



City of Franklin

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

Meeting Minutes

Franklin Municipal Planning Commission

Thursday, June 22, 2017

7:00 PM

Board Room

CALL TO ORDER

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

MINUTES

1. Approval of the May 25, 2017 FMPC minutes.

Attachments: [DRAFT 5.25.2017 FMPC Minutes](#)

Commissioner Harrison moved, seconded by Commissioner Orr to approve the minutes from May 25, 2017, as presented. The motion carried by the following vote:

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

Chairing: 0

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

Chair Hathaway asked for citizen comments. There were none.

ANNOUNCEMENTS

Chair Hathaway asked if Staff had any announcements. There were none.

VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

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

CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Harrison, seconded by Commissioner Allen, to approve Items 2-14, 21, and 23 on the Initial Consent Agenda. The motion carried by the following vote:

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

Chairing: 0

Approval of the Consent Agenda

A motion was made by Commissioner McLemore, seconded by Commissioner Gregory, to approve Item 22 on the Secondary 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

Recused: 1 - Chairperson Hathaway

Chairing: 0

SITE PLAN SURETIES

2. Bancorp South Subdivision, site plan, (Liberty Pike Office Building); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.
3. Cool Springs Galleria PUD Subdivision, site plan, section 2 (The District); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.
4. Franklin Park PUD Subdivision, site plan, (Apartments); extend the performance agreement for drainage, sidewalks, access and landscaping improvements for six months. (CONSENT AGENDA)
This Planning Item was approved.
5. Franklin Park Subdivision, site plan, (Open Space Lot/Parkland/Infrastructure); extend the performance agreement for streets improvements for six months. (CONSENT AGENDA)
This Planning Item was approved.
6. Highlands at Ladd Park PUD Subdivision, site plan, section 20; release the maintenance agreement for landscaping (street trees) and landscaping (Carothers street trees) improvements; extend the performance agreement for landscaping (Carothers buffer) improvements. (CONSENT AGENDA)
This Planning Item was approved.

7. Hurstbourne Park PUD Subdivision, site plan, sections 1-3; reduce and extend the performance agreement for landscaping (section 3) improvements for eleven months. (CONSENT AGENDA)

This Planning Item was approved.
8. Lockwood Glen PUD Subdivision, site plan, sections 1-3; release the maintenance agreement for landscaping Phase 1, section 2 street trees and landscaping Phase 1, section 3 street trees improvements. (CONSENT AGENDA)

This Planning Item was approved.
9. Nissan North America Subdivision, site plan, revision 2 (Parking Addition); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

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

This Planning Item was approved.
11. Westhaven PUD Subdivision, site plan, section 27; extend the performance agreement for landscaping improvements. (CONSENT AGENDA)

This Planning Item was approved.
12. Westhaven PUD Subdivision, site plan, section 28; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

This Planning Item was approved.
13. Westhaven PUD Subdivision, site plan, section 35; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

This Planning Item was approved.
14. Westhaven PUD Subdivision, site plan, section 38; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

This Planning Item was approved.

ANNEXATIONS AND PLANS OF SERVICES

15. PUBLIC HEARING: Consideration Of Resolution 2016-90, To Be Entitled: "A Resolution Adopting A Plan Of Services For The Annexation Of 4360 Long Lane, By The City Of Franklin, Tennessee."; (06/22/17 FMPC 9-0, 07/11/17 Work Session)

Attachments: [Moss Property PUD Subd. Parcel Map \(Amend Motion\)](#)
[RES 2016-90 POS 4360 Long Lane Law Approved](#)
[MAP RES 2016-90 MOSS Property](#)

Mr. Brad Baumgartner stated that this property is contiguous to the city limits along the north side of the property line. The property is surrounded by the Highlands at Ladd Park PUD Subdivision and will be required to extend existing roadway and infrastructure networks across the property. This property is within the Goose Creek Character Area, and the applicant's desire to develop this property as single family residential uses would be supported by Envision Franklin.

Staff recommended a favorable recommendation to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

Chuck Flueck, 160 Clyde Circle, spoke against Item 15, and he stated he had three concerns:

- 1. That Item 15 remain a separate PUD/HOA from Ladd Park.*
- 2. Safety about the curb since there is no turn lane at the intersection.*
- 3. Pollutants in the waterway.*

Greg Gamble, Gamble Design Collaborative, was there to represent the Applicant and stated he was there to answer any questions. He addressed Mr. Flueck's concerns stating that there had been no conversation with Jones Company to join the Ladd Park HOA. For this to happen, it would take a process including a formal vote from the Ladd Park HOA. Regarding the safety of the curb and intersection, it is Mr. Gamble's understanding that the COF Engineers have looked at this and approved the safety.

Chair Hathaway stated that the Planning Commission does not deal with HOA issues.

Chair Hathaway asked for a motion.

Commissioner Franks moved, seconded by Commissioner McLemore, that Resolution 2016-90 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

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

Chairing: 0

16. PUBLIC HEARING: Consideration Of Resolution 2017-48/Ordinance 2017-32, To Be Entitled: "A Resolution And Ordinance To Annex Part Of 4360 Long Lane, Parcel 180.01, Consisting Of 15.3 Acres, Located South Of Carothers Parkway And North Of Long Lane."; (06/22/17 FMPC 9-0, 7/11/17 FIRST READING 8-0) SECOND OF THREE READINGS

Attachments: [Moss Property PUD Subd. Parcel Map \(Amend Motion\)](#)
[Res 2017-48. Ord 2017-32 4360 Long Lane with Map.Law Approved](#)
[2017049-52 Moss Property Boundary-PRELIMINARY 4-27-17](#)
[Owner Affidavit-signed](#)

Mr. Baumgartner stated that Resolution 2017-48/Ordinance 2017-32 is the document required to annex the 15.3 acres of property into the Franklin City Limits. Envision Franklin states in the Managed Growth guiding principle, "Annexation within the UGB should be approached in a comprehensive manner that promotes contiguity and orderly growth, efficient delivery of municipal services, and proactive planning for future development." This property is adjacent to the current City Limits and within the City's established Urban Growth Boundary (UGB). The property is surrounded on three sides by an existing City subdivision (Highlands at Ladd Park), and, therefore, the annexation is supported by Envision Franklin as it promotes contiguity and orderly growth. A Plan of Services and an ordinance to zone the property will accompany this Resolution/Ordinance.

Staff recommended a favorable recommendation to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments. There were none.

Greg Gamble, Gamble Design Collaborative, was there to represent the Applicant and stated he was available to answer any questions.

Chair Hathaway asked for a motion.

Commissioner McLemore moved, seconded by Commissioner Harrison, that Resolution 2017-48/Ordinance 2017-32 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

REZONINGS AND DEVELOPMENT PLANS

17. PUBLIC HEARING: Consideration of Ordinance 2017-27, To Be Entitled, "An Ordinance To Rezone 2.29 Acres From Detached Residential 2 (R-2) To Specific Development District- SD-R 1.71 District And Zone 15.3 Acres Specific Development- District, SD- 1.71, Conventional Development Standard Overlay, Goose Creek Character Area (GCCO-6) Overlay, For The Properties Located East Of Carothers Parkway And North Of Long Lane 4360 Long Lane, Moss Property PUD Subdivision." (06/22/17 FMPC 9-0, 7/11/17 FIRST BOMA Reading 8-0) SECOND OF THREE READINGS

Attachments: [Moss Proerty PUD Subd, Parcel Map \(Amend Motion\)](#)
[Ord 2017-27 Moss Proerty PUD Subd, Rezoning Map](#)
[Ord 2017-27 Moss Property Rezoning _with Map.Law Approved \(2\)](#)
[Moss Property Rezoning and Annexation Request Resubmittal 6.1.2017](#)

Mr. Baumgartner stated that the applicant is requesting a rezoning of the property to allow for the construction of 30 single family homes directly adjacent to the existing Ladd Park Subdivision. The lot sizes match that of the lots within the Ladd Park development. Envision Franklin supports the rezoning request. There is an accompanying development plan also on tonight's agenda (COF# 6441).

Staff recommended a favorable recommendation to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

Mr. Chuck Flueck, 160 Clyde Circle, spoke against Item 17. He stated that he wanted to address the Applicant's statement regarding the HOA process. He stated at this time, there could not be a formal vote because the Ladd Park does not have HOA representation at this time.

Greg Gamble, Gamble Design Collaborative, was there to represent the Applicant and stated he was there to answer any questions.

Commissioner Allen stated that citizens can speak to the Aldermen at the Board of Mayor and Aldermen to voice their opinions.

Chair Hathaway asked for a motion on the item.

Commissioner Harrison moved, seconded by Commissioner Orr, that Ordinance 2017-27 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

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

Chairing: 0

18. PUBLIC HEARING: Consideration Of Resolution 2017-39, To Be Entitled: "A Resolution Approving A Development Plan For The Moss Property PUD Subdivision, For The Property Located East Of Carothers Parkway And North Of Long Lane At 4360 Long Lane."; (06/22/17 FMPC 9-0, 7/11/17 Work Session)

Attachments: [Res 2017-39 Moss Property PUD Subd. Dev Plan Map](#)
[2017-39 RES Moss Property PUD Subdivision with Map.Law Approved](#)
[Moss Property DP Conditions of Approval_01](#)
[MossElevations](#)
[MossLayout](#)

Mr. Baumgartner stated the applicant is proposing thirty (30) single family homes directly adjacent to the Highlands at Ladd Park Subdivision. The proposed neighborhood will connect to the Highlands at Ladd Park PUD Subdivision. The proposed neighborhood is within the Single Family Residential Design Concept in Envision Franklin, which recommends a range of single-family dwellings and lots sizes and states that new developments should transition from the existing development patterns in adjacent neighborhoods.

There is not a variation in lot size for new residential development; however, since the proposed subdivision includes only 30 lots that are consistent with the larger surrounding context of the Highlands at Ladd Park PUD Subdivision, staff finds the proposed plan to be appropriate.

Staff recommended a favorable recommendation to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

Mr. Chuck Flueck, 160 Clyde Circle, stated that were people who had recently purchased lots in Brenley Crossing because they thought the lots were premium lots with unobstructed views. These home owners did not expect future building which will now obstruct their current view.

Greg Gamble, Gamble Design Collaborative, was there to represent the Applicant and stated he was there to answer any questions.

Chair Hathaway asked for a motion.

Commissioner Lindsey moved, seconded by Commissioner Allen that Ordinance 2017-39 be recommended to the Board of Mayor and Aldermen for approval.

Chair Hathaway asked if there was discussion.

Alderman Petersen asked if this was a Zone 2 stream buffer encroachment.

Mr. Gamble stated that there was a revision of the stormwater ordinance. Some stream buffers were greater, while some were reduced, causing it to equal out.

Commissioner Lindsey moved, seconded by Commissioner Allen, that Ordinance 2017-39 be recommended to the Board of Mayor and Aldermen for approval. The

motion carried by the following vote:

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

Chairing: 0

19. Consideration of Ordinance 2017-24, To Be Entitled: "An Ordinance To Rezone .43 Acres From Residential-3 (R3) District To Office Residential (OR) District For The Property Located At The Southeast Corner Of Columbia Ave And Carolyn Avenue, 1475 Columbia Avenue."; Establishing a Public Hearing for September 12, 2017. (06/22/17 FMPC 8-1, 07/11/17 WS) FIRST OF THREE READINGS

Attachments: [Revised2 2017-24 1474 ORD Columbia Ave. Rezoning Law Approved.06.20.17 MAP2 HighlandGardens](#)
[Highland Gardens Subdivision, Rezoning, Block A, po 2 &3, 1475 Columbia Avenue - submittal 003.pdf](#)
[ORZone.pdf](#)
[ORZoneMap.pdf](#)
[ORZoneMapwithPics.pdf](#)
[OR Envision Franklin columbia landscape.pdf](#)
[columbia adjacencies.pdf](#)

Mr. Josh King stated that Envision Franklin recommends an office residential design concept for this location. Buildings, regardless of use, should maintain a single-family residential character.

Staff recommended a favorable recommendation to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

Mr. Don Hazelwood, 106 Carolyn Ave, spoke against Item 19. Mr. Hazelwood's property borders the proposed Office Residential property. He stated he was concerned about the number of cars in the parking lot and traffic. He also stated that access to the parking lot will be from Carolyn Ave. He expressed the need for a buffer or screen such as a wall or fence between the properties. The main reason was because the proposed parking for the building is approximately 10 feet from his mother's bedroom window.

Matt Bryant, M2 Group, was there to represent the Applicant. Mr. Bryant stated that the plan was to remodel the home, landscape and to add some parking spaces. He stated that they would add landscape to screen and minimize the impact. The building would be the office for Mr. Bryant's company and he did not expect many visitors.

Chair Hathaway asked for a motion.

Commissioner McLemore moved, seconded by Commissioner Franks, that Ordinance 2017-24 be recommended to the Board of Mayor and Aldermen for approval.

Commissioner Allen asked Mr. Bryant to restate what plans had been made for a screen.

Mr. Bryant said that they would pave the existing gravel driveway and there would be a screen between the properties. Mr. Bryant stated that he was not sure if it would be a fence or landscape at this time.

Commissioner Franks stated that it was imperative that a fence be put between the properties.

Chair Hathaway asked Staff if there were comments concerning screening in the Staff comments.

Ms. Emily Hunter, Director of Planning and Sustainability, stated this was just a request for rezoning. She stated that when the site plan is submitted, there would be requirements for the screening and buffer per the Zoning Ordinance.

Commissioner McLemore stated there definitely needed to be a buffer.

Alderman Petersen stated that this would require the maximum buffer allowed. She asked if the driveway would be permissible as part of the buffer.

Ms. Hunter stated once the site plan was submitted, they would look at any modifications. If the Zoning Ordinance requirements could not be met, the number of offices may need to be reduced.

Alderman Petersen asked if part of the property would be taken during the expansion of Columbia Ave. Mr. Josh King stated that up to 15 feet may be required.

Commissioner McLemore asked, since there were concerns, would the site plan come back to the commission.

Ms. Hunter stated that they would not know the answer to that question until the site plan was submitted. Mr. King stated that they were unaware of any activities taking place concerning the property. This was just to discuss the rezoning.

Vice-Chair Lindsey and Commissioner Allen discussed if there was a buffer issue and parking was limited, maybe the number of offices could be reduced.

Ms. Hunter stated that until the square footage of the home and amount of parking spaces were determined, they could not comment on the issue.

Alderman Petersen asked if there had been a neighborhood meeting.

Ms. Hunter stated for rezonings without a PUD development plan, there was not a requirement for a neighborhood meeting. For this item, public notice was given so that public comment could be made.

Alderman Petersen asked if notice was sent out.

Ms. Hunter confirmed that the Applicant was required to send out notices to residents within 500 feet of the property.

Alderman Petersen stated that she thought Office Residential zoning was for properties in the downtown area. She asked if the property were zoned Office Residential, would zoning allow a new building to be built on that lot.

Ms. Hunter confirmed that a new building could be built with an approved site plan that still has residential character.

Commissioner Allen stated there were other areas that were zoned Office Residential beside the Downtown Franklin area. One example is Confederate Drive.

Alderman Petersen stated the lot across from the property was zoned Central Commercial and nearby lots are zoned Neighborhood Commercial and General Commercial. She stated that this property was part of a strictly residential area.

Chair Hathaway asked if there was any further discussion. Being none, he asked for a vote on the motion.

Commissioner McLemore moved, seconded by Commissioner Franks, that Ordinance 2017-24 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

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

No: 1 - Commissioner Petersen

Chairing: 0

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

20. Splendor Ridge Subdivision, Preliminary Plat, 19 Single-Family Residential Lots On 27.5 Acres, Located Between Lancaster Drive and The Harpeth River And West Of Franklin Road, 151 Franklin Road.

Attachments: [SplendorRidgePP.pdf](#)
[Splendor Ridge Prelim Plat 7.6.2017.pdf](#)
[Conditions of Approval 04.pdf](#)
[Floodplain Exhibit.pdf](#)
[031317 Historic Zoning Commission Minutes](#)
[Resident Letter - File ID 17-0551 - Item 20.pdf](#)

Mr. King stated that the proposed lots meet the minimum lot size standards established under the traditional development standards for street-loaded lots. Lot size vary from 7,499 square feet to 15,721 square feet, not including the original historic home and accessory structures. The proposed subdivision meets the standards established under both Envision Franklin design concepts and the current City of Franklin Zoning Ordinance standards.

In accordance with the "Protection of Historic Lands and Structures" provision of the Zoning Ordinance, the use of a mitigation method is required at this site to help protect the National Register-listed Mayberry House and its associated outbuildings from any potential adverse impacts. The Historic Zoning Commission (HZC) considered a recommendation request from the applicant at its March 2017 meeting. The HZC recommended that a "farm field boundary" mitigation approach be included along the eastern boundary of this site.

The City of Franklin Parks master plan identifies a priority trail connecting Pinkerton Park, Bicentennial Park and Harlinsdale Park. The preliminary plat includes an access easement to accommodate a trail on the northern portion of the Harpeth River (Easement B).

Staff recommended approval, with conditions.

Chair Hathaway asked for citizen comments.

Fifteen citizens spoke concerning Item 20.

Those opposed to Item 20 expressed concerns about:

- Increased traffic especially during rush hour.*
- The street is 45 years old and the increased traffic will place a hardship on the street.*
- The new site plan homes will not match the character of the current homes in Harpeth Meadows.*
- Find alternate access for Splendor Ridge. The single access road for Splendor Ridge is below the 100 year flood plain.*
- The vote should be deferred for one month until the citizens have a chance to meet with the Applicant.*
- Only 13 homes should be built instead of 19.*
- The effect of the river trail on property values and safety for property owners.*
- The increased excess run off into the river due to development.*

Those in favor of Item 20 stated:

- Connectivity for the parks is important and will help the community thrive.
- River walk would have a positive impact on property values.
- Splendor Ridge will be a great option for people who want to live near Downtown Franklin.
- The site plan should be approved because it is in compliance with the Land Use Plan.
- The trail would be a wonderful, safe place for families and children to ride bikes and walk.
- Splendor Ridge will preserve historic integrity and preserve the beauty of Franklin Road.

The following citizens spoke:

1. Marilyn Fisher, 146 Lancaster Drive - Against
2. Alderman Dana McLendon, 400 Cannonade Circle, - Against passage of Item 20 and future easement. He suggested that the Item 20 be deferred for one month for citizens to meet with the Applicant. Alderman McLendon asked that any reference to an easement for a trail be removed. He stated that a sidewalk to connect Downtown Franklin to Harlinsdale was a better idea than a river path trail.
3. Ed Ossi, 118 Lancaster Drive - Against
4. Matt Williams, 106 Lancaster Drive - Against
5. Holly McCall, 158 Franklin Road - Ms. McCall asked for the vote to be deferred until a traffic study or impact analysis is completed.
6. Jim Martin, 5509 Fairfax Place - In Favor
7. Robert Plummer, Jr. 126 Lancaster - Against
8. Elbert Cox, 182 Lancaster Drive - Against
9. Monty McInturff, President of Friends of Franklin Parks- In Favor
10. Jerry Sharber, 183 Sturbridge Drive - In Favor
11. Adam Ballash, 222 Adams Court - In Favor
12. Stacy Perry, 226 Gloucester Street - In Favor
13. Wallace Gillespie, 161 Lancaster Drive - Against
14. Dan Haseltine, 117 Yorktown - In Favor
15. Mary Pearce, 103 Woodview Court - In Favor

Greg Gamble, Gamble Design Collaborative, was there to represent the Applicant. Mr. Gamble requested that the vote on Item 20 be deferred until the FMPC Meeting on July 27, 2017. Mr. Gamble also discussed the following items pertaining to the development:

- Will have single family detached homes.
- Is allowed to have up to 28 homes, but only building 19.
- Followed the R1 zoning requirements
- Looked at alternative entrance access, but City of Franklin did not approve due to visibility issues. Therefore, need to connect through Parsons Place.
- Will provide an emergency exit/access that will be gated.
- A traffic study was conducted and stated that there will be a .3 second delay per vehicle in the AM and 2.1 seconds per vehicle in the PM peak hour.
- The roads in Harpeth Meadow are maintained by the City of Franklin. The traffic engineers have determined that the development will have minimal impact on the roads in Harpeth Meadow.
- Sullivan Engineering conducted a study regarding stormwater runoff. The runoff will significantly decrease with a controlled engineering plan vs. open fields.
- Request a deferral for the vote on Item 20 to the FMPC meeting on July 27, 2017.

Chair Hathaway asked if there was a motion.

Alderman Petersen stated that the vote would need to be an up or down vote if the

Planning Commission requested it. If the Applicant requested it, the Commission simply needs to accept the Applicant's offer of deferral.

Shauna Billingsley stated the Commission had 60 days.

Ms. Hunter asked for a specific date to be given.

Commissioner Allen moved, seconded by Commissioner McLemore to defer Item 20 until the next Planning Commission meeting on July 27, 2017.

Vice-Chair Lindsey stated that the development property is an odd shaped lot. He also expressed concern about future home buyers who may not be aware of the potential access difficulties due to flooding.

Mr. Gamble stated that he will provide color charts at the next Planning Commission meeting on July 27th concerning the floodplain. Vice-Chair Lindsey stated that the floodplain varies drastically along the river. Mr. Gamble discussed additional easements. Easement A which is a 20 ft. sewer and access easement. Mr. Gamble noted that any trail improvements or construction have to be approved by the Board of Mayor and Aldermen prior to the construction. The Parks department requested the right to reserve the easement for a trail, but the final decision as to when the trail would be constructed would be left to the Board of Mayor and Aldermen. Easement B is the 52 ft. Riverwalk easement. Both of these access easements would be granted by the developer to the City of Franklin.

Alderman Petersen stated that easement A was removed from the Parks Master Plan eighteen months ago by the Board of Mayor and Aldermen (BOMA).

Commissioner Gregory stated that this plan simply provides an easement should BOMA want to vote on a trail in the future.

Alderman Petersen stated a large number of people asked for this easement to be removed eighteen months earlier because they did not want this option. She stated that is specifically why it was removed by BOMA, so there would not be a future option for a trail. She also stated that there is a sewer and utility easement in place.

Mr. King confirmed that there is a sewer and overhead utility easement in place.

Alderman Petersen stated that BOMA wanted to remove this easement from the Parks Master Plan.

Commissioner Franks asked Mr. Gamble if it was a voluntary park land dedication. Mr. Gamble stated that a development having over ten homes must participate in the Park Land Dedication. Mr. Gamble confirmed that the Applicant was not asking for "fee in lieu of".

Commissioner Franks asked if it could be a ninety-day deferral.

Ms. Hunter stated that Staff would recommend to defer next month. Then if the Applicant chose not to resubmit, it would go to the next meeting after submitting.

Alderman Petersen asked Ms. Shauna Billingsley, City Attorney, about the deferral.

Ms. Billingsley stated that the applicant may defer at least once as long as it is voted on within sixty days of the initial consideration.

Chair Hathaway asked for a vote on the motion to defer.

The motion carried unanimously (9-0).

After the vote, Chair Hathaway asked for a five minute recess.

Commissioner Allen moved, seconded by Commissioner McLemore, to defer Item 20 until the July 27, 2017 FMPC meeting. The motion carried by the following vote:

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

Chairing: 0

- 21.** Echelon PUD Subdivision, Final Plat, Section 3, Creating 10 Single-Family Lots and 2 Open-Space Lots On 4.15 Acres, Located West Of The Intersection Of Carothers Parkway And Maysbrook Lane. (CONSENT AGENDA)

Attachments: [6444 Echelon,Sec 3, FP Map](#)
[6444 Echelon FP Sec 3 Conditions of Approval 01](#)
[6444 Echelon Sec 3 Final Plat 5-25-17-signed](#)

This Planning Item was approved.

- 22.** Harpeth Square PUD Subdivision, Final Plat, Revision 2, Creating 5 Mixed-Use Lots On 4.66 Acres, Located At 122 2nd Avenue North. (CONSENT AGENDA)

Attachments: [6445 MAP Harpeth Square PUD Subd. FP, Rev 2](#)
[6445 Harpeth Square, FP Rev 2 Conditions of Approval 01](#)
[6445 Harpeth Square Final Plat - Rev 3 6-01-17](#)

Chair Hathaway recused himself from the Secondary Consent Agenda vote for Item 22. He then passed the Chair to Vice-Chair Lindsey.

This Planning Item was approved.

23. Westhaven PUD Subdivision, Final Plat, Section 44, Creating 57 Single-Family Residential Lots And 6 Open-Space Lots On 18.82 Acres, Located At Championship Boulevard, Near The Intersection Of Cheltenham Avenue. (CONSENT AGENDA)

Attachments: [6446 MAP Westhaven PUD Subd, FP, Sec 44](#)
[6446 Westhaven FP Sec 44 Conditions of Approval_01](#)
[6446 Westhaven Section 44 Final Plat](#)

This Planning Item was approved.

ENVISION FRANKLIN PLAN AMENDMENTS

24. Consideration Of Resolution 2017-37, To Be Entitled: “A Resolution By The Franklin Municipal Planning Commission To Adopt A Plan Amendment To Revise the Design Concepts Map from Large-Lot Residential to Office Residential, Single-Family Residential, and Multifamily Residential for Multiple Properties Located Near The Country Road And Franklin Road Intersection.” [PUBLIC HEARING]

Attachments: [Location Map](#)
[RESOLUTION 2017-37 EV Amendment with exhibit.Law Approved](#)
[Plan Submittal](#)
[Project Summary](#)
[Conceptual Design](#)
[Neighborhood Meeting Minutes 5.22.2017](#)
[Traffic Generation GracePt + Properties Rev1 6.14.17 CB appr](#)
[Letter Against Country Road Amendment](#)
[Letter in Opposition](#)
[Resident Letter-File ID 17-0469- Item 24](#)

Chair Hathaway reconvened the meeting at 8:25 pm.

Mr. Andrew Orr stated that the applicants are requesting amendments to the Envision Franklin Design Concepts Map, near the Country Road and Franklin Road intersection. The properties included in the request are in the Large-Lot Residential Design Concept, which supports single-family residential on one-acre lots, institutional, and recreational uses. The zoning is R-1, which allows one-acre lots.

Several of the subject properties contain sensitive environmental features. The Floodway Fringe Overlay (FFO), the Hillside and Hillcrest Overlay (HHO) and the 500-foot Hillside Buffer are located on portions of the subject properties. The rolling hills and natural drainage contribute to the character of this area.

Envision Franklin recommends maintaining the low-scale and rural residential character along this portion of Franklin Road with deep setbacks and keeping the mixed-use node to the north, closest to the Moores Lane and Franklin Road intersection.

Mr. Orr stated since this is a multifaceted project, the applicants are requesting the Planning Commission consider the Office Residential, the Single Family Residential, and the Multifamily Residential separately, during your deliberations. The first is the Office Residential along Franklin Road. While the staff understands the rationale and desire for additional low scale office uses along Franklin Road, we have concerns that this use could continue spreading down Franklin Road, which is not consistent with Envision Franklin. In terms of the single-family residential design concept, this would open up the possibility for much smaller lot sizes along Country Road which is not compatible with the established development patterns. Lastly, the multifamily component would cause an abrupt change in massing and form. In closing, this request is mostly about extending low scale office uses and high density residential uses south along Franklin Road. Envision Franklin does not support this concept. Underpinning all of this is the sewer infrastructure. It's very limited for these properties and would require significant upgrades.

Staff recommended Disapproval of the Envision Franklin Plan Amendment.

Chair Hathaway noted that Commissioner Franks recused himself. Chair Hathaway then asked for citizen comments.

Eighteen citizens spoke about Item 24.

Those opposed expressed the following concerns:

- an increase in noise.*
- an increase in traffic.*
- a lack of public notification.*
- the plan was not in line with Envision Franklin.*
- development would destroy the current view.*
- the school district tax being paid by the residents.*
- lower property values.*

Those who supported Item 24 stated:

- rezoning homes on Franklin Road is necessary because these properties are not good for residential use any longer*
- plan will provide affordable housing for people who work in the area*

The following citizens spoke:

- 1. Hazel Alberr, 7082 Sunrise Circle - Against*
- 2. Alderman Margaret Martin, 238 Third Ave South - Spoke against Item 20. She stated that much time and thought had been put into Envision Franklin. She stated that the Envision Franklin plan should stay as it is and not be amended.*
- 3. Alan Fisher, 1838 Brentwood Pointe - Against*
- 4. Lynn Fritz, 1835 Brentwood Pointe - Against*
- 5. Gale Wilson, 7109 Sunrise Circle - Against*
- 6. Theresa Doyle, 516 Franklin Road - Against*
- 7. Lisa Rubenstein, 1218 Country Road - Against*
- 8. Kurt Kaalaas, 112 Century Oak Drive - Against*
- 9. Mike Garretson, for 544 Franklin Road - In Favor of Office Residential zoning.*
- 10. Teresa Hughes, 1208 and 1211 Country Road - In Favor of Office Residential zoning*
- 11. Pat Coughlin, 109 Century Oak - Against*
- 12. Cecilia Marchesi, 540 Franklin Road - In Favor of Office Residential zoning.*
- 13. Teresa Hughes (second time), 1208 Country Road - Asked questions about the overlay. Ms. Dannenfelser addressed these concerns.*
- 14. Greg Wade, 113 Century Oak Drive - Against*
- 15. Marty Garrison, 544 Franklin Road - In Favor of Office Residential zoning. He stated that there are 4 aspects to this item. Should consider individual property without Church property included.*
- 16. Dwight Kiser, 103 Century Oak Drive - Against*
- 17. Ronald Crutcher, 1324 Adams Street - In Favor of because provides affordable housing.*
- 18. Stephen Murray, Former Director for Community Housing Partnership/Williamson County- In favor of because provides affordable housing.*
- 19. Phil Breeden-, 104 Century Oak Drive- Against*

Paul Lebovitz and Greg Gamble, Gamble Design Collaborative, were there to represent the Applicant. Mr. Lebovitz stated:

1. *The back of the property would stay wooded with buffers from the south and east.*
2. *The front six acres (Church property) are detention ponds. Only the parking lots would be developed.*
3. *The church light post will come down.*
4. *The developer will work to resolve the noise from the HVAC system.*
5. *The traffic count for Franklin road has risen by 1,000 cars from 2001 to 2015.*
6. *Provided a Mixed Use Document (added to the record).*
7. *The commercial property will continue to look residential.*
8. *If the land amendment passes, possible that traffic could be rerouted.*

Mr. Greg Gamble stated that the development could not be large lot residential (1 acre per home) because the Church has already developed the land. The property would be developed on the current parking lot. Mr. Gamble referred to a housing report from 2015 to support the need for a multi-family development. This reports states that over 43,000 employees commute to the Franklin area daily. This development would provide housing for some of these employees.

Chair Hathaway asked if there was a motion.

Ms. Kelly Dannenfelser stated that institutional land uses are an appropriate secondary use within the large lot design concept.

Mr. Gamble would like for there to be three specific votes for Item 24.

Ms. Billingsley stated that a main motion should be made. Once a motion was made, then it could be amended.

Commissioner Harrison moved, seconded by Commissioner Allen to approve Item 24 as presented.

Commissioner Allen stated that Staff worked very hard to create Envision Franklin. She stated that the City had done nothing to help create affordable housing. She stated that this item should be considered because it proposed affordable housing.

Concerning the commercial properties, Commissioner Allen referred to a statement from resident, Cecilia Marchesi, saying that no one wants to have a residential home directly off Franklin Road in this area. Concerning the proposed multi-family home site, Commissioner Allen stated that the nearby Gateway Village was a tasteful example of how to develop the property. Commissioner Allen stated that she would like to approve Item 24 so that more discussion about detail could take place.

Commissioner McLemore stated that it was a good to offer affordable housing options. She stated that something needed to be done to accomplish this, and that this developer would build a tasteful development.

Commissioner Allen stated that the views for residents would not be destroyed.

Commissioner Gregory stated that it was a long process to create Envision Franklin and it should be looked at. She agreed that there is a need for affordable housing. However, she doesn't support this item because the commercial property needs to stop along Franklin Road. She said there needs to be a hard line where the commercial property ends or the entire area along Franklin Road needs to be zoned commercial.

Commissioner Allen asked what Commissioner Gregory would do if Item 24 was divided into three separate items. Commissioner Gregory stated that she would not support multi-family in this location.

Commissioner Allen stated that she would like to divide Item 24 into three different votes.

Ms. Hunter stated that there would need to be an amendment to the motion to disapprove one of the other land use plans.

After discussion, the Commissioners decided they would like to vote on the motion, as presented.

Alderman Petersen stated that the concern about the commercial rezoning continuing down Franklin Road is a reality. For that reason, she would not support this item.

Commissioner Allen stated that she wanted approval to further discuss the issue.

Vice-Chair Lindsey stated that a hard line had been defined for commercial zoning along Franklin Road and this area should remain residential.

Commissioner Allen stated that maybe they drew a hard line for commercial zoning at the wrong location.

Chair Hathaway asked for a vote on the motion. A request for a show of hands was made.

The motion failed with the following vote (3-5). Those who voted in favor were: Commissioner Allen, Commissioner McLemore, and Commissioner Harrison. Those who were opposed are: Alderman Petersen, Commissioner Orr, Commissioner Gregory, Commissioner Hathaway, Commissioner Lindsey.

Ms. Billingsley stated there needed to be another motion made to disapprove.

Chair Hathaway stated there needed to be a motion to deny the requested amendment to Envision Franklin.

Commissioner Gregory moved, seconded by Commissioner Orr, to disapprove Resolution 2017-37. The motion to deny the request carried by the following vote (5-3). Those in favor were: Alderman Petersen, Commissioner Orr, Commissioner Gregory, Commissioner Hathaway, Commissioner Lindsey. Those opposed were: Commissioner Allen, Commissioner McLemore, and Commissioner Harrison.

Commissioner Harrison moved, seconded by Commissioner McLemore, that Resolution 2017-37 be approved. The motion failed by the following vote: (3-5). Commissioner Gregory then moved to disapprove Resolution 2017-37, seconded by Commissioner Orr, and the motion passed by the following vote: (5-3).

Aye: 5 - Commissioner Petersen, Commissioner Gregory, Commissioner Lindsey, Chairperson Hathaway, and Commissioner Orr

No: 3 - Commissioner McLemore, Commissioner Allen, and Commissioner Harrison

Recused: 1 - Commissioner Franks

Chairing: 0

25. Acknowledgement of Receipt Of Resolution 2017-35, To Be Entitled: "A Resolution By The Franklin Municipal Planning Commission To Adopt A Plan Amendment To Envision Franklin For Properties Located In Downtown Franklin Along The Harpeth Riverfront." (06/22/17 FMPC 8-1)

Attachments: [RESOLUTION 2017-35 EV Amendment RIVERFRONT \(002\) with attachment.Law Approved](#)
[CFCO Map](#)

[Sign-in Sheet from June 6 Meeting - 28 Total](#)

[Comment Card Responses from June 6 - Neighborhood Meeting](#)

Ms. Dannenfelser stated the proposed amendment to Envision Franklin is the result of the Riverfront Planning Study, two Joint Conceptual Workshops, and a Neighborhood Meeting with property owners. Envision Franklin has always supported a trail and pedestrian connectivity along the Harpeth River. The recent Riverfront Planning Study collected over 1,200 surveys and strong support for a Riverwalk trail.

This amendment further defines where trails would be located in downtown Franklin, although actual trail location may be closer to the River than shown to be in better alignment with the community vision and after working through City and State variance processes.

Ms. Dannenfelser stated following the neighborhood meeting, the internal trail connections between the Riverside trail and 1st Avenue were removed based on property owner input. The amendment sets a development limits line, establishing policy to allow some nonresidential redevelopment of properties that lost their nonconforming use status. The development area is generally along the existing streets of 1st Avenue South and East Main Street. The area beyond the development limits would allow the uses permitted by the Zoning Ordinance for floodway fringe or floodway.

The line was set using the riparian buffer, the floodway line, or the contour elevation of 630 feet above sea level, whichever was most restrictive. Staff is proposing 630 in this location because this contour is where the site's elevation drops off significantly, into the deeper floodplain.

Staff recommended approval of the amendment.

Chair Hathaway asked for citizen comments.

The following citizens spoke in support of Item 25:

- 1. Will Schaedle, represents the owner of First and Main, Chartwell Hospitality at 5000 Meridian Blvd - In Favor*
- 2. Mindy Tate, 1115 Carnton Lane - In Favor*
- 3. Brooke Tanner Mayberry, 206 Avondale Drive - In Favor*
- 4. Brian Bedford with the Heritage Foundation, 704 Fair Street - In Favor*
- 5. Monty McInturff with Friends of Franklin Parks - In Favor*

Chair Hathaway asked if there was motion for Item 25.

Commissioner Harrison moved, seconded by Commissioner Franks, that Resolution 2017-35 be approved

Alderman Petersen stated that compensatory cut and fill are not required. She stated

that the soil cut from the floodplain area is not good soil. She stated she had a problem with this issue. She also stated concerning the silo area, where Lilly Bell Flour was, may have plans for a hotel such as the Quaker Square in Akron, Ohio. This plan was not economically feasible for Quaker Square and is not part of the University of Akron. Alderman Petersen stated she was not in favor of this item.

Chair Hathaway asked Alderman Petersen if she wanted to amend the motion to include the cut and fill issue.

Commissioner Lindsey addressed the issue of cut and fill soil.

Ms. Dannenfelsler stated that the revised document does not require cut and fill because it would alter the natural area around the flood plain.

Commissioner Lindsey stated that this adhered to the requirements of the flood plain ordinance.

Alderman Petersen agreed with Commissioner Lindsey about vegetation and not to cut things down close to the river.

Commissioner Lindsey stated that whatever was done, they cannot cause the water level to rise and to flood downstream. Fill was done in the past in the area near the old Earl's fruit stand. It is important to preserve the storage that exist, so that whatever gets built does not flood in the future.

Ms. Dannenfelsler stated that this issue should be further discussed when they get to the text amendment and the zoning requirements.

Chair Hathaway asked for a vote on the motion.

Commissioner Harrison moved, seconded by Commissioner Franks, that Resolution 2017-35 be approved. The motion carried by the following vote:

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

No: 1 - Commissioner Petersen

Chairing: 0

ZONING ORDINANCE TEXT AMENDMENTS

26. *Consideration Of Ordinance 2017-23, To Be Entitled: "An Ordinance To Amend Chapters 2 And 3 And 8 Of The Zoning Ordinance Of The City Of Franklin, Tennessee, To Allow Limited Development In The Floodway Fringe Overlay District (FFO) Within Certain Central Franklin Character Area Overlay Districts (CFCO-1 And CFCO-2)." Establishing a Public Hearing Date of September 12, 2017. (06/22/17 FMPC 8-1, Referred from 7/11/17 WS) FIRST OF THREE READINGS

Attachments: [CFCO-1 and 2 Amendment August 8 2017 BOMA Work Session](#)
[Revised 2017-23 ORD Amend CFCO-2 and 3 standards_1.Law](#)
[Approved \(2\)](#)
[CFCO Map](#)
[Envision Franklin Amendment Approved 062217](#)
[Floodplain - BWSC Maps-small](#)

Ms. Dannenfels stated this text amendment revises the Zoning Ordinance to allow for the implementation of the Envision Franklin Plan Amendment approved tonight. Related to the grading in the text amendment, Ms. Dannenfels referred to the amendment (Page 2-Section A. Development Limits -2) quoting: "Within the Development Limits, development/or redevelopment shall be permitted in accordance with this Subsection, Traditional Development standards, and Floodplain Protection standards. Associated grading shall be approved only as part of a Site Plan for development. All Site Plans, including mass grading, shall be submitted to the FMPC for review." This means the Planning Commission gets to review any proposed grading.

Staff recommended a favorable recommendation to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

Will Schaedle, representing First & Main Ownership - In Favor

Chair Hathaway asked for a motion.

Commissioner Harrison moved, seconded by Commissioner Orr, that Ordinance 2017-23 be approved.

A discussion ensued concerning the location of proposed pedestrian bridges (for future development) along First Avenue North between Alderman Petersen, Ms. Dannenfels, Ms. Hunter and Vice-Chair Lindsey.

Chair Hathaway asked for a vote on the motion.

Commissioner Harrison moved, seconded by Commissioner Orr, that Ordinance 2017-23 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

NON-AGENDA ITEMS

Chair Hathaway asked if there were any other items to discuss. There were none.

ANY OTHER BUSINESS

Chair Hathaway asked if there was any further business. There was none.

ADJOURN

There being no further business, the meeting adjourned at 10:07 p.m.

Chair, Mike Hathaway