



City of Franklin

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Franklin, TN 37064
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Meeting Minutes

Franklin Municipal Planning Commission

Thursday, February 22, 2018

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 January 25, 2018 FMPC Minutes.

Attachments: [DRAFT January 2018 FMPC Minutes 3](#)

Alderman Petersen moved, seconded by Commissioner Allen, to approve the minutes from January 25, 2018, 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

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.

Mr. James Svoboda, Assistant Director of the Planning & Sustainability Department, stated that the Planning Commission Retreat will be on Wednesday (February 28th) at the Eastern Flank Event Facility. He stated that the doors would open at 8:30 for breakfast and to pick up packets. He stated the retreat started at 9 am and would go until about 3 pm.

Mr. Svoboda also announced that there was a proposed amendment to the Addressing Manual that is posted on the BNS website under Public Notices. This will allow for the Veterans Street Naming Program that has been discussed by the BOMA. He stated that the information about that program could also be found on the Building and Neighborhood Services website.

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.

ELECTION OF THE OFFICERS FOR 2018

2. Election of Chair and Vice-Chair of the Franklin Municipal Planning Commission for 2018.

A motion to elect Commissioner Hathaway as Chair was made by Commissioner Harrison, seconded by Commissioner Allen. The motion carried unanimously (9-0).

A motion to elect Commissioner Lindsey as Vice-Chair was made by Commissioner Harrison, seconded by Commissioner Orr. The motion carried unanimously (9-0).

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

CONSENT AGENDA

Approval of the Consent Agenda

Commissioner McLemore moved, seconded by Commissioner Harrison, to approve Items 3-6,10,12, and 13 as presented 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

Approval of the Consent Agenda

Chair Hathaway recused himself from Item 11. He turned the Chair over to Vice-Chair Lindsey.

Commissioner Harrison moved, seconded by Commissioner McLemore, to approve Item 11 as presented 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

SITE PLAN SURETIES

3. Alexander Plaza PUD Subdivision, site plan, (Kroger Site Renovations); extend the performance agreement for drainage improvements. (CONSENT AGENDA)
This Planning Item was approved.

4. Bancorp South Subdivision, site plan, (Liberty Pike Office Building); release the maintenance agreement for drainage improvements. (CONSENT AGENDA)
This Planning Item was approved.

5. Franklin Park Subdivision, site plan, (One Franklin Park Office Building); extend the performance drainage improvements for one year. (CONSENT AGENDA)
This Planning Item was approved.

6. Franklin Park Subdivision, site plan, (Open Space Lot/Parkland/Infrastructure); extend the performance agreement for drainage improvements for one year. (CONSENT AGENDA)
This Planning Item was approved.

REZONINGS AND DEVELOPMENT PLANS

7. PUBLIC HEARING: Consideration of Ordinance 2018-03, To Be Entitled: "An Ordinance To Rezone 22.37 Acres From Specific Development Variety (SD-X 0/34,500) District To Specific Development Variety (SD-X 0/60,820) District For The Property Located South Of Moores Lane And East Of Franklin Road, (Near 554 And 562 Franklin Road) (Family Legacy PUD Subdivision, Revision 1)." (2/22/18 FMPC 8-0, 3/13/18 WS & 1st BOMA Reading 8-0) SECOND OF THREE READINGS

Attachments: [MAP_FamilyLegacy.pdf](#)

[2018-03 ORD_Family Legacy with Map.Law Approved.pdf](#)

Chair Hathaway recused himself from Item 7.

Mr. Josh King, Principal Planner, stated that this rezoning and development plan comply with Envision Franklin.

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

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

The Applicant was represented by Mr. Greg Gamble, of Gamble Design. The Applicant stated he was there to answer any questions.

Vice-Chair Lindsey asked for a motion.

Commissioner McLemore moved, seconded by Commissioner Harrison, that Ordinance 2018-03 be recommended to the Board of Mayor and Aldermen for approval.

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

The motion carried unanimously by the following vote (8-0).

Commissioner McLemore moved, seconded by Commissioner Harrison, that Ordinance 2018-03 be recommended to the Board of Mayor and Aldermen for approval. 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

8. PUBLIC HEARING: Consideration of Resolution 2018-07, To Be Entitled: "A Resolution Approving A Revised Development Plan For Family Legacy PUD Subdivision, For The Property Located South Of Moores Lane And East Of Franklin Road, Near 554 And 562 Franklin Road." (02/22/18 FMPC; 03/13/18 WS)

Attachments: [MAP_FamilyLegacy.pdf](#)

[RES 2018-07 Family Legacy PUD Subdivision Rev1_with Map.Law](#)

[Approved.pdf](#)

[FamilyLegacy_Conditions of Approval_01.pdf](#)

[Family Legacy Development Plan Revision 1 02.01.2018.pdf](#)

[ELEVATIONS_FamilyLegacy.pdf](#)

[LAYOUT_Family Legacy Development Plan Revision 1
02.01.2018-2.pdf](#)

Chair Hathaway recused himself from Item 8.

Mr. King, Principal Planner, stated that this development plan removes the previously approved funeral home from the site and replaces it with an equally well-designed office building. Envision Franklin recommends a Neighborhood Commercial Node and this development plan meets that intent.

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

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

The Applicant was represented by Mr. Greg Gamble, of Gamble Design. The Applicant stated he was there to answer any questions.

Vice-Chair Lindsey asked for a motion.

Commissioner Harrison moved, seconded by Commissioner Allen, that Resolution 2018-07 be recommended to the Board of Mayor and Aldermen for approval.

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

The motion carried unanimously by the following vote (8-0).

Commissioner Harrison moved, seconded by Commissioner Allen, that Resolution 2018-07 be recommended to the Board of Mayor and Aldermen for approval. 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

9. Cardel Village PUD Subdivision, Development Plan, Revision 1, Revision To Approved Development Plan To Change Rear Yard Setbacks, Located At 1040 Carlisle Lane.

Attachments: [Cardell Village PUD Subd DP REV 1 March Map](#)
[Cardel Village PUD Subdivision Dev Plan Rev 1 -Architecture](#)
[Cardel Village PUD Subdivision Dev Plan Rev 1 Layout](#)

Ms. Amy Diaz-Barriga, Current Planning Supervisor, stated that the applicant is proposing a Development Plan Revision to vary the rear yard setbacks to allow for the creation of a garage to the rear of the lot. The garage would be to the rear of the lot, similar to a detached garage, but connected by a breezeway.

Staff recommended approval.

Chair Hathaway asked if there were any citizen comments.

The following citizens spoke concerning Item 9:

1. *Mike Rose, 4000 Blossom Trail Lane, opposed Item 9. He stated there was an issue with the detention pond for Cardel Village. He stated that the pond is overflowing sending streams of water onto his property. This is causing damage to his mulch and trees. He asked that the Planning Commission defer the vote for Item 9 until this issue was resolved.*
2. *Williams Pals, 4006 Blossom Trail Lane, opposed Item 9. Mr. Pals presented a possible solution. He asked the engineers to have an overflow protection valve installed. He stated that the pond was not a detention pond, but a retention pond. He stated that the water is flowing downhill toward their yards and going into their neighborhood pond. He asked for the building to be halted until a resolution to the overflow problem is found.*
3. *Robert L. Baker, 3021 Blossom Trail Lane, opposed Item 9. Mr. Baker stated that the previous speakers had video available for viewing. He requested that the vote for Item 9 be deferred until a resolution was found for the overflow issue.*

The Applicant was represented by Greg Gamble, of Gamble Design. The Applicant stated he would like to address the concerns of the neighbors. He stated that he just learned about the issue. He stated he would ask Mr. Jimmy Wiseman, Assistant Director of the Engineering Department, to meet him on February 23rd for a site visit. He also would like for the Civil Engineer who designed the pond to be there. He stated that the developer is under bond and will want to make sure that the issue is fixed. Mr. Gamble presented information about the stormwater drainage plan for Cardel Village. He stated that he would review the plan. He also stated that he would be glad to defer the development plan until next month in order to address the issue.

Mr. Gamble provided detailed information about the request before the Commission: Lots 1-5 have a 20 ft. drainage easement which restricts anything from being built. Lots 6-9 back up to an open area which has stormwater controls. Lots 11-20 are alley access from behind. Lot 10 will also be alley access. Lots 10 and 11 back up to a tree preserved open space. Mr. Gamble stated in the City of Franklin, a detached garage could be located 5 feet from the rear and side property line. He stated that the builder is only requesting to be able to include an attached garage within the building envelope for lots 6-20. He stated, at this time, that the builder can only build detached garages for lots 6-20.

Chair Hathaway asked for a motion.

Alderman Petersen confirmed that Mr. Gamble would be willing to defer.

Mr. Gamble confirmed that he would be willing to defer.

Commissioner Franks moved, seconded by Commissioner Harrison, that Item 9 be deferred until the March 22, 2018, Planning Commission meeting.

Commissioner McLemore confirmed that the Engineering Department would be working to help with the overflow issue. Mr. Wiseman stated he would be on site the next morning.

Commissioner Franks and Commissioner Lindsey discussed the complex details for stormwater regulations from TDEC. Mr. Franks stated it may be necessary to dig out the pond and include overflow piping.

The motion to defer carried unanimously by the following vote (9-0).

Commissioner Franks moved, seconded by Commissioner Harrison, that Item 9 be deferred until the March 22, 2018, Planning Commission 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

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

10. Chickasaw PUD Subdivision, Final Plat, Creating A New Multi-Family Lot On 14.20 Acres, Located West Of North Petway Drive And South Of Boyd Mill Avenue. (CONSENT AGENDA)

Attachments: [Chickasaw PUD Subd,Final Plat Map](#)
[Chickasaw FP Conditions of Approval_01](#)
[Chickasaw Place Subdivision, final plat - submittal 002](#)

This Planning Item was approved.

11. Family Legacy PUD Subdivision, Final Plat, Creating 2 Commercial and 3 Open Space Lots On 22.52 Acres, Located Near 554 and 562 Franklin Road, South of Moores Lane and West of Franklin Road. (CONSENT AGENDA)

Attachments: [MAP_FP_FamilyLegacyFP.pdf](#)
[FamilyLegacy_FP_Conditions of Approval_01.pdf](#)
[Family Legacy PUD Subdivision, final plat \(formerly COF 6221\) - submittal 002.pdf](#)

Chair Hathaway recused himself from Item 11.

This Planning Item was approved.

12. October Park PUD Subdivision, Final Plat, Creating 19 Detached Residential Lots and Three Open-Space Lots on 11.88 Acres, Located At 1100 Ridgeway Drive. (CONSENT AGENDA)

Attachments: [MAP October Park PUD FP Sec 1](#)
[October Park PUD FP COAs](#)
[OCTOBER PARK FINAL PLAT SET 013118](#)

This Planning Item was approved.

13. Stream Valley PUD Subdivision, Final Plat, Creating 20 Detached Residential Lots And 47 Attached Residential Lots On 10.73 Acres, Located Between Verbana Drive And Ledgebrook Drive Within The Stream Valley PUD Development, East Of Lewisburg Pike And South Of Goose Creek Bypass. (CONSENT AGENDA)

Attachments: [MAP FP StreamValleySec16FP.pdf](#)
[SV16_Conditions of Approval_01.pdf](#)
[COF 6614 Stream Valley, Section 16 Final Plat.pdf](#)

This Planning Item was approved.

FMPC BYLAWS AMENDMENTS

14. Consideration of Resolution 2018-05, To Be Entitled: "A Resolution Approving An Amendment To The Franklin Municipal Planning Commission Bylaws."

Attachments: [Resolution 2018-05 FMPC Bylaws Amendment 2018.Law Approved 2](#)

Ms. Amy Diaz-Barriga, Current Planning Supervisor, stated that his amendment to the Franklin Municipal Planning Commission (FMPC) Bylaws makes several updates and changes. First, it adds the Assistant Planning Director to the list of staff members who can sign final subdivision plats in the absence of the Planning Director. Second, it changes the schedule of the FMPC meetings from a 12-month schedule to an 11-month schedule. It keeps the sequencing and frequency of deadlines the same for each review cycle, but moves the typical November meeting to the second Thursday in December, and removes the review cycle for the typical December meeting. It keeps all other meeting times the same, on the fourth Thursday of the month.

She stated that this amendment also clarifies that each motion or action of the Planning Commission will reference specific findings of fact, to ensure compliance with TCA requirements. The Bylaws are also changed to allow electronic media presentations by the applicant (powerpoints), so long as they are provided and reviewed by the Planning Department at least 24 hours before the FMPC meeting. Lastly, this amendment changes the deadline for the Joint Conceptual Workshop (JCW). Applications for the JCW will now be required as part of the initial submittal application, and projects will be placed on a JCW agenda between their initial and resubmittal deadlines.

The goal of the changes are to create a more efficient process, and to continue compliance with TCA requirements.

Staff recommended approval.

Chair Hathaway asked if there were any citizen comments. There were none.

Chair Hathaway asked for a motion.

Commissioner Harrison moved, seconded by Commissioner Allen, that Ordinance 2018-05 be approved.

Alderman Petersen moved, seconded by Commissioner Harrison, to amend Resolution 2018-05, to remove the proposed changes that reference Findings of Facts in Sections 8.1.6 and 8.1.9 (1) g.

Commissioner Franks asked for further explanation.

Alderman Petersen stated that Law or Planning may want to further explain. She provided the location of the items that she was requesting to remove.

Shauna Billingsley, City Attorney, stated in order to make a motion, an explanation would have to be added to the record. She stated she would like time to research this, and would probably have answers by the retreat on February 28, 2018. If this amendment is approved, it will change how the Commission does motions in the future.

Alderman Petersen stated that everything else would be approved.

Chair Hathaway called for a vote on the motion to amend the main motion.

The motion to amend carried unanimously by the following vote (9-0).

Chair Hathaway asked for a vote on the main motion, as amended.

The main motion, as amended, carried unanimously by the following vote (9-0).

Commissioner Harrison moved, seconded by Commissioner Allen, that Ordinance 2018-05 be approved. Alderman Petersen moved, seconded by Commissioner Harrison to amend Resolution 2018-05, to remove the proposed changes that reference Findings of Facts in Sections 8.1.6 and 8.1.9 (1) g. The motion to amend carried unanimously by the following vote (9-0). The main motion, as amended, 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

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 7:38 p.m.

Chair, Mike Hathaway