTS:

1. Fifteen (15) half-size copies of the Rezoning shall be submitted to the Department of Planning and Sustainability by 9am on the Monday after the Planning Commission meeting in order to be placed on the Board of Mayor and Aldermen agenda.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.

CONDITIONS OF APPROVAL:

Planning

1. Site Data Chart

The applicant shall list the property's character area (CFCO-3) and development standard (traditional) in Note 2.

2. Mineral rights

The applicant shall list the owner of the property's mineral rights in the Notes section of the plat.

3. Plat Note

The applicant shall darken the lot lines of the property, and proposed lot line.

Water/Sewer

General Comments

4. Wastewater

Previous comment not fully addressed, applicant shall label sewer service to lot 1.

11. Harpeth Community Church Subdivision, final plat, consolidation of three properties totaling 8.74 acres, located at 1101 Gardner Drive.

Recommendation

Staff recommends **approval, with conditions.**

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PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plat to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit three (3) paper copies and a .pdf file of the corrected plat, along with the Mylar, to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). The Certificates of Approval for the Subdivision Name and Street Names, Water System (if not COF Water), Survey, and Ownership shall be signed when the plat is resubmitted. The Mylar shall be submitted to BNS within five (5) business days of the corrected electronic plat being uploaded to the online plan review website (or vice versa) or the item shall be rejected as incomplete for City review. With the resubmittal, each condition of approval/open issue in the online plan review system shall contain a full response from the applicant as to the satisfaction or completion of that condition.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.
3. The applicant shall upload a .dwg copy of the final plat through the IDT system (link above) in Tennessee state plan coordinates, NAD 83, NAVD 88, zone 4100/5301 for incorporation of the plat into the Franklin GIS database.

CONDITIONS OF APPROVAL:

Performance Agreement and Surety

General Comments

1. Sureties
 - VI. Drainage: \$10,000
 - VII. Green Infrastructure: \$108,000

Planning

2. Final plat notes

The applicant shall list the property's development standard (conventional) in note 2 of the general notes section of the plat.
3. Acreage

The applicant shall reference the former lot number, as well as the parcel number, when listing the acreage of each property to be consolidated. The applicant shall also clarify that it is the "total consolidated area" listed below the acreage/sf of each property.

4. Buffers

The applicant shall list the dimension of the Incompatible Land Use Buffer on the plat.

12. Harpeth Community Church Subdivision, site plan, lot 1, revision 1 (phase two), 17,584 square foot addition to an existing church, on 8.74 acres, located at 1101 Gardner Drive.

Recommendation

Staff recommends **approval, with conditions.**

FRANKLIN MUNICIPAL PLANNING COMMISSION (FMPC) PROCESS AND PROCEDURES

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Performance Agreement and Surety

General Comments

1. Sureties

VI. Drainage: \$10,000

VII. Green Infrastructure: \$108,000

2. Landscape

Landscape surety shall be determined at Post PC - TBD \$

Planning

Harpeth Community Church Phase 11 - submittal 001.pdf

3. FWO and FFO

The applicant shall correctly label the FFO overlay limits, as shown on City of Franklin zoning maps, on the existing conditions plan sheet and the site layout plan sheet.

4. Parking

The applicant shall revise the Parking Summary on the Site Layout Plan page. The maximum parking spaces shall not be fewer than the minimum required parking spaces.

Zoning

Harpeth Community Church Phase II - submittal 002.pdf

5. Question

The proposed fence is required to have masonry columns every 50' on center or at a minimum located at the corners of the fences area.

13. Highlands at Ladd Park PUD Subdivision, final plat, section 15, revision 2, creating 29 single family lots and three open space lots on 9.73 acres, located at 0 Irvine Lane.

Recommendation

Staff recommends **approval, with conditions.**

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CONDITIONS OF APPROVAL:

Engineering

General Comments

1. Streets

The previous comment "Provide the location of the street connection to Section 21" was not completely addressed. Provide a line on the plat that indicates the location of the portion of the street that is to be constructed in Section 15 and show a portion of the street that will be constructed in the adjacent section.

2. Drainage

Provide the location of all of the storm drainage structures and pipe that will be constructed in section 15.

Performance Agreement and Surety

General Comments

3. Sureties

Sureties for the following to be determined at resubmittal by applicant using currently approved Surety Calculation Tool available on the Engineering Development Services webpage:

- II. City Sewer:
- III. Streets (including private streets):
- IV. Street Access (separate surety):
- V. Sidewalks:
- VI. Drainage:
- VII. Green Infrastructure:

Applicant shall upload excel file with quantities with resubmittal and include totals for each surety category, as listed above, in response to this comment.

Water/Sewer

2011132-sec-15 plat-COF 4626-RESUBITTAL 8-7-14.pdf

4. Wastewater

Applicant shall provide the size of the sewer main running behind lots 207- 210. Applicant shall also check the depth of the sewer line and show correct easement width to the depth of sewer line. This comment has been added due to the sewer line being added to the plat.

14. Highlands at Ladd Park PUD Subdivision, final plat, section 24, creating 17 single family lots and two open space lots on 4.87 acres, located at 0 Truman Road West.

Recommendation

Staff recommends **approval, with conditions.**

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CONDITIONS OF APPROVAL:

Engineering

General Comments

1. Easements

The previous comment "Provide an easement for drainage behind lots 540 - 548 outside of the utility easements" was not completely addressed. A drainage easement located behind the building lots must be located outside of the lots.

Performance Agreement and Surety

General Comments

2. Sureties

Spreadsheet not received as of 8-13-14. Needs to be received by 8-15-14 to be considered for the current review cycle.

Planning (Landscape)

General Comments

3. Lot tree Requirements

No detached residential lot tree chart is shown. This shall be provided. Show on the mylar.

Zoning

General Comments

4. Affordable Housing

The applicant shall provide affordable housing fees in lieu in accordance with the Inclusionary Housing Ordinance.

5. Lot Trees

Provide the lot tree chart on the final plat.

15. Rizer Point PUD Subdivision, final plat, section 3, creating 16 single family lots and one open space on 4.09 acres, located at 0 Del Rio Pike.

Recommendation

Staff recommends **approval, with conditions.**

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CONDITIONS OF APPROVAL:

Engineering

Rizer-Point-Sec-3-Plat-1st-Submittal-Signed (7-11-14).pdf

1. ROW

Applicant showing inconsistent line work at lot 98 making appear as part of ROW.

Performance Agreement and Surety

I. City Water: \$60,000

II. City Sewer: \$75,000

III. Streets (including private streets): \$154,000

IV. Street Access (separate surety): \$0

V. Sidewalks: \$57,000

VI. Drainage: \$37,000

VII. Green Infrastructure: \$0

VIII. ITS Elements: \$0

Planning

General Comments

3. Base Zoning

This is a new issue. The applicant shall correctly label the base zoning as "SD-R" in the site info chart.

16. Westhaven PUD Subdivision, final plat, section 42, creating 9 residential lots and five open space lots on 0.70 acres, located along Keats Street.

Recommendation

Staff recommends **approval, with conditions.**

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CONDITIONS OF APPROVAL:

Engineering

General Comments

1. Sureties

Applicant shall submit bonds for the following:

Streets - \$TBD

Temp turnarounds - \$TBD

Sidewalks - \$TBD

Sewer - \$ TBD

2. Easements

Applicant shall provide an easement for sidewalk near Curves C8/C9/C10.

3. Open Space

Applicant to call out open space lot adjacent to lot 1651

Planning

General Comments

4. Lot numbers

This is a continuation of an existing issue. Currently, every open space lot on the plat is given the same open space lot number-5067.

Please give each individual non-contiguous open space lot its own lot number. Confirm the total number of open space lots.

This completed the consent agenda.

9. ORDINANCE 2014-18, TO BE ENTITLED "AN ORDINANCE TO REZONE 77.7 ACRES FROM GENERAL COMMERCIAL (GC) TO SPECIFIC DEVELOPMENT-VARIETY DISTRICT (SD-X 12.23/480,000/450) FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EAST MCEWEN DRIVE AND CAROTHERS PARKWAY."

Ms. Powers presented the staff report for Ordinance 2014-18 and stated that this was a request by Mr. Dwight Kiser to take a look at a very small change in the zoning. It did go through the Board of Mayor and Aldermen (BOMA) process. There was a public hearing on this small change. What happens procedurally when this happens is that it has to come back to the Planning Commission for their vote to uphold the BOMA's decision. They basically have changed the zoning line, which does not affect their entitlement and does not affect their land. It is just a line that has been moved slightly to accommodate some loading zones, and staff is recommending approval by the Planning Commission

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Dwight Kiser, of Kiser + Vogrin Design, represented the applicant and requested a favorable recommendation to the BOMA.

Mr. Harrison moved to favorably recommend approval of Ordinance 2014-18, Mr. Orr seconded the motion, and it passed unanimously (5-0).

There being no further business, the meeting adjourned at 7:05 p.m.

Chair, Mike Hathaway