



# City of Franklin

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

## Meeting Minutes - Draft

### Franklin Municipal Planning Commission

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Thursday, August 22, 2019

7:00 PM

Board Room

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#### CALL TO ORDER

**Present** 7 - Harrison, Hathaway, Petersen, Orr, Franks, Lindsey, and Szilagyi

**Absent** 2 - McLemore, and Allen

#### MINUTES

1. Approval of the July 25, 2019 FMPC Minutes.

**Attachments:** [Draft FMPC Minutes July 2019](#)

**Commissioner Harrison moved, seconded by Commissioner Orr, to approve the minutes from July 25, 2019, as presented. The motion carried by the following vote:**

**Aye:** 7 - Harrison, Hathaway, Petersen, Orr, Franks, Lindsey, and Szilagyi

**Absent:** 2 - McLemore, and Allen

#### 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.*

*Ms. Emily Hunter, Director of Planning and Sustainability, stated that there would be a Special Joint Conceptual Workshop with the Planning Commission and Board of Mayor and Aldermen on September 19, 2019, from 1-4 pm in the City Hall Training Room. The meeting is related to the discussion on the proposed Zoning Ordinance, specifically the new Zoning Map, as well as the Site Plan Triggers and who the review bodies would be.*

#### 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

Commissioner Harrison moved, seconded by Commissioner Orr, to approve Items 2-6 and Items 10-12 as presented on the Initial Consent Agenda. The motion carried by the following vote:

**Aye:** 7 - Harrison, Hathaway, Petersen, Orr, Franks, Lindsey, and Szilagyi

**Absent:** 2 - McLemore, and Allen

### SITE PLAN SURETIES

2. Alexander Plaza PUD Subdivision, site plan, (Kroger Site Renovations); release the maintenance agreement for drainage improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
3. Franklin First United Methodist Church PUD Subdivision, site plan, section 1; accept the drainage improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)  
**This Planning Item was approved.**
4. Lockwood Glen PUD Subdivision, site plan, section 10; extend the performance agreement for drainage improvements to August 27, 2020. (CONSENT AGENDA)  
**This Planning Item was approved.**
5. Rizer Point PUD Subdivision, site plan, section 1; extend the performance agreement for drainage improvements to August 27, 2020. (CONSENT AGENDA)  
**This Planning Item was approved.**
6. Village at West Main PUD Subdivision, site plan; accept the drainage and green infrastructure improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)  
**This Planning Item was approved.**

### REZONINGS AND DEVELOPMENT PLANS

7. PUBLIC HEARING: Consideration Of Ordinance 2019-27: An Ordinance To Rezone 38.66 Acres From Estate Residential (ER) District To Agricultural (AG) District For The Property Located North Of Old Charlotte Pike, East Of Future Mack Hatcher Parkway, And West Of Carlisle Lane. (FMPC 8/22/19 6-0, BOMA 9/10/19 8-0) SECOND OF THREE READINGS

Attachments: [ORD 2019-27 OLD CHARLOTTE COUNTY PROPERTIES with Map and Survey.Law Approved](#)  
[MAP RES 2019-27 County Properties RZ](#)  
[Boundary Survey ORD 2019-27](#)

*Chair Hathaway recused himself from Item 7.*

*The Chair was turned over to Vice-Chair Lindsey.*

*Ms. Amy Diaz-Barriga, Current Planning Supervisor, stated that Envision Franklin identifies this land in the Conservation Subdivision, which describes these area of the city as "having higher quantities of environmental resources in rural areas or along the periphery of the City that are desired to be preserved. Less dense development, planned with large, contiguous tracts of open space to be retained in perpetuity, is expected in these locations."*

*It is staff's understanding that the County wishes to use the site for their Animal Facility, a use permitted under the Agricultural Zoning District. The fact that it is an Institutional Use, and the low-scale use on such a large tract of land, supports the vision of the Conservation Subdivision Design Concept. The applicant is aware that should they wish to expand beyond the Animal Facility use, they will be required to file a rezoning to the Civic Institutional Zoning District and submit a PUD Development Plan.*

*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. Ryan McMaster, Kimbley-Horn. The Applicant stated he was there to represent the County and happy to answer any questions.*

*Vice-Chair Lindsey asked for a motion.*

*Commissioner Harrison moved, seconded by Commissioner Szilagyi, that Ordinance 2019-27 be recommended to the Board of Mayor and Aldermen for approval.*

*Vice-Chair Lindsey asked for any discussion on the motion.*

*Alderman Petersen asked if this would be part of Animal Control.*

*Mr. McMaster confirmed that it would, as they were planning a shelter.*

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

*The motion carried unanimously.*

Commissioner Harrison moved, seconded by Commissioner Szilagyi, that Ordinance 2019-27 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

**Aye:** 6 - Harrison, Petersen, Orr, Franks, Lindsey, and Szilagyi

**Absent:** 2 - McLemore, and Allen

**Recused:** 1 - Hathaway

8. PUBLIC HEARING: Consideration Of Ordinance 2019-29: An Ordinance To Rezone 6.22 Acres From Specific Development-Residential (SD-R) District To Specific Development-Residential 14.31 (SD-R 14.31) District For The Property Located North Of Mallory Station Road And East Of Sunrise Circle, At 200 Mallory Station Road (Oakbrook PUD Subdivision, previously noticed as Mallory Station PUD Subdivision). (FMPC 8/22/19 6-0, BOMA 9/10/19 8-0) SECOND OF THREE READINGS.

**Attachments:** [ORD 2019-29 Oakbrook PUD Rezone with Map and Survey.Law Approved 2](#)  
[MAP ORD 2019-29 Oakbrook PUD](#)  
[2019-08-01 Mallory Station Rezoing](#)

*Chair Hathaway recused himself from Item 8.*

*Mr. Joseph Bryan, Planner, stated that the applicant is requesting to rezone this property for the purpose of a new attached residential development. The Envision Franklin Land Use Plan places this parcel in the Multifamily Residential Design Concept. Envision Franklin states, "the multifamily residential design concept provides for a range of housing types that offer both for sale and for rent options across a range of price points." Staff finds the proposed rezoning to accommodate the planned multifamily development is appropriate. A development plan for the Oak Brook PUD Subdivision has been submitted concurrently with the rezoning.*

*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. Jose Kroight, Thompson Thrift Development. The Applicant stated he was there to answer any questions.*

*Vice-Chair Lindsey asked for a motion.*

*Commissioner Harrison moved, seconded by Commissioner Orr, that Ordinance 2019-29 be recommended to the Board of Mayor and Aldermen for approval.*

*Vice-Chair Lindsey asked for any discussion on the motion.*

*There being none, Vice-Chair Lindsey asked for a vote on the motion.*

*The motion carried unanimously.*

**Commissioner Harrison moved, seconded by Commissioner Orr, that Ordinance 2019-29 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:**

**Aye:** 6 - Harrison, Petersen, Orr, Franks, Lindsey, and Szilagyi

**Absent:** 2 - McLemore, and Allen

**Recused:** 1 - Hathaway

9. PUBLIC HEARING: Consideration Of Resolution 2019-77: A Resolution Approving A Development Plan For Oakbrook PUD Subdivision, For The Property Located North Of Mallory Station Road And East Of Sunrise Circle, At 200 Mallory Station Road (previously noticed as Mallory Station PUD Subdivision). (8/22/19 FMPC 6-0, 9/10/19 WS)

**Attachments:** [RES 2019-77 Oakbrook PUD with Map and Survey.Law Approved 2](#)  
[MAP ORD 2019-29 Oakbrook PUD](#)  
[7037 Mallory Station PUD DP Conditions of Approval 01a](#)  
[2019-08-01 Mallory Station Developemnet Plan submittal](#)  
[EMAIL CORRESPONDENCE ATTACHMENT 8.21.2019](#)  
[EMAIL CORRESPONDENCE ATTACHMENT Response to Adjoiners19-0819](#)

*Chair Hathaway recused himself from Item 9.*

*Mr. Bryan stated that the applicant has submitted a development plan for the property located north of Mallory Station and east of Sunrise Circle. The parcel currently has a single-family use. The Envision Franklin Land Use Plan places this property in the Multifamily Residential Design Concept. Envision Franklin states:*

*"The Multifamily Residential Design Concept provides for a range of housing types both for sale and for rent options across a range of price points.*

*Buildings should be sited or designed to create public spaces that are easily accessible from adjacent streets or sidewalks.*

*Dwellings within new developments should provide an appropriate mix of cohesive architectural styles and building materials that enhance the City's character. Architecture should contain a rich blending of designs that complement each other yet not be overly repetitive."*

*The applicant has proposed a townhome development consisting of 89 attached residential units and 7 open space lots. The plan largely meets the recommendations of Envision Franklin by creating formal public spaces with a variety of architectural styles. The overall layout maintains alley-loaded residences and establishes a vehicular connection to Avenida of Cool Springs.*

*Another main objective of the Multifamily Residential Design Concept is to maintain the context and established character of existing neighborhoods and surrounding areas through transitional features. The applicant has responded to this by limiting the height of adjacent structures to the Morningside Subdivision to two stories.*

*As a Project Consideration, the development plan has outstanding information on how the site will be served by sewer. City staff has had several discussions with the applicant on how best to achieve this, however no sewer plan was submitted with the development plan. The applicant will be required to comply staff's conditions of approval regarding the sewer plan that best serves the site.*

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

Vice-Chair Lindsey asked if there were any citizen comments.

The following citizens spoke concerning the proposed development plan:

1. Mr. Glen Stophel, 8079 Sunrise Circle, President of Board of Managers of the Home Owners Association of the Villages of Morningside. In Favor Of. He stated that there are 136 families at Morningside. Mr. Stophel stated that they supported the proposal as the least objectionable to those presented. He stated that the Developer (as stated in a letter from Mr. Greg Gamble dated August 19, 2019) will agree to additional commitments such as:

A. Unless prohibited by the City, Developer would open a construction entrance directly from Mallory Station Road, not through Sunrise Circle.

B. The Developer will include in it's lease agreements a statement to the Oak Brook tenants that states the Villages of Morningside is private property. It will also encourage the tenants to use the interior sidewalks of Oak Brook, discouraging the use of Morningside's sidewalks.

C. The Developer will provide the Board a copy of the lease agreement, including a copy of the restrictions and regulations.

D. The Developer will make clear to the tenants that the garages are for parking, not storage.

E. The Developer will provide landscaping in common areas.

Mr. Stophel stated that they will ask the City to place "No Parking" signs along Sunrise Circle, as the first building is an assisted care facility, where emergency vehicles are often needed.

He stated they appreciate the Developer working with them.

2. Mr. Arthur Young, 7034 Sunrise Circle, President of the Board of Managers for the Home Owners Association for Morningside II. In Favor Of. He stated that their concerns are the same as raised by Mr. Stophel. This includes traffic concerns, especially between 4-6 pm. He stated that they would like to have the striping (heading east) removed from Mallory Station Road. He stated that he concurs and supports what Mr. Stophel stated.

3. Mr. Art Reese, Morningside II. Mr. Reeves stated that there are 628 garages in Morningside and 270 new garages with Oak Brook. He stated this would cause congestion at access roads. He asked if Oak Brook could have their own access to Mallory Station Road.

The Applicant was represented by Mr. Jose Kroight, Thompson Thrift Development. The Applicant stated he stands behind the commitments stated by Mr. Stophel. He stated an additional commitment was to meet or exceed the requirements in place by Morningside. To Mr. Young's concern, he stated that this development will provide a connection from Sunrise Circle to a traffic light at General George Patton Drive. He stated that a traffic study showed that the proposed development would have a minor effect on traffic during peak hours. He stated that they did not expect to have many children in their development because it was geared toward executives and empty nesters. He stated he was there to answer any questions.

Vice-Chair Lindsey asked for a motion.

*Commissioner Franks moved, seconded by Commissioner Harrison, that Resolution 2019-77 be recommended to the Board of Mayor and Aldermen for approval.*

*Vice-Chair Lindsey asked for any discussion on the motion.*

*Commissioner Franks asked Mr. Jimmy Wiseman, Assistant Director of Engineering, if there was enough traffic to warrant a light at the entrance of Morningside at Mallory Station Road.*

*Mr. Wiseman stated they can conduct a traffic study. A concern is the proximity to the light at Franklin Road.*

*Commissioner Franks asked if the Morningside entrance was a "Right In/Right Out".*

*Mr. Wiseman stated that it was a full access entrance.*

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

*The motion carried unanimously.*

**Commissioner Franks moved, seconded by Commissioner Harrison, that Resolution 2019-77 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:**

**Aye:** 6 - Harrison, Petersen, Orr, Franks, Lindsey, and Szilagyi

**Absent:** 2 - McLemore, and Allen

**Recused:** 1 - Hathaway

#### **SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS**

- 10.** Berry Farms Town Center PUD Subdivision, Final Plat, Section 10, Revision 2, Resubdividing Lot 1001 Into Two Commercial Lots, On 40.41 Acres, Located At The Intersection Of Berry Farms Crossing And Rural Plains Circle. (CONSENT AGENDA)

**Attachments:** [7033 BFTC FP SEC 10 REV 2](#)  
[7030 BFTC Sec 10 Lot 1001 FP](#)  
[7030 PLAT Berry Farms - Section 10 Revision 2](#)

**This Planning Item was approved.**

- 11.** Berry Farms Town Center PUD Subdivision, Final Plat, Section 11, Creating Three Mixed-Use Lots, On 38.62 Acres, Located at Rural Plains Circle. (CONSENT AGENDA)

**Attachments:** [MAP 7033 BFTC FP Sec 11](#)  
[7033 BFTC PUD Sec 11 FP Conditions of Approval\\_01](#)  
[554919011\\_2019-08-01\\_Berry Farms - Section 11\\_Final Plat](#)

**This Planning Item was approved.**



12. Berry Farms Town Center PUD Subdivision, Final Plat, Section 11, Revision 1, Lot 1111, Creating Two Commercial Lots, On 7.29 Acres, Located At Rural Plains Circle. (CONSENT AGENDA)

Attachments: [MAP 7032 BFTC FP Sec 11 Rev 1 Lot 1111](#)  
[7032 BFTC PUD Sec 11 FP rev 1 Lot 1111 Conditions of Approval 01](#)  
[554919011\\_2019-08-01\\_Berry Farms - Section 11-Lot 1111\\_Final Plat](#)

This Planning Item was approved.

**PLANS OF SERVICES, ANNEXATIONS, AND ASSOCIATED ZONINGS**

13. PUBLIC HEARING: Consideration of Resolution 2019-74: A Resolution Adopting A Plan Of Services For The Annexation Of 4331 Long Lane, By The City Of Franklin, Tennessee. (8/22/19 FMPC 7-0, 9/10/19 WS)

Attachments: [RES 2019-74 4331 Long Lane PLAN OF SERVICES with Map.Law Approved MAP RES 2019 74 AND 75](#)

*Ms. Diaz-Barriga stated that Resolution 2019-74 is a City of Franklin drafted plan of services for the property being considered for annexation at 4331 Long Lane. The Plan of Services outlines how infrastructure will need to be provided to serve the property of approximately 58 acres.*

*Water is located within the Milcrofton Utility District. Water availability, adequate fire flow, and pressure must be approved prior to development. Reclaimed water will be required to be extended to serve the properties. The property is within the Goose Creek Sewer Basin. Development will be required to extend sewer mains as part of any development. Access to the property shall be provided from Long Lane. Per the Comprehensive Transportation Plan, Goose Creek Bypass extends through this parcel. During the development process, the City will work with the owner to facilitate the appropriate right-of-way for this extension. No additional manpower or equipment will be necessary for either Fire or Police Protection. Development should comply with the Regional Commerce Design Concept and its transitional elements as outlined in Envision Franklin.*

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

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

*The Applicant was represented by Mr. Greg Gamble, Gamble Design. He stated that they were asking for annexation now because other properties were considering annexation in the future. He stated that they did not want a "hole" in the big picture, so they were requesting Estate Residential Zoning. The Applicant stated he was there to answer any questions.*

*Chair Hathaway asked for a motion.*

*Commissioner Harrison moved, seconded by Commissioner Orr, that Resolution 2019-74 be recommended to the Board of Mayor and Aldermen for approval.*

*Chair Hathaway asked for any discussion on the motion.*

*Alderman Petersen asked if this was in an area where the properties located in the County would be surrounded by properties in the City.*

*Ms. Diaz-Barriga stated there would be four properties, which are still in the County, between the Agricultural Center to the west and this property.*

*Chair Hathaway asked for a vote on the motion.*

*The motion carried unanimously.*

**Commissioner Harrison moved, seconded by Commissioner Orr, that Resolution 2019-74 be recommended to the Board of Mayor and Aldermen for approval. The**

**motion carried by the following vote:**

**Aye:** 7 - Harrison, Hathaway, Petersen, Orr, Franks, Lindsey, and Szilagyi

**Absent:** 2 - McLemore, and Allen

- 14.** PUBLIC HEARING: Consideration of Resolution 2019-75: A Resolution To Annex Property At 4331 Long Lane, Consisting Of 58 Acres, Property Located South Of Long Lane And North Of Peytonsville Road And Adjoining The City Limits Within The Southeast Part Of The Franklin Urban Growth Boundary (UGB). (8/22/19 FMPC 7-0, 9/10/19 BOMA 8-0) SECOND OF THREE READINGS.

**Attachments:** [RES 2019-75 4311 Long Lane ANNEXATION\\_with Map.Law Approved](#)  
[MAP RES 2019 74 AND 75](#)  
[Annexation Request 19-03-06](#)

*Ms. Diaz-Barriga stated that the site proposed to be annexed is approximately 58 acres and adjacent to the City of Franklin's southeastern boundary. The property is South of Long Lane and East of Interstate 65. The property is within the City's Urban Growth Boundary (UGB) and located in Envision Franklin's Regional Commerce Design Concept. A separate Plan of Services and Zoning request accompany this annexation request. As the Applicant stated with the previous parcel, there is no Development Plan associated with this parcel at this time.*

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

*Chair Hathaway asked if there were any citizen comments.*

*Jana Truman, representing Keith and Rita Hammick (the owners of 4325 Long Lane) - In Favor Of. Owners intend to apply for annexation, as well.*

*Chair Hathaway asked for a motion.*

*Commissioner Franks moved, seconded by Commissioner Harrison, that Resolution 2019-75 be recommended to the Board of Mayor and Aldermen for approval.*

*Chair Hathaway asked for any discussion on the motion.*

*There being none, Chair Hathaway asked for a vote on the motion.*

*The motion carried unanimously.*

**Commissioner Franks moved, seconded by Commissioner Harrison, that Resolution 2019-75 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:**

**Aye:** 7 - Harrison, Hathaway, Petersen, Orr, Franks, Lindsey, and Szilagyi

**Absent:** 2 - McLemore, and Allen

15. PUBLIC HEARING: Consideration Of Ordinance 2019-28: An Ordinance To Zone 58 Acres Estate Residential (ER) District, Hillside/Hillcrest Overlay (HHO) District, Goose Creek Character Overlay 4d (GCCO 4d) District, "Either" Development Standards, For The Property Located South Of Long Lane And North Of Peytonsville Road, 4331 Long Lane. (8/22/19 FMPC 7-0, 9/10/19 BOMA 8-0) SECOND OF THREE READINGS.

Attachments: [ORD 2019-28 ZONING 4331 Long Lane with Map.Law Approved](#)  
[MAP ORD 2019-28 ZONE](#)

*Ms. Diaz-Barriga stated that this parcel is identified in Envision Franklin as part of the Regional Commerce Design Concept. Although Regional Commerce proposes a higher intensity of uses than what is permitted in the Estate Residential Zoning District, staff feels that this Zoning request is appropriate given the current use of the property. As there has been no PUD development plan submitted at this time, staff feels it is appropriate to zone annexed parcels as close to their current entitlements of the County zoning as possible. The current zoning within the County is Municipal Growth Area-1 (MGA-1). MGA-1 allows for agricultural, rural, and low-density residential development. In comparison, Estate Residential provides for very low density detached residential development on large lots. Further, zoning this property is consistent with the zoning proposed for the 26 parcels within the vicinity of this property currently proposed for annexation by referendum.*

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

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

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

*Chair Hathaway asked for a motion.*

*Commissioner Orr moved, seconded by Commissioner Harrison, that Ordinance 2019-28 be recommended to the Board of Mayor and Aldermen for approval.*

*Chair Hathaway asked for any discussion on the motion.*

*There being none, Chair Hathaway asked for a vote on the motion.*

*The motion carried unanimously.*

**Commissioner Orr moved, seconded by Commissioner Harrison, that Ordinance 2019-28 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:**

**Aye:** 7 - Harrison, Hathaway, Petersen, Orr, Franks, Lindsey, and Szilagyi

**Absent:** 2 - McLemore, and Allen

16. PUBLIC HEARING: Consideration Of Resolution 2019-78: A Resolution Adopting A Plan Of Services For The Annexation Of Several Properties, Located South Of Long Lane, East Of Interstate 65, Outside Of The Southeastern Part Of The Franklin Urban Growth Boundary (UGB), By The City Of Franklin, Tennessee. (8/22/19 FMPC 7-0, 9/10/19 WS)

**Attachments:** [RES 2019-78 PLAN OF SERVICES SE PROPERTIES with Exhibits.Law Approved 2](#)  
[RES 2019-78 PLAN OF SERVICES SE PROPERTIES with Exhibits.Law Approved](#)  
[RES 2019-78 MAP PLAN OF SERVICES](#)  
[Annexation Request 19-05-23](#)  
[24 Signed Affidavits 5-24-19](#)  
[owner affidavit 2 parcels](#)  
[owner affidavit parcel 133 01802](#)

*Ms. Emily Hunter stated that the City has received annexation requests for 26 properties in the Goose Creek Basin that are located outside the Franklin Urban Growth Boundary (UGB). In order for these properties to be annexed, a referendum amongst the owners of the properties to be annexed must be held. The referendum was discussed at the June 11, 2019 and August 14, 2019, BOMA Work Session, but no action to hold the referendum was taken. The Board of Mayor and Aldermen (BOMA) will vote on August 27, 2019 at a public hearing on whether to request a referendum for annexation of the 26 properties. Should the referendum occur, the election is proposed to be held on October 22, 2019 in conjunction with the City of Franklin Municipal Elections. In order to have the referendum in this timeline, if BOMA decides to move forward, we do need the Plan of Services (POS) and Zoning moving forward to line up at those Board meetings because they require some additional readings. She stated that they are requesting that the Planning Commission recommend Approval or Disapproval of this item and the next item on tonight's agenda, so these items can get in front of the Board of Mayor and Aldermen.*

*Resolution 2019-78 is a City of Franklin drafted plan of services for the 26 properties being considered as part of the proposed referendum for annexation. The Plan of Services outlines how infrastructure will need to be provided to serve the 26 properties of approximately 474 acres, should the BOMA decide to hold a referendum and should the referendum pass.*

*In terms of the Plan of Services, water is located within the Milcrofton Utility District. Water availability, adequate fire flow and pressure must be approved prior to development on any of the parcels. The extension of reclaimed water infrastructure will be required to be extended to serve any property pending jurisdiction of this area for reclaimed water.*

*The property is within the Goose Creek and Mayes Creek Sewer Basins. The owner of each property shall be required to extend the sanitary sewer mains and interceptors necessary to provide service to the property. These mains and interceptors shall be sized according to the expected demands of development in these basins as determined by a sanitary sewer study.*

*Access to the property shall be provided from various existing roadways within the region. As properties develop, road improvements and road extensions shall be required in accordance with Connect Franklin. No additional manpower or equipment will be*

*necessary for either Fire or Police Protection.*

*Since these parcels lie outside of the UGB, the Planning Commission will need to amend Envision Franklin to include these parcels in the document, including assigning them appropriate Design Concepts, after annexation.*

*Ms. Hunter stated this process was different from the normal process. She was happy to take any questions.*

*Staff recommended a favorable recommendation to the Board of Mayor and Aldermen with a condition. The condition would state that an inter-local agreement with Williamson County regarding the maintenance of roads and bridges in the area be drafted.*

*Chair Hathaway asked if there were any citizen comments.*

*The following citizens spoke concerning Item 16:*

*1. Ms. Pat Kemp, 4556 Pratt Lane - Ms. Kemp stated she wants her property (52 acres) and her son's property (16 acres) to remain zoned Agricultural. She stated that both she and her son do not want their property to be annexed into the City of Franklin. She asked how annexation would affect her taxes.*

*Ms. Hunter stated that the City could only move forward with annexation if there was a property owner request. She confirmed that Ms. Kemp did not submit a request, and therefore her property could not be annexed at the current time.*

*2. Ms. Beth Lincoln, 4498 Pratt Lane - Ms. Lincoln stated that she did not want her property (38 acres) to be annexed at this time. She stated that her concern was that the bridge could not handle the weight limits for construction access (Ramsey Solutions built an access road instead of using the bridge). Also, she had concerns about traffic on Pratt Lane. She stated the road was narrow and did not have a shoulder.*

*The Applicant was represented by Mr. Greg Gamble, Gamble Design. The Applicant stated that he had consolidated the Owner Affidavits for the 26 properties. The timing of this annexation is because this is an election year. The properties must have a referendum to be annexed into the City's Urban Growth Boundary (UGB). The election will be held on October 22, 2019. He stated there are no Development Plans for the properties at this time. He stated these properties to the south were in a sewer basin that would gravity flow to two points in Berry Farms. He stated that no pump stations would be needed for the properties to the south. Mr. Gamble stated that the northern properties were in a sewer basin that would flow to the northern area of Berry Farms. He stated that these northern properties would allow for the extension of Carothers Parkway to the south and Goose Creek By-Pass to the east, allowing access to the interstate. He stated that by annexing these properties would allow the City's Engineering and Planning Departments to study these options. He stated that a development plan was not submitted because several layers of Planning would need to take place first. He stated he was there to answer any questions.*

*Chair Hathaway asked for a motion.*

*Commissioner Lindsey moved, seconded by Commissioner Harrison, that Resolution 2019-78 be recommended to the Board of Mayor and Aldermen for approval.*

*Chair Hathaway asked for any discussion on the motion.*

*Commissioner Szilagyi asked Staff how the Urban Growth Boundary was originally put together.*

*Ms. Hunter stated that it was part of a large County growth planning process. She stated that a Convening Committee has to come together. She stated that the last time the committee met was approximately twenty years ago. The State of Tennessee adopted a law that all counties would have a county growth plan. The Convening Committee was composed of representatives from the municipalities and County representatives and lines were drawn on the map. She stated that, logically, the boundary lines would follow a drainage basin. She stated there are some political areas where the boundaries were drawn because the property owners did not want to be in a municipality's Urban Growth Boundary (UGB). She referred to the map, stating that the curved linear lines refer to the drainage basins. She stated that the straighter parcel lines in the Goose Creek area follow political lines where the decision was made to exclude properties in the drainage basin.*

*Ms. Hunter stated that there was another option to first change the Urban Growth Boundary. This would mean reconvening the Convening Committee. However, since this would require so many participants, this is not a possibility for the foreseeable future. So, the property owners had decided to request the referendum process for annexation.*

*Commissioner Szilagyi asked if the County had recourse for the referendum.*

*Ms. Hunter stated that, by the way the state law is written, the County does not vote on the annexation. The law states that only the city being petitioned for annexation would request the referendum be held to the County Election Commission. When the referendum is held, it is the property owners requesting annexation who would vote in the referendum.*

*Ms. Hunter stated that if the Planning Commission recommends approval of this item to the Board of Mayor and Aldermen, she would request that they add the condition that an inter-local agreement with Williamson County regarding the maintenance of roads and bridges in the area be drafted.*

*Commissioner Lindsey moved, seconded by Commissioner Harrison, to amend the main motion to include a condition that an inter-local agreement with Williamson County regarding the maintenance of roads and bridges in the area be drafted.*

*Chair Hathaway asked for any discussion on the motion to amend the main motion.*

*Commissioner Franks asked if this could create a stalemate between the County and the City.*

*Ms. Hunter stated that there was potential for a stalemate if people in the County and their elected body did not agree with the decision. She stated that the decision to hold the referendum had not been made at this point. The decision would be decided on how to move forward with the referendum request at the Board of Mayor and Aldermen meeting on August 27, 2019 at 7 pm.*

*Commissioner Franks stated that he supported the annexation. He asked if it would be better not to add the amendment at this time.*

*Ms. Hunter stated that state law requires the inter-local agreement be drafted. She stated they would work with the County on this prior to any referendum being held.*

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

*The motion to amend the main motion passed unanimously.*

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

*The motion carried unanimously.*

**Commissioner Lindsey moved, seconded by Commissioner Harrison, that Resolution 2019-78 be recommended to the Board of Mayor and Aldermen for approval. Commissioner Lindsey moved, seconded by Commissioner Harrison, to amend the main motion to include a condition that an inter-local agreement with Williamson County regarding the maintenance of roads and bridges in the area be drafted (7-0). The main motion, as amended, carried by the following vote:**

**Aye:** 7 - Harrison, Hathaway, Petersen, Orr, Franks, Lindsey, and Szilagyi

**Absent:** 2 - McLemore, and Allen



17. PUBLIC HEARING: Consideration Of Ordinance 2019-30: An Ordinance To Zone 474 Acres Estate Residential (ER) District, For The Property Located South Of Long Lane And East Of Interstate 65. (8/22/19 FMPC 7-0, 9/10/19 BOMA 8-0) SECOND OF THREE READINGS.

**Attachments:** [ORD 2019-30 Ordinance to Zone Annexed Area with exhibits.Law](#)  
[Approved](#)  
[ORD 2019-30 MAP Exhibit A](#)  
[Annexation Request 19-05-23](#)  
[24 Signed Affidavits 5-24-19](#)  
[owner affidavit 2 parcels](#)  
[owner affidavit parcel 133 01802](#)

*Ms. Hunter stated that this is the zoning associated with the 26 properties requesting annexation.*

*Ordinance 2019-30 would zone the 26 properties being considered as part of the proposed referendum for annexation, Resolution 2019-72, to Estate Residential (ER), should the BOMA decide to hold a referendum and should the referendum pass.*

*Ms. Hunter stated, as described with 4331 Long Lane which was discussed earlier, the Estate Residential (ER) zoning is found to be most comparable with the current County zoning. Staff feels this is the most appropriate route considering there is no development proposed at this time.*

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

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

*Chair Hathaway asked for a motion.*

*Commissioner Orr moved, seconded by Commissioner Harrison, that Ordinance 2019-30 be recommended to the Board of Mayor and Aldermen for approval.*

*Chair Hathaway asked for any discussion on the motion.*

*There being none, Chair Hathaway asked for a vote on the motion.*

*The motion carried unanimously.*

**Commissioner Orr moved, seconded by Commissioner Harrison, that Ordinance 2019-30 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:**

**Aye:** 7 - Harrison, Hathaway, Petersen, Orr, Franks, Lindsey, and Szilagyi

**Absent:** 2 - McLemore, and Allen

**NON-AGENDA ITEMS**

*Chair Hathaway asked if there were any other non-agenda 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 7:53 p.m.*

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*Chair, Mike Hathaway*