



City of Franklin

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

Meeting Minutes

Franklin Municipal Planning Commission

Thursday, May 25, 2017

7:00 PM

Board Room

CALL TO ORDER

- Present** 7 - Commissioner McLemore, Commissioner Petersen, Commissioner Gregory, Commissioner Lindsey, Chairperson Hathaway, Commissioner Allen, and Commissioner Harrison
- Absent** 2 - Commissioner Franks, and Commissioner Orr

MINUTES

1. Approval of the April 27, 2017 FMPC Minutes.

Attachments: [April 27 DRAFT FMPC Minutes](#)

Commissioner Lindsey moved, seconded by Commissioner McLemore to approve the minutes from April 27, 2017 as presented. The motion carried by the following vote:

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

Absent: 2 - Commissioner Franks, and Commissioner Orr

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 Initial Consent Agenda

A motion was made by Commissioner Harrison, seconded by Commissioner Allen, to approve Items 2-9, 14, 16, 17 and 19-22 as presented on the Initial Consent Agenda. The motion carried by the following vote:

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

Absent: 2 - Commissioner Franks, and Commissioner Orr

Chairing: 0

Approval of the Secondary Consent Agenda

Chair Hathaway and Commissioner Gregory recused themselves from Item 18.

Chair Hathaway turned the Chair over to Vice-Chair Lindsey.

A motion was made by Commissioner Harrison, seconded by Commissioner Allen, to approve Item 18 as presented on the Secondary Consent Agenda. The motion carried by the following vote:

Aye: 5 - Commissioner McLemore, Commissioner Petersen, Commissioner Lindsey, Commissioner Allen, and Commissioner Harrison

Absent: 2 - Commissioner Franks, and Commissioner Orr

Recused: 2 - Commissioner Gregory, and Chairperson Hathaway

Chairing: 0

SITE PLAN SURETIES

2. Aspen Grove Subdivision, site plan, section O, revision 3, lot 122 (Medical Office Building); release the performance agreement for driveway/median modification and traffic signal improvements. (CONSENT AGENDA)
This Planning Item was approved.
3. Creekstone Commons PUD Subdivision, site plan, section 4; extend the performance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.
4. Generals Retreat PUD Subdivision, site plan; release the maintenance agreement for streets and sidewalk improvements. (CONSENT AGENDA)
This Planning Item was approved.

5. Lincoln Square Subdivision, site plan, revision 1, lots 6-8 (Aspen Grove Plaza Office Park Phase III Building 4); extend the performance agreement for multipurpose trail improvements. (CONSENT AGENDA)
This Planning Item was approved.
6. Rizer Point PUD Subdivision, site plan, section 1; extend the performance agreement for landscaping Phase 2 improvements. (CONSENT AGENDA)
This Planning Item was approved.
7. Silver Grace PUD Subdivision, site plan, section 1; extend the performance agreement for landscaping Phase B and landscaping Phase C improvements. (CONSENT AGENDA)
This Planning Item was approved.
8. Westhaven PUD Subdivision, site plan, section 18; extend the performance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.
9. Williamson County Medical Center Subdivision, site plan, revision 2 (Additions and Renovations); release the maintenance agreement for drainage improvements. (CONSENT AGENDA)
This Planning Item was approved.

REZONINGS AND DEVELOPMENT PLANS

10. Consideration of Ordinance 2017-16, To Be Entitled: “An Ordinance To Rezone 0.6 Acres From Residential -2 (R-2) District To Office Residential (OR) District For The Property Located North Of Murfreesboro Road And South Of London Lane, 199 North Royal Oaks Boulevard.”; Establishing a Public Hearing Date of August 8, 2017 (05/25/17 FMPC 6-1, 06/13/17 WS) FIRST OF THREE READINGS

Attachments: [MAP Rezone Ord.pdf](#)
[2017-16 ORD 199 N Royal Oaks Rezoning_with Map.Law Approved.pdf](#)
[199 N Royal Oaks Zoning Map.pdf](#)
[ORZone.pdf](#)

Mr. Josh King stated that Envision Franklin places this parcel in an Office-Residential design concept. This design concept designates the transition area between more intensive commercial areas and the surrounding residential areas. Buildings, regardless of use, should maintain a single-family residential character. The rezoning fits in the context of Envision Franklin.

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

Chair Hathaway asked for citizen comments.

Mr. William (Bill) Berry, 223 London Lane, was not in favor of Item 10 being approved. He addressed the following concerns:

- *The impact of a commercial property located near a residential neighborhood*
- *The requirements for notifying citizens about a public hearing*
- *What changes will be made to the property structure*
- *What commercial uses will be allowed*
- *Parking and entrance areas for the property (entrance off of London Lane)*
- *Lighting and hours of operation*
- *The type of signage allowed*
- *Traffic*
- *Changing dynamic of neighborhood*

Mr. Jim Mitchell, 228 London Lane, was not in favor of Item 10 being approved. He addressed the following concerns:

- *Type of commercial property: business that will be allowed, especially if property sold*
- *Outdoor Storage allowed*
- *Traffic: Specifically, the Left-hand turn lane into office*
- *Once approved, all homes on Royal Oaks will be zoned commercial*

Adam Crunk, Crunk Engineering, was there to represent the Applicant. He also introduced, Anita Hendrix, as the landowner.

Mr. Crunk answered some of the concerns addressed by Mr. Berry and Mr. Mitchell:

- Commercial Use: Office only. The owner will move a State Farm business there.*
- Notification: All properties within 500 ft were notified by mail.*
- Additions: No planned additions*
- Clientele: Only State Farm clients and most of the business is conducted online, not in person.*

- Trash: No change
- Height Restrictions: There are height restrictions because property is within hillside overlay
- Parking: Space is enough for 6 vehicles
- London Lane Entrance: No entrance will be located on London Lane and would not be allowed per Staff comments.
- Lighting: No change
- Hours of Operation: 9 am to 5 pm
- Signage: Monument sign on Royal Oaks
- Traffic: 1-2 trips more per day than a single family residence, 6 employees at most

Mr. Crunk also stated that there was a recent rezoning of a residential property nearby. Also, in the future, only 3 single family homes on Royal Oaks qualify for rezoning. He referred to other neighborhoods such as Maplewood and Forrest Crossing which have offices located nearby.

Ms. Anita Hendrix, property owner and business owner, spoke to the Commissioners. She stated that she has an office nearby and there would be no increase in traffic because most of her business is conducted online. She stated that only 6 parking spaces were needed and this was already in place. She also stated that the business would not be open nights or weekends.

Chair Hathaway asked for a motion.

Commissioner McLemore moved, seconded by Commissioner Harrison, that Item 10 be recommended to the Board of Mayor and Aldermen for approval.

Chair Hathaway asked if there was any discussion.

Commissioner Allen stated for the record that she is client of the Hendrix's and a State Farm customer.

Alderman Petersen asked what would the permitted use be for the property.

Ms. Hunter summarized the permitted uses for Office Residential and stated that they are substantially less than the existing.

Alderman Petersen stated there are four properties that could be rezoned for office residential use. This was only one of two properties that are actually in the Royal Oaks subdivision.

Commissioner Allen asked if the property were zoned SD-X would it be more restrictive and would it also be more costly for the property owner. Ms. Hunter stated that was correct.

Chair Hathaway called for a vote.

The motion carried (6-1). Alderman Petersen voted against recommending Item 10.

Commissioner McLemore moved, seconded by Commissioner Harrison, that Ordinance 2017-16 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

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

No: 1 - Commissioner Petersen

Absent: 2 - Commissioner Franks, and Commissioner Orr

Chairing: 0

11. PUBLIC HEARING: Consideration Of Ordinance 2017-17, To Be Entitled: "An Ordinance To Rezone 19.11 Acres From Specific Development Variety SD-X (2.5, 40,536) District To Specific Development Variety SD-X (2.9, 40,536) District For The Property Located South Of Moores Lane And East Of Franklin Road, 574 Franklin Road & 580 Franklin Road (Branch Creek Crossing PUD Subdivision)." (05/25/17 FMPC 7-0, 6/13/17 WS & 1st BOMA Reading 8-0) SECOND OF THREE READINGS

Attachments: [Ord 2017-17 Branch Creek Crossing PUD Subd, Rezoning Map](#)
[Ord 2017-17 Branch Creek Crossing Rezoning Rev 2 .with Map.Law Approved](#)
[Branch Creek Rezoning Request Revision 2 - 5.4.2017](#)

Mr. Brad Baumgartner stated that the rezoning is being requested because the applicant is proposing to include 6 additional residential units. Envision Franklin supports the rezoning, as the minor increase in residential unit count has little or no impact to the proposed uses or site design. The accompanying development plan revision is also on tonight's agenda (COF#6410).

Staff recommends 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. Mr. Gamble stated he was available to answer any questions.

Chair Hathaway asked for a motion on this item.

Commissioner Harrison moved, seconded by Commissioner McLemore, that Ordinance 2017-17 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

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

Absent: 2 - Commissioner Franks, and Commissioner Orr

Chairing: 0

12. PUBLIC HEARING: Consideration Of Resolution 2017-30, To Be Entitled: "A Resolution Approving A Revised Development Plan For Branch Creek Crossing PUD Subdivision For The Property Located South Of Moores Lane And East Of Franklin Road, 574 Franklin Road & 580 Franklin Road." 6/13/17 WS

Attachments: [Res 2017-30 Branch Creek Crossing PUD Subd, DP, Rev 2 Map](#)
[2017-30 Branch Creek Crossing PUD Subdivision with Map Rev 2.Law Approved](#)
[Branch Creek DP Rev 2 Conditions of Approval_01](#)
[Branch Creek Crossing Development Plan Revision 2 - 5.4.2017](#)
[Branch Creek Crossing Dev Rev 2 Elevations](#)

Mr. Baumgartner stated that the applicant is proposing a development plan revision to increase the number of residential units by six (6) units. The applicant is also proposing changes to aspects of the site layout, including breaking the building into two buildings, enclosing the ground level, and having garages provided to the rear of the lot. These revisions are supported by Envision Franklin.

Staff recommends 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. Mr. Gamble stated that he was available to answer any questions.

Chair Hathaway asked for a motion on this item.

Commissioner Harrison moved, seconded by Commissioner Allen, that Resolution 2017-30 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote

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

Absent: 2 - Commissioner Franks, and Commissioner Orr

Chairing: 0

13. Westhaven PUD Subdivision, Development Plan, Revision 3, 2,750 Residential Units and 500,000 Square Feet of Commercial Space on 1,536 Acres, Located Near the Intersection of Future Mack Hatcher Parkway and New Highway 96 West.

Attachments: [Westhaven Dev Plan Rev 3.pdf](#)
[2017-05-04 Westhaven Concept Plan.pdf](#)
[2017-05-04 Westhaven Pattern Book.pdf](#)
[6408_Westhaven_Conditions of Approval_01.pdf](#)

Mr. King stated that Westhaven PUD Subdivision was last revised in May of 2007. The plan is being revised to update lot locations, roadway layouts, and provide clarification on wetland and stream impacts associated with future development in the area contained by the development plan.

Staff recommends Approval, with conditions.

Chair Hathaway asked for citizen comments. There were none.

Shane White, Southern Land Inc., was there to represent the Applicant. Mr. Crenshaw stated that he was available to answer any questions.

Chair Hathaway asked for a motion on this item.

Commissioner Harrison moved, seconded by Commissioner McLemore, that Item 13 be approved, with conditions. The motion carried by the following vote:

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

Absent: 2 - Commissioner Franks, and Commissioner Orr

Chairing: 0

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

14. Carothers Crossing East Subdivision, Site Plan, Lot 5 (Self-Storage), 106,500 Square Feet Of Commercial Space On A 1.65-Acre Lot, Located Near The Northeast Corner of Carothers Parkway and Liberty Pike, Near Southstar Drive. (CONSENT AGENDA)

Attachments: [MAP_6380_cAROTHERScROSSINGEast_SS.pdf](#)
[6380_Carothers_Storage_COA.pdf](#)
[Sitelayout.pdf](#)
[ComboSitePlan.pdf](#)
[ARCH_CarothersCrossing.pdf](#)

This Planning Item was approved.

15. Carothers Development Property Subdivision, Site Plan, Lot 3 (Prime Health Office Building), A 61,974 Square Foot Medical Office Building On 3.53 Acres, With 1 Design Modification (Primary Entrance Orientation), Located On the South Side of Liberty Pike and East of Carothers Parkway At 1217 Liberty Pike.

Attachments: [6323 Carothers Development Subd, SP, Lot 3 Prime Health Map](#)
[Carothers Dev Prime Health Conditions of Approval_01](#)
[2017-05-04 Prime Health Site Plan Combined](#)
[Prime Health Elevations](#)

Mr. Baumgartner stated that the applicant is proposing a site plan for a medical office building consisting of 61,974 square feet. The structure will be accessed from the private road to the east and also from Liberty Pike. There is an incompatible land use buffer to the south of the property, to buffer the residential from this office use. The applicant is asking for one design modification.

Mr. Baumgartner stated that the applicant is requesting one design modification from the Zoning Ordinance, to allow a front entrance orientation that does not face Liberty Pike. Section 5.3.6 (b) (i) of the Zoning Ordinance states, "The primary façade of a building shall be parallel to the street they front unless an alternate orientation is consistent with existing adjacent development."

In regards to the four standards that have to be met in order to grant a design modification, Item 1, Staff agrees with the applicant's statement on the first finding, that the request is not detrimental to public health, safety, or welfare (#1).

In regards to the second finding, the applicant describes that this is a unique situation where the site is not immediately bounded on the north by Liberty Pike, as there is a lot between the arterial street and this proposed building lot. If that lot on Liberty were to develop, the rear of that building would face the required primary entrance of this proposed building. However, staff finds that there are no unique conditions that directly dictate the request for a design modification, as many other lots in Franklin have buildings facing an arterial street with outparcels located between these buildings and street. The Jones Company building to the east faces the internal private drive, rather than Liberty Pike, but that development was approved under a previous Zoning Ordinance. Envision Franklin and our current Zoning Ordinance would require any future development along Liberty Pike, including the vacant lots west of this site, to be oriented towards Liberty Pike, rather than a side drive. (#2).

Staff understands the applicant's desire to have a "main" entrance facing the private drive, and, therefore, staff has asked that a door of similar presence also face Liberty Pike to establish a primary presence on the arterial street (Liberty), particularly, in the case that a structure is not built between this building and Liberty Pike on the small outparcel. Staff believes that both the applicant's design intent and Zoning Ordinance standard could be met under this scenario. However, due to the specific nature of the proposed tenant's business, which handles sensitive information, the applicant desires only one entrance to the building. (#3)

Approval of this design modification would vary from the provisions of Envision Franklin, which specifically states in the Regional Commerce Design Concept, where this property is located, "Buildings should have a primary entry identity that defines the visual

character of the building, and it should be oriented toward the primary street. Buildings may have additional primary entrances, which should be oriented to a secondary street, internal drive that resembles a street, or prominent public space.”

Mr. Baumgartner stated based on these findings, staff recommends disapproval of this design modification.

Staff recommends Approval, with conditions for the main motion.

Chair Hathaway asked if there were citizen comments.

Mr. Paul Higdon, 704 Langford Court in Breckenridge Subdivision, stated he was concerned about the watershed issue. He has owned the property since 1998. He stated that since Liberty Pike had been extended, his property had excessive drainage issues including flooding his neighbor's house. This issue has been resolved. He stated that if a new structure comes in, the drainage has nowhere to go. He stated there is 75 feet of incompatible use buffer zone but the proposed larger retention pond would be within 10 feet of his fence. His concern about the drainage easement includes the new grading and how many trees would be removed from his property. He requested as little inconvenience as possible if Item 15 is approved.

Adam Crunk, Crunk Engineering, was there to represent Prime Health and the Applicant. Mr. Crunk stated he wanted to address the drainage issue first. He stated that when site plan was presented, Staff had requested a larger regional detention pond. Since then, they had designed a larger pond that would reduce the amount of water and to make improvements the ditch in the Higdon's yard so that it would meet the requirements for a 100-year flood. He felt this design would take care of this issue. He also stated that the 75 foot incompatible use buffer zoning allows for storm water uses. Mr. Crunk asked if there were any questions concerning the stormwater issue.

Vice-Chair Lindsey and Mr. Crunk discussed that improvements need to be made to Mr. Higdon's property. Mr. Crunk also stated that the current concrete drainage pipe could handle the drainage.

Alderman Petersen stated that the parcel under consideration is in the City, but Mr. Higdon's property in Breckenridge subdivision is in the County and it is not curb and guttered. She stated that she has a problem with the drainage affecting the Higdon's yard.

Commissioner Allen asked if the Engineering staff is comfortable that the existing residents (Mr. Higdon and neighbors) would be alright with the design.

Jimmy Wiseman, Assistant Director of Engineering for the City of Franklin, stated that the original design was not sufficient to meet the drainage requirement, but they feel comfortable with the revised larger pond.

Alderman Petersen stated that there is concern because the retention pond uses up the 75 foot incompatible use buffer and it affects the trees. She quoted from the Zoning Ordinance where it addresses not removing existing vegetation in incompatible use buffers.

Mr. Crunk introduced Nicole Hermo, Property Architect, and Mr. Bryan Sharp, President, CEO and major stockholder in Prime Health Services. Mr. Crunk then addressed the

Commission concerning the front entrance of the building. He provided a handout to the Commission which has been added to the record. Mr. Crunk stated there are powerlines located north of the property. A front facing entrance would directly face the powerlines. A front facing entrance would also affect the grading for the main parking lot. The preferred entrance would be located on the east side of the property facing the Jones Company building and the private drive.

Ms. Nicole Hermo, Architect, stated that the owner resides in Franklin and wanted to move his business to Franklin. She stated that the outbound lot which faces Liberty Pike will be owned by someone else. The owner prefers an entrance facing east that would also face the private drive. She stated that this is a Medical Insurance Company and insurance information. This type of business requires all employees entering to have secure access. She stated that a north facing entrance would require steps and a very large ramp because of the grading of the lot. The east side has better grading for an easier access to the building.

Mr. Bryan Sharp, President/CEO and majority stockholder of Prime Health Services, stated that he wants to locate the business in Franklin. This is a great location but hard lot to build on. He stated that his business, Prime Health, has private medical data and it is important to have a secure access entrance. Concerning, the drainage issue, Mr. Sharp stated that building on the lot would solve Mr. Higdon's drainage issue by building the larger retaining pond. He also stated they would work with the tree issue and wanted to be a good neighbor. Mr. Sharp requested that the Commission consider approval.

Chair Hathaway asked if there was a motion on the site plan.

Commissioner Harrison moved, seconded by Commissioner Allen, that Item 15 be approved, with conditions.

Chair Hathaway asked if there was any discussion.

Commissioner Allen asked Mr. Baumgartner if Staff's recommendation for disapproval of the design modification was based solely on what is in the ordinance. Mr. Baumgartner said yes.

Chair Hathaway stated there needed to be a motion to discuss the design modification.

Commissioner Allen moved, seconded by Commissioner McLemore, to approve the design modification.

The following discussion ensued:

-Commissioner Allen stated that she thought we should use common sense and, in this case, take into consideration all the reasons given and HIPPA laws.

-Commissioner McLemore said she understood the reasons for making the recommendation to disapprove, but, in this case, the request for modification makes sense to her.

-Alderman Petersen asked to verify the address of the lot in front of the property. Mr. Crunk stated the address for the lot in front is 1217 Liberty Pike, Prime Health would be 1219, and the address for The Jones Company is 1221 Liberty Pike.

-Alderman Petersen confirmed that the entrances would be off of the private drive.

-Chair Hathaway discussed the grading at the end of the private drive. He also discussed issues pertaining to the building "presenting to a street".

-Chair Hathaway asked where the signage would be. Mr. Crunk stated it would only be on

the building. He also asked if there was a concern for emergency services to find the building address.

-Vice-Chair Lindsey confirmed that both access roads would remain private.

Chair Hathaway asked for a vote on the motion for the Design Modification.

The motion to approve the design modification carried unanimously (7-0).

Chair Hathaway asked for discussion on the main motion.

Alderman Petersen stated she has concerns about the drainage issue and the removal of most of the trees.

Commissioner Allen stated that it looks like the Higdon property would be in better shape (if the larger retention pond is built).

Vice-Chair Lindsey stated that he wanted to make sure the Breckenridge properties would be in better shape.

Chair Hathaway asked for a vote on the main motion as amended. The motion carried (5-2). Commissioner Gregory and Alderman Petersen voted no.

Commissioner Harrison moved, seconded by Commissioner Allen, that the Item 15 be approved, with conditions, including the motion to approve the Design Modification (7-0). The motion carried with the following vote:

Aye: 5 - Commissioner McLemore, Commissioner Lindsey, Chairperson Hathaway, Commissioner Allen, and Commissioner Harrison

No: 2 - Commissioner Petersen, and Commissioner Gregory

Absent: 2 - Commissioner Franks, and Commissioner Orr

Chairing: 0

- 16.** Highlands At Ladd Park PUD Subdivision, Final Plat, Section 29, Creating 67 Residential Lots And 2 Open Space Lots On 23.74 Acres, Located East Of Carothers Parkway And North Of Long Lane. (CONSENT AGENDA)

Attachments: [6411 Highlands at Ladd Park PUD Subd, FP, Sec 29 Map](#)
[Ladd Park, FP, Sec 29 Conditions of Approval_01](#)
[Highlands at Ladd Park PUD Subdivision, final plat, section 29 - submittal 002](#)

This Planning Item was approved.

17. Lockwood Glen PUD Subdivision, Final Plat, Section 8, Creating 51 Residential Lots And 2 Open Space Lots, On 12.35 Acres, Located East Of Carothers Parkway And South Of South Carothers Road. (CONSENT AGENDA)

Attachments: [MAP 6412 Lockwood Glen, Sec 8, FP](#)
[Lockwood Glen FP, Sec 8 Conditions of Approval_01](#)
[Lockwood Glen PUD Subdivision, Final Plat, Section 8 - submittal 002](#)

This Planning Item was approved.

18. McEwen Place PUD Subdivision, Site Plan, Section 3, Lot 302 (Block B), 212,160 Square Feet Of Commercial Space And 69 Attached Residential Units On 4.99 Acres, Located Near The Intersection Of Rush Street And East McEwen Drive. (CONSENT AGENDA)

Attachments: [6307McEwenPlacePUDSubdivisionSP\(BlockB\).pdf](#)
[6307_McEwen_BlockB_Conditions of Approval_02.pdf](#)
[SiteLayout.pdf](#)
[2017-05-04 McEwen Lot 302 \(Block B\) Site Plan Resubmittal.pdf](#)
[ARCH_McEwenTownCenter.pdf](#)

Chair Hathaway and Commissioner Gregory recused themselves from Item 18.

Chair Hathaway turned the Chair over to Vice-Chair Lindsey.

This Planning Item was approved.

19. Simmons Ridge PUD Subdivision, Final Plat, Section 3, Creating 28 Attached Residential Lots And Two Open Spaces, On 4.00 Acres, Located At 4408 South Carothers Road. (CONSENT AGENDA)

Attachments: [MAP 6418 Simmons Ridge PUD FP Sec 3](#)
[Conditions of Approval_01](#)
[Section 3 Final Plat pg 1 & 2](#)

This Planning Item was approved.

20. Simmons Ridge PUD Subdivision, Final Plat, Section 5, Creating 18 Attached Residential Lots And One Open-Space Lot, On 2.82 Acres, Located At 4408 South Carothers Road. (CONSENT AGENDA)

Attachments: [MAP 6419 Simmons Ridge PUD FP Sec 5](#)
[Conditions of Approval_01](#)
[Section 5 Final Plat Pg 1&2](#)

This Planning Item was approved.

21. Township PUD Subdivision, Site Plan, Section 1 (Harmony Southern Care), A 59,736 Square-Foot Assisted Living Facility On 17.30 Acres, Located At 1020 Harmony Hills Drive. (CONSENT AGENDA)

Attachments: [MAP Township SP Sec 1 Township, SP, Harmony Southern Care Conditions Of Approval Township PUD Subdivision, Site Plan Section 1 \(Harmony Southern Care\) - submittal 003 Township Elevations](#)

This Planning Item was approved.

22. Willow Plunge Subdivision, Final Plat, Revision 4, Resubdivision Of Residential Lots 2 And 3 on 1.01 Acres, Located At 1132 And 1136 Carnton Lane. (CONSENT AGENDA)

Attachments: [MAY MAP WillowPlungeFP.pdf COF6279-WillowPlungeRevision4-Rev'd_033017.pdf](#)

This Planning Item was approved.

ZONING ORDINANCE TEXT AMENDMENTS

23. PUBLIC HEARING: Consideration of Ordinance 2017-12, To Be Entitled: "An Ordinance To Amend Chapters 2 And 3 Of The Zoning Ordinance Of The City Of Franklin, Tennessee, To Modify The Height Overlay District (HTO) Standards and Location." (05/25/17 FMPC 7-0; 6/13/17 BOMA 1st READING 8-0) SECOND OF THREE READINGS

Attachments: [ORD 2017-12 Amend HTO.Law Approved](#)
[Proposed HTO Map](#)
[HTO Presentation](#)
[Ragan Smith Combined Files](#)

Mr. Andrew Orr stated the Height Overlay (HTO) is part of Envision Franklin. The last part of the HTO process is to zone parcels to the Height Overlay. The Height Overlay is a district in Franklin that property owners must apply for rezoning to be a part of. The current HTO is mostly located between Carothers Parkway and I-65. The map in Envision Franklin outlines the area for the HTO. Without the HTO, the maximum building height is 6 stories. With the HTO the maximum building height is twelve stories. The purpose of the HTO study was:

- 1. Pro-active Planning*
- 2. Pre-empt Fragment HTO requests*
- 3. Economic Development*
- 4. Simplify the Review Process*

There has been extensive public outreach. Most recently public notice was given for the Joint Conceptual Workshop and the FMPC meeting on 5/25/17.

The following principles were used to form the recommendations are:

- Encourage tallest buildings closest to I-65*
- Transition down in height away from I-65*
- Preserve scenic beauty of hilltops/hillcrests*
- Take advantage of I-65 corridor*

Mr. Orr showed maps from 1994 and 2000 showing the economic growth around the Cool Springs area. Mr. Orr stated why the HTO standards need to be changed:

- Efficient use of valuable land*
- Promote Economic Development*
- High Demand for Office Space*
- Consistent Urban form*
- Support redevelopment/infill efforts*
- Saves time for staff and applicant*
- Proactive Planning*

Staff has three recommendations:

- 1. Extend the HTO along I-65 to create better uniformity, predictability, and efficiency. Mr. Orr showed a map showing the new areas to be included in the HTO. Most of these areas are between McEwen and the Galleria. Also, recommending expanding the HTO to the Goose Creek area.*
- 2. Require new buildings/projects exceeding six stories to undergo FMPC review.*
- 3. Require new buildings exceeding six stories to submit a viewshed analysis as part of the submittal with three dimensional (3-D) imagery of the project.*

In closing, Mr. Orr stated:

- This is a long-term vision and buildout of I-65*
- Foster a variety of building types and heights*
- Submittal includes a Viewshed Analysis & 3-D imagery*
- Ensure FMPC review*

Mr. Orr stated that several property owners that are not in the current proposed HTO area have expressed interest in being included in the HTO.

Staff recommends favorable recommendation of Ordinance 2017-12 to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

Alan Thompson, with Reagan Smith & Associates, spoke. Mr. Thompson resides at 125 Norbrook, and his client is Brookside Properties. He stated that his client supports the HTO and would like to be included in the HTO. This would include areas between Mallory Lane and Frazier Drive (48 acres) on the west side of I-65. This area is surrounded by industrial, light industrial, and commercial zoning. He stated that being included in the HTO would not impact any residential areas.

Adam Ballash, with Boyle Investment Company, supports Staff for Envision Franklin. He stated that he would like to see the Planning Staff have more authority to approve items and less review by the Planning Commission concerning decisions made for buildings above six stories.

Alderman Bev Burger, Ward 1, stated that she has no issues with the HTO. However, she has concerns about allowing twelve stories in areas where most buildings are three stories or less (the area proposed by Mr. Thompson). She would like to see more discussion about areas west of Mallory. She stated that she is not "for or against" the issue, but simply wants to see more discussion.

Chair Hathaway asked for a motion on this item.

Commissioner Allen moved, seconded by Commissioner Harrison, to approve Item 23.

Chair Hathaway asked if there was any discussion.

Alderman Petersen stated land for intense uses is almost gone. She stated that it looks like the proposed area could now be a tear down and rebuild area in the future.

Commissioner Allen stated that the Commission had thoroughly reviewed this issue.

Chair Hathaway stated that the proposed HTO area makes sense. He is not sure he would support the proposed addition (Mr. Thompson) because there had been more public notice about the addition given to surrounding property owners. However, this could be addressed at a later date.

Alderman Petersen stated that she thinks any building over six stories should not be just be administratively approved by Staff.

Chair Hathaway confirmed that the proposed ordinance was not being amended.

Chair Hathaway called for a vote on the motion as presented. The motion carried unanimously (7-0).

Commissioner Allen moved, seconded by Commissioner Harrison, that Ordinance 2017-12 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

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

Absent: 2 - Commissioner Franks, and Commissioner Orr

Chairing: 0

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 8:22 p.m.

Chair, Mike Hathaway