



City of Franklin

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

Meeting Minutes - Final Franklin Municipal Planning Commission

Thursday, October 23, 2014

7:00 PM

Board Room

CALL TO ORDER

This matter was acknowledged.

Present 8 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

Absent 1 - Commissioner Franks

MINUTES

1. [14-548](#) 9/25/14 FMPC Regular Meeting Minutes

Attachments: [MeetingMinutes-Sept-2014](#)

A motion was made by Commissioner Harrison, seconded by Commissioner Allen, that this Planning Item was approved as presented. The motion carried by the following vote:

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

Absent: 1 - Commissioner Franks

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

No one came forward.

ANNOUNCEMENTS

14-551

Ms. Powers stated that any members of the Planning Commission who had changed a phone number and/or email address should let Ms. Woods know in order to assure that staff will always be able to send information to the Planning Commissioners.

Ms. Powers also stated that the Infill Tour for the Planning Commission would be on Thursday, October 30. Staff will be looking at a number of good and not so good sites throughout Nashville. Ms. Diaz-Barriga, who worked with Metro Nashville prior to coming to the City of Franklin, will be able to give a background and discuss the process that the staff went through in Metro to approve some of these sites. Many of them will be some of the things that staff will see in the future looking forward. The Planning Commission will be able to look at the sites and tell staff what they like and do not like and the kinds of regulations or character area update that they would like to see to either envision them or discourage them.

VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Harrison, seconded by Commissioner Orr, to approve the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Commissioner Franks

SITE PLAN SURETIES

2. [14-521](#) Brentwood Pointe III PUD Subdivision, site plan, lot 8 (The View); extend the performance agreement for landscaping (Phase 2) improvements for six months. (CONSENT AGENDA)

This Planning Item was approved.

3. [14-522](#) Cool Springs East Subdivision, site plan, section 34, revision 1, lot 358; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

This Planning Item was approved.

4. [14-523](#) Cool Springs Life Science Center Subdivision, site plan; extend the performance agreement for landscaping and landscaping street trees improvements for one year. (CONSENT AGENDA)

This Planning Item was approved.

5. [14-526](#) Franklin Crest PUD Subdivision, site plan, (Circle at Cool Springs Apartments); release the maintenance agreement for landscaping Phase 2 improvements. (CONSENT AGENDA)

 This Planning Item was approved.

6. [14-527](#) Galleria Commercial Complex Subdivision, site plan, lot 806; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

 This Planning Item was approved.

7. [14-532](#) Hardison Hills PUD Subdivision, site plan, section 3; accept the landscaping (section 6) improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

 This Planning Item was approved.

8. [14-533](#) Highlands at Ladd Park PUD Subdivision, site plan, sections 1 – 4; accept the landscaping section 2 (street trees) and landscaping section 4 (street trees) improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

 This Planning Item was approved.

9. [14-534](#) Highlands at Ladd Park PUD Subdivision, site plan, section 5 (Neighborhoods H and F); accept the landscaping Phase 1 improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

 This Planning Item was approved.

10. [14-535](#) Highlands at Ladd Park PUD Subdivision, site plan, section 7 (Neighborhood A); accept the landscaping Phase 1A and landscaping Phase 1B improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

 This Planning Item was approved.

11. [14-531](#) Jamison Station PUD Subdivision, site plan, section 1; extend the performance agreement for landscaping improvements. (CONSENT AGENDA)

 This Planning Item was approved.

12. [14-536](#) Jamison Station PUD Subdivision, site plan, sections 2 and 3, revision 1; release the maintenance agreement for landscaping Phase 1, L5.1, landscaping Phase 2, L5.2, landscaping Phase 2, L5.3, landscaping Phase 3, L5.4 and landscaping Phase 3, L5.5 improvements. (CONSENT AGENDA)

This Planning Item was approved.
13. [14-537](#) McEwen Place PUD Subdivision, site plan, lots 145, 146, 147 and 157 (Parking Revision); accept the landscaping lot 145 improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

This Planning Item was approved.
14. [14-538](#) South Park Subdivision, site plan, section 1, revision 2, lot 7 (Keystone Center); extend the performance agreement for sidewalks improvements for one year; extend the performance agreement for access improvements. (CONSENT AGENDA)

This Planning Item was approved.
15. [14-539](#) Town of Franklin Subdivision, site plan (Harmony Home); accept the landscaping and drainage bioretention improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

This Planning Item was approved.
16. [14-540](#) Westhaven PUD Subdivision, site plan, section 11 and section 12; release the maintenance agreement for landscaping (section 12, phase B, lot 5005) improvements. (CONSENT AGENDA)

This Planning Item was approved.
17. [14-541](#) Westhaven PUD Subdivision, site plan, section 15, lot 4010 (Academy Daycare); release the maintenance agreement for landscaping perimeter parking screening improvements. (CONSENT AGENDA)

This Planning Item was approved.
18. [14-542](#) Westhaven PUD Subdivision, site plan, section 21, revision 2 (resubdivision of lot 1140); extend the performance agreement for landscaping improvements. (CONSENT AGENDA)

This Planning Item was approved.

19. [14-543](#) Westhaven PUD Subdivision, site plan, section 22; extend the performance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.
20. [14-544](#) Westhaven PUD Subdivision, site plan, section 27; extend the performance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.

REZONINGS AND DEVELOPMENT PLANS

21. [14-546](#) PUBLIC HEARING: Consideration of Ordinance 2014-21, To Be Entitled, "An Ordinance To Rezone 6.19 Acres From General Commercial (GC) To Specific Development-Residential District (SD-R 58.8) For The Property Located At 427 Nichol Mill Lane (10/23/14 FMPC 6-1; 11/11/14 BOMA 6-1)." SECOND OF THREE READINGS

Attachments: [4563 Nichol Mill Lofts Rezoning Map](#)
[Ord 2014-21 ORDINANCE Nichol Mill Lofts Rezoning](#)
[Nichol Mill ReZoning 3shts 10.2.14](#)

Ms. Powers stated that Ordinance 2014-21 was deferred from the August 28, 2014, Planning Commission meeting so that staff could look at the median cut, and the impact it had, not only on Franklin but also on the City of Brentwood. A letter, from the Brentwood Planning and Codes Director, was emailed to Ms. Powers and forwarded to the Planning Commissioners today. The Director indicated that Brentwood was satisfied with the solution to the median cut. Staff expressed concern regarding the lack of connectivity, but this was necessary due to existing development patterns. In looking at the rezoning, staff is looking at the Specific Development-Residential (SD-R). This is one of the last really large sites on Mallory Lane. It is proposed for a residential site. It will have 58.8 units per acre and will have 364 units. That will be the maximum density under the SD-R that will be allowed on this particular site.

Chair Hathaway asked for comments from the citizens.

Mr. Skip Hebert, a landscape architect with Hebert, Ball Land Design, stated that they represented the individuals who owned the property at 1909 Mallory Lane. They have been very concerned about this property from the first time that they heard about it. They were concerned about the median closure and would be happy if the rezoning got approved and the median cuts remained open. He wanted to make sure that they were on record of stating that they would be adamantly opposed if those median cuts were closed. The only concern they had with the project was that it appeared to be a situation of a spot zone within commercial, surrounded entirely by commercial in the City of Franklin and the City of Brentwood. This would be a residential development in the midst of that commercial development. He wanted to make sure that there was not a precedence being set for spot zoning on this site and for future sites in the City of Franklin.

Ms. Powers stated that she remembered that at 58.8 units per acre the unit number was actually 363 units. Staff will need to change the recommendation to 363 units and 58.8 units per density.

Chair Hathaway asked if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative, thanked the Engineering staff and Planning staff for working with the applicant over the past few months to derive a plan that satisfied the requirement of the Zoning Ordinance and satisfied the situation that was somewhat complicated in leaving the median open on Mallory Lane for those businesses.

Mr. Harrison moved to favorably recommend approval of item 21 to the Board of Mayor

and Aldermen with an amendment to change the dwelling units to 363 units per acre with dwelling units, per acre, at 58.8, and Ms. McLemore seconded the motion.

Alderman Petersen asked what the highest approved existing densities were in the City at the present time.

Ms. Powers stated that she discussed this with a planner before this meeting, and staff believes that the highest densities approved are around 33 units per acre.

Alderman Petersen stated that this was quite a jump.

A motion was made by Commissioner Harrison, seconded by Commissioner McLemore, that this Ordinance be recommended favorably to the Board of Mayor and Aldermen Work Session meeting on 11/11/2014. The motion carried by the following vote:

Aye: 6 - Commissioner Harrison, Commissioner McLemore, Commissioner Gregory, Commissioner Allen, Commissioner Orr, and Commissioner Lindsey

No: 1 - Commissioner Petersen

Absent: 1 - Commissioner Franks

22. [14-516](#) PUBLIC HEARING: Consideration of Resolution 2014-55, To Be Entitled, "A Resolution Approving A Development Plan For Nichol Mill Lofts PUD Subdivision, Located At 427 Nichol Mill Lane, By The City Of Franklin, Tennessee (10/23/14 FMPC 6-1; 11-11-14 WS)."

Attachments: [4564 Nichol Mill DP Conditions](#)
[4564 Nichol Mill Lofts DP Map 2.pdf](#)
[Res 2014-55 RESOLUTION Nichol Mill Lofts Dev Plan.pdf](#)
[Nichol Mill DevPlan 8 shts 10.2.14.pdf](#)

Ms. Powers stated that this was the Development Plan for Nichol Mill Lofts. This Development Plan contains the change in the median cut, allows for two cul-de-sacs, which keeps the median open, does not connect to any other properties and; therefore, keeps the traffic off of neighboring properties. This particular property will have a four story building, which will be primarily glass. There is adequate parking on the site. At some point in the future, there may be parking for the medical building but that is not part of this plan. There is a transitional feature in terms of some side setbacks and front yard setbacks, which are green features. The applicant is asking for a modification of design standards from 200' in length to 450' in length for the building. Staff believes that is appropriate for this location given the density of the building. Staff will be looking very closely at the architecture of the building as staff looks at the site plan and gets more detail. Staff recommends a favorable recommendation to the Board of Mayor and Aldermen.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative, stated that he represented the applicant, and he requested a favorable recommendation to the Board of Mayor and Aldermen.

Mr. Harrison moved to favorably recommend approval of Resolution 2014-55 to the Board of Mayor and Aldermen, and Ms. McLemore seconded the motion.

Chair Hathaway stated that the modification of design standards would be addressed before the final motion would be made. The modification of design standards would be to increase the approvable length of the building from 200' to 450'.

Mr. Harrison moved to amend the motion by adding a design modification that would increase the approvable length of the building from 200' to 450'. Mr. Orr seconded the motion, and the motion passed unanimously (7-0).

A motion was made by Commissioner Harrison, seconded by Commissioner McLemore, that this Resolution was recommended favorably to the Board of Mayor and Aldermen Work Session meeting on 11/11/2014. The motion carried by the following vote:

Aye: 6 - Commissioner Harrison, Commissioner McLemore, Commissioner Gregory, Commissioner Allen, Commissioner Orr, and Commissioner Lindsey

No: 1 - Commissioner Petersen

Absent: 1 - Commissioner Franks

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

- 23.** [14-519](#) Lockwood Glen PUD Subdivision, final plat, section 4, 43 residential lots on 6.59 acres, located along Sydenham Drive. (CONSENT AGENDA)

Attachments: [4664 Lockwood Glen Final Plat Section 4 map](#)
 [4664 Lockwood Glen PUD Subd, FP, sec 4, conditions of approval](#)
 [4664 Lockwood Glen Final Plat](#)

This Planning Item was approved.

24. [14-524](#) Williamson Square Subdivision, final plat, revision to previously platted setbacks and removal of a drainage easement, on 17.29 acres, located at 1111 Murfreesboro Road.

Attachments: [4661 Williamson Square final plat map](#)
[COF 4661 Conditions of Approval_01](#)
[Williamson Square Final Plat COF4661](#)

Ms. Diaz-Barriga stated that this plat proposes to modify a platted setback and abandon a drainage easement. Engineering has confirmed that the drainage pattern on site has changed from the original intent such that there is no drainage currently within the proposed abandoned easement, and therefore abandoning said easement is acceptable. The proposal to modify a platted setback reduces the platted setback from 100' to 50' off of the north boundary line. The 100' setback was the required rear setback for the property at the time of site plan approval (1987), when an office zone was adjacent to detached residential uses. This 100' rear setback was platted, and thus became the ruling setback requirement. This setback requirement was carried forward with subsequent plats. While this proposed setback reduction is significant, the applicant has made the Planning department aware of their intentions for the property's development, and the proposed setback would be a sufficient setback to buffer the proposed development from the existing neighborhood based on the incompatible land use buffer required for such a development. With any nonresidential, attached housing, or mixed-use development that should be approved on the site, an incompatible land use buffer would be required along this northern boundary line, to not only set development away from the property line but also to provide a screening element with landscaping. This incompatible land use buffer can be contained within the minimum building setback. For the proposed use that the property owner intends to request with an upcoming rezoning and development plan, the 50' minimum setback line would be able to accommodate the required incompatible land use buffer, which would also be 50 feet. However, it should be noted that under the property's current zoning, General Office (GO), any permitted use would require a 75' incompatible land use buffer. The zoning ordinance clearly states that when there are conflicting development requirements, the more restrictive of the requirements prevail. So if the plat was revised to allow a 50' setback, but development plans for the site change, the more restrictive of the requirements, setback or incompatible land use buffer, would always prevail.

Chair Hathaway asked for comments from the citizens.

Mr. Lance Maliszewski, of 212 Tippet Hollow Court, stated that it was his understanding that if this development does not get approved that the most restrictive would always be enforced. This area had gone from a 100' setback to a minimum of a 75' setback. He did not understand how the 25' was lost. He did appreciate the applicant with the new plan trying to protect the neighborhood and working with them.

Ms. Susan Russell, of 214 London Lane and 202 Kensington Place, stated that she was concerned about the topography on the parts of the property in question. She has not seen anything where there are modifications that would protect the home owners. This is an existing neighborhood, so it is less problematic for them as residents. However, with this 100' setback, 50' and 75' would be an issue. She could not understand staff's report. It seemed to be a small report, and her residence meant a lot, not just to her but to many households. She hoped there was not something that would adversely affect her neighborhood. She understood their runoff is with the heavy rain and the tremendous

flooding. She asked how she would be protected, and she was asking for protection.

Chair Hathaway asked if there was an applicant.

Mr. Michael Garrigan, a civil engineer with Dale and Associates, stated that they were the applicant for this item. As Ms. Diaz-Barriga stated the purpose of the plat originally was to put a 100' setback because the property was zoned Office and Commercial. The development plans to rezone the property to Residential, and they presented this to the community. Thus, the setback would go back to what the current buffer would be, which is 50' for residential next to residential. They would like to move forward with the rezoning plans and hold off the plat; however, they were told that the setback needed to be changed by the plat before they could re-submit the development plan. The development plan is a long process, and this is when runoff, topography, and things of this nature could be discussed. They need direction on how to resolve the setback issue. He stated that the applicant was working with Mr. Gamble on the development plan, and he turned the discussion over to Mr. Gamble.

Mr. Greg Gamble, of Gamble Design Collaborative, stated that when this property was first platted and approved, it was zoned General Office Commercial. This 100' buffer was put into place as a development restriction for those uses adjacent to Single Family. Because the 100' setback was greater than what the Zoning Ordinance requires, that stipulation holds with the plat. As they have looked at the development plan in order to get the private road, the parking spaces within the driveways and the 50' wide townhomes in, it is too restricted between the church parking lot and the 50' buffer that they would like to provide. They have met with the neighbors, at the neighborhood meeting, and they are going to increase the berm that is along the back of the property where it will not be impacting existing landscaping. They will be filling in the voids where existing landscaping is not providing sufficient buffer. Those are the things that they want to do and present to the Planning Commission with the development plan. They were informed by City staff a couple of days after the Joint Conceptual Workshop that this plat had to be filed with the removal of the 100' buffer if they wanted to proceed with the development plan, and that is why this is being reviewed tonight. With the removal of the 100' buffer, it is the applicant's preference and the neighbors' preference that the plat be approved after the development plan and after the rezoning becomes effective. In that way, if the development plan is not approved there is still the 100' buffer protecting any future office or commercial uses that may go in if the residential is not supported. The applicant would like to submit the development plan in November. The plat cannot be approved conditionally. The Planning Commission is not allowed to approve the plat with the condition that the development plan be approved. However, the Planning Commission is allowed to approve a development plan and rezoning on the condition that the plat is approved. The applicants were asking the Planning Commission to defer the final plat until such time as the development plan and the zoning became effective. The motion for deferral would have to be made conditional on the applicant filing the development plan. It was his understanding that this was the only way that staff could accept the development plan at this point.

Alderman Petersen asked Mr. Gamble if he was asking for the deferral and waiving the 60 day approval.

Mr. Gamble stated that he was waiving the 60-day timeframe.

Alderman Petersen stated that if the Planning Commission did not have a vote on the plat, normally it would become approved within 60 days.

Alderman Petersen moved to defer item 24 with the understanding that the applicant had requested the deferral and was waiving the 60-day timeframe. Ms. Allen seconded the motion.

Ms. Corn stated that a motion to defer needed to be some kind of date certain/action certain. She asked Mr. Gamble if his request was to defer until such time as he submitted the development plan.

Mr. Gamble stated that it was until the development plan and rezoning were approved by the Board of Mayor and Aldermen. He stated that their intention was to be able to file the development plan. The applicant was willing to defer the plat in order to file a development plan and a rezoning request and secure these entitlements and show what the new plan was going to be.

Chair Hathaway stated that if the Planning Commission would allow the rules to be suspended in this case to where the development plan could be submitted first, then the plat would be recorded after the fact after the development plan was approved.

Alderman Petersen withdrew her motion to defer, and Ms. Allen seconded the motion.

Ms. Powers stated that staff really did need some direction as to when the plat needed to be submitted, when it would need to come back to the Planning Commission and when it would need to be recorded. The Planning Commission would be reviewing a development plan that showed buildings in an already established setback, which was not a normal process. At what point does staff want to see the plat back?

Ms. Corn stated that the plat was the item before the Planning Commission at this meeting.

Chair Hathaway asked if the Planning Commission had to rule on the suspension of the rules for the next meeting.

Ms. Allen stated that staff was asking for direction from the Planning Commission for dealing with the developer as to when they needed to have this filed. She asked if Mr. Gamble wanted to file this in November.

Mr. Gamble stated that they would like to file the development plan and the rezoning in November for the December 18th Planning Commission meeting.

Ms. Allen asked Mr. Gamble if he wanted the November filing month for December 18th to be part of the motion.

Ms. Powers stated that the applicant could file whenever they chose to file; however, there was nothing that stated that it would be heard when they filed.

Mr. Garrigan stated that it may make sense to do the site plan and the plat concurrently because the plat would have easements associated with the site plan as part of it.

Ms. Powers stated that Site Plans and Plats are reviewed separately, and Mr. Gamble agreed to that.

Chair Hathaway stated that even if the site plan got approved and the plat got recorded

with the revisions, the applicants could go away and someone else could purchase the property with a revised plat.

Alderman Petersen stated that the reason she had a problem with the original 100' was because it abutted single-family residential. Technically, under the City's regulations for General Office it would be required to have a 75' easement. She would have a problem pushing it to 50' under the Zoning Ordinance at this time.

Chair Hathaway stated that there were still many questions regarding this, so it might just be better to withdraw the plat. If the timing of this could be addressed at the November Planning Commission meeting, it could be cleaned up within the next 30 days.

Mr. Gamble stated that when the development plan was submitted, the applicant was requesting a Specific Development – Residential District (SD-R). An SDR would allow for assisted living facility and independent living units. They were requesting that the plat be filed immediately after the Board of Mayor and Aldermen third reading that establishes the zoning, the Planned Unit Development (PUD), and the development plan. Once the 100' buffer is removed, the plat now has a development plan for residential on it with a maximum density on it that there cannot be changed to the development plan unless the process is repeated. If the developer decides after the development plan and rezoning are in effect, not to do the plan, the next submittal (owner) would have to go back through this same process, so there was control. They were asking that the plat be submitted immediately after the third and final reading of the Board of Mayor and Aldermen. It can even be conditionally approved that it is prior to a site plan approval, and if the applicants need to do two site plans that would be fine. They were just asking to be able to move forward with the development plan and submittal.

Ms. Powers stated that staff was comfortable with Mr. Gamble's request.

Ms. Allen motioned to suspend the normal order of action on the final plat until the rezoning and development plan are approved by BOMA. Mr. Orr seconded the motion.

Vice Chair Lindsey stated that he thought this was an important procedural action for the Planning Commission to take because he felt that the Planning Commission was somewhat comfortable with the revisions to the whole development. He thought the neighbors felt comfortable with the revision to the proposed development based on lines of side, berms, and distance away from fences and things of this nature.

Alderman Petersen stated that they were not specific at the neighborhood meeting.

Vice Chair Lindsey stated that the discussion about the 100' setback going away was a little bit of a surprise to him. Knowing what the development plan will present was important to how this all fits on the site.

Ms. Corn stated that she was not clear on what was happening to the plat.

Alderman Petersen asked if it would be appropriate to approve this motion and then approve a request for a withdrawal of the plat.

Ms. Corn stated that once a motion to defer is approved, then the item was postponed from that point.

An amended motion was made by Commissioner Allen, seconded by Commissioner Lindsey, that this Planning Item be deferred until a rezoning and

development plan are approved for this site and that the applicant, Greg Gamble, agreed to waive the state-required 60 day approval timeframe in which Planning Commission must act on this final plat. The motion to defer carried by the following vote:

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

Absent: 1 - Commissioner Franks

ZONING ORDINANCE TEXT AMENDMENTS

25. [14-545](#) Consideration of Ordinance 2014-28 Amending Table 3-2: Permitted Uses and Chapter 8 Definitions, to Allow Short-Term Vacation Rentals in Various Zoning Districts(10/23/14 FMPC 7-0: Deferred from 11/11/14 BOMA).

Attachments: [2014-28 FMPC 10-23-14](#)

Mr. Chris Bridgewater, Director of Building and Neighborhood Services, stated that this change to the Zoning Ordinance was intended to allow the use of short-term vacation rentals. Short-term vacation rentals have become very popular in recent years. Some people are renting their entire house much like a hotel would be rented. The county had also noted this activity and said that they would like to collect the hotel/motel tax associated with it. The City's Zoning Ordinance currently does not allow this type of transient use. In order to collect the hotel/motel tax, a business license would have to be issued, and that would put City staff in the position of issuing a business license for something the Zoning Ordinance does not allow. Staff proposes that because historic Franklin is a tourist destination, staff supports this kind of activity. It has been very low key and has blended in well with the City's tourism. Staff would amend the Use Table to allow this type of transient residential use. Mr. Bridgewater stated that Building and Neighborhood Services had addressed the Board of Mayor and Aldermen to see what type of ordinance they would prefer. Staff is going to utilize the same types of zones that Bed and Breakfasts use and place no further restrictions on this transient use other than just allowing the Use Table.

Chair Hathaway asked for comments from the citizens.

Alderman Beverly Burger, from Ward 1, stated that she would like for Mr. Bridgewater to clarify if this short-term vacation rental was restricted to certain places. If someone now had a home in the east side would they be allowed to rent out their home for a vacation rental for a week?

Mr. Bridgewater stated that the base zoning districts would be Agricultural District (AG), Estate Residential District (ER), Detached Residential 1 District (R-1), Detached Residential 2 District (R-2), Detached Residential 3 District (R-3), Detached Residential 6 District (R-6), and Specific Development – Residential District (SD-R), as well as Office Residential District (OR), and Central Commercial District (CC). That covers all of the residential base zoning districts.

Mr. Harrison moved to recommend approval of item 25 to the Board of Mayor and Aldermen, and Ms. McLemore seconded the motion.

Chair Hathaway asked if there would be a different classification if one were to stay in the house longer than 21 days.

Mr. Bridgewater stated that if it were longer than 21 days, it was not a transient use. It was just a dwelling unit such as a typical landlord situation.

A motion was made by Commissioner Harrison, seconded by Commissioner McLemore, that this Ordinance was recommended favorably to the Board of Mayor and Aldermen Work Session Meeting on 11/11/2014 and the Board of Mayor and Aldermen Regular Meeting on 11/11/2014. The motion carried by the following vote:

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

Absent: 1 - Commissioner Franks

- 26.** [14-549](#) PUBLIC HEARING: Consideration of Ordinance 2014-35, An Ordinance To Amend Section 5.5.4 Of The City Of Franklin Zoning Ordinance Relating To Parks And The Dedication Of Public Land For Parks (10/23/14 FMPC 7-0; 11/11/14 BOMA 7-0).
SECOND OF THREE READINGS

Attachments: [Ordinance 2014-35](#)
[Quadrant map with Title.pub](#)
[Harpeth Square Area Map.pdf](#)
[Harpeth Square Assessed Land Valuation.xlsx](#)
[Parkland Dedication Analysis - LAO - 8.29.14.xlsx](#)

Mr. Vernon Gerth, Community and Economic Development, stated that this was a follow-up to a discussion that he had with the Planning Commission a little more than a month ago regarding a temporary change to the section of the Zoning Ordinance pertaining to park land dedication. Staff has noticed that with the recently proposed infill development that the park land dedication ordinance really pertains to vacant property. With an infill development in the Central Downtown District that has been improved with buildings, the value of that property is much more than a vacant piece of land. Whereby this proposal bridges the gap from now until such time next year when the Planning Commission, the Board of Mayor and Aldermen, and the community have a chance to review, consider and eventually adopt the Needs Assessment and Comprehensive Master Parks Plan. That will include an element of a more robust park land dedication ordinance. He recommended approval of item 26 to the Board of Mayor and Aldermen.

A motion was made by Commissioner Harrison, seconded by Commissioner Lindsey, that this Ordinance was recommended favorably to the Board of Mayor and Aldermen Work Session Meeting on 11/11/2014 and to the Board of Mayor and Aldermen Regular Meeting on 11/11/2014. The motion carried by the following vote:

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

Absent: 1 - Commissioner Franks

NON-AGENDA ITEMS

ANY OTHER BUSINESS

ADJOURN

There being no further business, the meeting adjourned at 7:47 p.m.

Chair, Mike Hathaway