



City of Franklin

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Franklin, TN 37064
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Meeting Minutes - Final

Franklin Municipal Planning Commission

Thursday, September 22, 2016

7:00 PM

Board Room

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

CALL TO ORDER

MINUTES

1. [16-0812](#) August 25, 2016 FMPC minutes

Attachments: [FINAL REVISED 8-25-16 FMPC Minutes](#)
[Comments from Facebook - Michael Phillips - 9-22-16](#)
[Deferred Meeting Minutes 25-Aug-2016](#)

Commissioner Petersen moved, seconded by Commissioner Harrison to defer the approval of the August 25, 2016, Minutes as amended to the October 27, 2016, meeting. The motion carried by the following vote:

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

Chairing: 0

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

ANNOUNCEMENTS

Ms. Diaz-Barriga stated that Envision Franklin would have its public meeting on Monday, September 26, from 4:30 to 7:30 p.m., in City Hall, and also on Tuesday, September 27, from 7:30 to 9:30 a.m., at Columbia State. The public is invited to come out and learn about Envision Franklin.

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 McLemore, to approve items 2-4, items 15-17, and items 19-21 on the Consent Agenda. The motion carried by the following vote:

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

Chairing: 0

Approval of the Consent Agenda

A motion was made by Commissioner Allen, seconded by Commissioner McLemore, to approve item 14 on the Consent Agenda. The motion carried by the following vote:

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

Recused: 1 - Commissioner Gregory

Chairing: 0

SITE PLAN SURETIES

2. [16-0806](#) Herbert Properties Subdivision, site plan, lots 2 and 3 (McDonalds Parking Addition); release the maintenance agreement for drainage improvements. (CONSENT AGENDA)
This Planning Item was approved.
3. [16-0807](#) Rizer Point PUD Subdivision, site plan, section 1; release the maintenance agreement for sewer improvements. (CONSENT AGENDA)
This Planning Item was approved.
4. [16-0808](#) Tywater Crossing PUD Subdivision, site plan, section 1; release the maintenance agreement for streets improvements. (CONSENT AGENDA)
This Planning Item was approved.

REZONINGS AND DEVELOPMENT PLANS

5. [16-0692](#) PUBLIC HEARING: Consideration of Resolution 2016-40/Ordinance 2016-27, To Be Entitled, "A Resolution And Ordinance To Annex Property, Consisting Of 204.081 Acres, Property Located South Of Murfreesboro Road And North Of South Carothers Road And Adjoining The City Limits Within The East Part Of The Franklin Urban Growth Boundary (UGB)." [ASHCROFT] (09-22-16 FMPC 7-2 to approve; 10/11/16 WS; 10/25/16 1st Reading BOMA 8-0) SECOND OF THREE READINGS

Attachments: [Res 2016-40 and Ord 2016-27 Ashcroft Valley to annex with Map.Law Approved.pdf](#)
[MAP AshcroftValley Annexation.pdf](#)
[Susan and Brian Caplen letter - 9-15-16](#)

Mr. King stated that Resolution 2016-40/Ordinance 2016-27 was the document required to annex the 204.081 acres of property associated with the proposed Ashcroft Valley Planned Unit Development (PUD) Subdivision. The property is adjacent to the current City of Franklin Municipal limits and within the City's established Urban Growth Boundary (UGB). A development plan and rezoning accompany this Resolution/Ordinance. Approval of Resolution 2016-40/Ordinance 2016-27 is recommended to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments. He stated that he would start with some ground rules for the individuals who would be speaking so that everyone could hear. The comments should be limited to two minutes each, individuals should not continue to keep repeating anything that had already been stated.

Chair Hathaway stated that because these items were integrated, the applicant should speak to the full project on the first item so that the Planning Commission was aware of everything that was being considered.

The citizens would have an opportunity to speak on each of the items that related to the property, but if they did speak on the first item and there were other items to consider, citizens would not have to come back each time and repeat what had previously been stated because the Planning Commission would understand what had already been stated.

No citizens came forward to speak.

Mr. Greg Gamble, of Gamble Collaborative Design, stated that he represented Resolution 2016-40/Ordinance 2016-27. He had brought a master plan board of the development plan proposal, and anyone who wanted speak about the development and wanted to refer to a particular place on the map could certainly be shown. This property is currently 208 acres and zoned NGA1, which is one unit per acre in Williamson County. Annexation was being requested because in the City of Franklin through the Development Plan process, the applicant was able to design a more site-specific, site-sensitive development plan that would be respectful of the land and also respectful of the neighbors. He requested approval of Resolution 2016-40/Ordinance 2016-27 to the Board of Mayor and Aldermen.

Alderman Petersen stated that the City really needed to look at situations where there might be doughnut holes, and this might be getting awfully close to having City property surround some county property.

Commissioner Harrison moved, seconded by Commissioner Orr that Resolution 2016-40/Ordinance 2016-27 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

Aye: 7 - Commissioner Harrison, Commissioner Petersen, Commissioner Franks, Commissioner Gregory, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

No: 2 - Commissioner McLemore, and Commissioner Allen

Chairing: 0

6. [16-0693](#) Consideration Of Resolution 2016-41, To Be Entitled: "A Resolution Adopting A Plan Of Services For The Annexation Of Property Located South Of Murfreesboro Road And North Of South Carothers Road And Adjoining The City Limits Within The East Part Of The Franklin Urban Growth Boundary (UGB), By The City Of Franklin, Tennessee."; (09-22-16 FMPC 7-2 to approve; 10/11/16 WS)

Attachments: [AshcroftValleyPOS.pdf](#)
[RES 2016-41 Final_AshcroftValley_PlanofService_Law Approved.pdf](#)
[Susan and Brian Caplen letter - 9-15-16](#)

Mr. King stated that Resolution 2016-41 was a City of Franklin drafted plan of services for the annexed properties being considered as part of the Ashcroft Valley Development Plan. The Plan of Service outlines how infrastructure will be extended to serve the proposed annexed properties as well as provide for the safety of residents for the newly annexed properties. This plan of service includes 342 single family detached units of a total 383 single family units. A total of 41 units are proposed on lands currently in the City limits. Approval of Resolution 2016-41 is recommended to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments. There were none.

Mr. Greg Gamble, of Gamble Collaborative Design, stated that he represented Resolution 2016-41 and requested approval to the Board of Mayor and Aldermen.

Alderman Petersen stated that as part of this Plan of Services, it says that "Access to the property shall be provided from Ridgeway Drive and South Carothers Road." Later on there will be some other possibilities.

Commissioner Harrison moved, seconded by Commissioner Orr that Resolution 2016-41 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

Aye: 7 - Commissioner Harrison, Commissioner Petersen, Commissioner Franks, Commissioner Gregory, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

No: 2 - Commissioner McLemore, and Commissioner Allen

Chairing: 0

7. [16-0691](#) PUBLIC HEARING: Consideration Of Ordinance 2016-28, To Be Entitled, "An Ordinance To Rezone 22.068 Acres From Detached Residential 1 District (R-1) To Specific Development - Residential District (SD-R 1.70), And Zone 204.081 Acres Specific Development - Residential District (SD-R 1.70), McEwen Character Area Overlay District (MECO-6), Seward Hall Character Area Overlay District (SWCO-3), And Designate As Conventional Area Standards, For The Property Located South Of Murfreesboro Road And North Of South Carothers Road."; [ASHCROFT] (09-22-16 FMPC 6-3 to approve; 10/11/16 WS; 1st BOMA Reading 10-25-16 8-0) SECOND OF THREE READINGS

Attachments: [AshcroftRezoning.pdf](#)
[Ord2016-28 AshcroftZone_rezone_with Map_Law Approved 2](#)
[Public Notice.pdf](#)
[Ashcroft Valley Rez Req Set 9.1.2016](#)
[Susan and Brian Caplen letter - 9-15-16](#)

Mr. King stated that Ordinance 2016-28 proposed zoning of Specific Density Residential (SD-R 1.70) and was consistent with the adjacent and nearby developments located within the City of Franklin. The proposed density is 1.7 dwelling units per acre. Approval of Ordinance 2016-28 is recommended to the Board of Mayor and Aldermen

Chair Hathaway asked for citizen comments.

Mr. Wade Willis, of 2001 Beacon Hill Drive, stated that his only concern was that his family lived where they live because of the environment that they have, the space that they have, and he did not know why exceptions would start to be made to change the density just because a plot of land lays out as it does. He opposition was to the way that the applicant was proposing to increase the density.

Mr. Troy Mizell, of 4113 Murfreesboro Road, stated that he wanted to discuss the density of this plot. There were 8 zones to it. Fourteen1 acre is one, 49 homes, 20 acres - 80 homes, 7.5 acres - 38 homes, 9.8 acres - 33 homes, 16.9 acres - 67 homes, 12.4 acres - 37 homes, 5.8 acres - 48 homes, 10.1 acres - 22 homes. That comes out to an average, when building on this land, of .27 acres per house. That come out to almost 4 houses per acre. He understood that the Planning Commission looked at the ordinances and calculated them a different way, but this proposed subdivision of 169 acres, referred to as the Adams tract, has its own ordinance of one to five acres per tract. This proposal will leave his community with an average of almost 4 homes per acre that are actually built on. When the density calculation is convoluted with the inclusions of streets, cul-de-sacs, parking lots, parks, green space, non-visible areas, alleys, buffers, and streams, the density is officially 1.6 or 1.7 as the applicant just stated. This density will not only diminish the current charm that is enjoyed today but will have a negative impact on traffic congestion. The total acreage of this subdivision will not reduce the negative impacts on his community.

Mr. Patrick Coghlan, of 4259 Warren Road, stated that he was one of the two properties that was being affected by this access, as being under consideration, that had a requested modification of standards. When this item was originally proposed, there were about 20 individuals or so, who came out to explain it to Mr. Coghlan and his spouse. It

was supposed to have been a single-lane, gated, emergency access road, and that was how it was supposed to have been. During that meeting, it slipped that the road was probably going to be opened up and made a pedestrian road in the future. That was the second lie. The third lie was that it would be a three to one drop in the road, so it turned out that they were going to put up a 40-foot wall. Mr. Coghlan just spent \$20,000 to get his property excavated again. The water flood off of the hill is tremendous. He has five gulleys behind his house that are, at least, 12 to 15 feet wide and 18 feet deep. That is how much water that flows down the hill, and it has been there for a long, long time. He is trying to get the water to go around his house and out to the side. If the road is put through, it will go back to where he was where the water will start undercutting into his driveway and towards his foundation. He was a little upset and did not understand why the road has to be in the proposal. The original theme was that they had to have a third access. They had the third access, and he wondered why they had to come over onto Warren Road again. Finally, he stated that the following comment appeared under the specification/modification, "The people of Warren Road in the county were acceptable for this." That was another big lie. When he went to the meeting at the county for a road proposal, no one was in favor of this. He did not know how these items got to the Planning Commission and why they were said, but it seemed to him he was always hearing something different. He thought this was denied at the last Board of Mayor and Aldermen meeting.

Commissioner Orr asked Mr. Coghlan to point on the master plan board of the development plan proposal where the road was going, and Mr. Coghlan did this.

Mr. Claudio Romeo, of 4257 Warren Road, stated that this was the worst place to put a road because it was a blind curve that goes up and down. One big issue that no one had addressed was the school. His children attended Trinity, and it was literally at capacity. He told the principal about the future development, and the principal stated that they did not know where they would put the students. Page School is in trailers. He asked if anyone had addressed that situation, and staff will be discussing it more on the next item.

Ms. Diaz-Barriga stated that she wanted to clarify something regarding Mr. Coghlan's comments regarding the road. The Warren Road connection was a specific modification of standards' request, which would be voted on during the next item.

Ms. Jan Sylvis, of 1191 Cross Creek Drive, stated that she wanted to emphasize the one point of the fiscal reality that is pressing upon all governments. She had spent her entire career in governmental accounting at the state level. There were some large liabilities that would start to be booked and state and local government financial statements related to pensions and health benefits for retirees. She thought these burdens would be bigger than people thought they would be because they would be calculated in a much more straightforward way than they had in the past. She also wanted to reiterate that the density of these subdivisions would put a lot of pressure on the educational system. She cautioned everyone to look at the cost of education, not just building the buildings but hiring the teachers, then funding their pensions and health benefits.

Mr. Vail Johnson, of 204 Vantage Way, stated that he wanted to clarify and elaborate a little on the blind curve. He referred to South Carothers and stated that the curve did not look like anything in two-dimensions, but coming up to the intersection was a steep hill, and nothing could be seen past the crest of the road. The new access road could not be seen until one was at the crest of the road, and then it dives down with a quick turn to the right. Without a traffic light, it would be a disaster, and with a traffic light one could

imagine the traffic backups. He drives the road quite often, and it is extremely dangerous.

This ended citizen comments.

Mr. Greg Gamble, of Gamble Collaborative Design, stated that he represented Ordinance 2016-28. He had put together some 8.5" x 11" booklets, which he distributed to the Planning Commissioners. This was not new information, but it just referenced some points that he would like to make. He stated that once the Planning Commissioners were three pages into the booklets, they would notice a highlighted, enlarged northern section. This section was 70 acres with 70 single family, detached homes. They were proposing that this section be a gated community, and there was no access proposed from Beacon Hill Drive, according to the plan. He described the development to the north and stated that it would have a 75-foot landscape buffer, and they planned to replant, revegetate, and reforest that 75-foot landscape buffer. To the south, they would have an emergency connection. This would be a 12-foot wide pedestrian asphalt path that would allow for emergency vehicles to travel north and south if that need ever occurred. All walking trails, emergency paths, etc., will be maintained by a homeowners association (HOA). He referred to the development plan proposal and stated that there was a north-south road, connecting to Stanford Drive. The neighbor, whose property this is adjacent to, has expressed concern that if the road was built today who would make sure that individuals who do not need to be back there are not back there. He requested postponing the construction of this road for a future time. They will dedicate the right of way. The reason the road was being proposed on this plan was to give access to two properties that front currently onto Murfreesboro Road. Neither the City or the state will allow a driveway off of Murfreesboro Road for those two properties, so Ashcroft Valley is providing them an access; however, if the length of the road is built today it will be difficult for people to monitor what happens at the end of the road.

Mr. Gamble stated that the next page of the development plan proposal, it highlighted the southern portion of the property. During the Neighborhood Meeting and Workshop, on the presentation of this plan, someone expressed some concern about what the developer was doing at the end of Upland Drive. A cul-de-sac and six lots had been there, but had since been removed. They were now proposing one 3.25 acre single family detached lot. It is currently not planned to be a part of the Ashcroft HOA. It would be a stand alone single family house. They were not proposing a connection to Biltmore Court, they were not proposing a connection to Cross Creek Drive. They were proposing three connections to South Carothers Parkway, one through Meandering Way and two points of connection across from Lockwood Glen.

Last Month, this item was deferred to spend more time with the Engineering staff about the connection to Cross Creek at the curve. There was some concern there about sight line and travel, and the City Engineers were concerned that there would be more left turns than straights or right turns so the curve needed to be kept the way that it is but design it slightly, so they will be engineering that for safer traffic movement. They have located the sight point where it has clear visibility along the road. It is very important, and that is what they have been working on with staff over the past few weeks. They are proposing a future connection point to the south that aligns with Simmons Ridge and the proposed drive in Simmons Ridge so that there would be a future connection to City streets. There were not proposing a connection to Warren Road in this location. It was pointed out that the existing grade in that location was 22 percent slope. They would have to build two 15-foot retaining walls in the neighbors' side yards in order to accommodate that slope. They believe there are other places along Warren Road that would work with the

topography a lot better than that location, if a connection were to be made.

The Traffic Study Improvements required that the applicant provide a right turn lane from Ridgeway Drive onto Murfreesboro Road. The Traffic Improvement Study says that they need to provide a right turn lane from Murfreesboro Road onto Ridgeway Drive. Both of those allow for better traffic movements at that intersection. The Traffic Study stated that adequate turn lanes needed to be added along Carothers Road and Carothers Parkway. Those turn lanes were provided by the City of Franklin when Carothers Parkway was constructed, and those are adequate for this development, as well, without change. Carothers Road to the south will be improved by adding curb and gutter along the entire length of the property.

Mr. Gamble stated that this was not necessarily a City of Franklin issue but was in reference to a letter the applicant had mailed to five neighbors who were located along Ridgeway Drive, just to the south of October Park. There were some concerns expressed in the Neighborhood Meeting that by adding more traffic onto Ridgeway Drive, a sidewalk might need to be built. The applicant is committing to build the sidewalk if these neighbors want this sidewalk, and the sidewalk could be maintained by the HOA of Ashcroft Valley, but it would not be located within Williamson County's right of way. It has to be located on their property line, so if they want the sidewalk the applicant is willing to build.

Mr. Gamble stated that they were asking for six modifications of standards.

Modification of Standards 1 - Chapter three of the Zoning Ordinance states that, "New development shall be restricted to detached residential dwellings on lot area of one to five acres." This is an area that has been predominantly developed with lots that have septic tanks. Septic tank lots are required to have a one acre area in Williamson County, and modification of standards 6 is added in this same chapter. It states, "Smaller lots shall not be located on the exterior of new development adjacent to or across from larger lots of an existing development; however, smaller lots may be allowed if an applicant can demonstrate that a sufficient buffer will be provided between two developments, or another method of mitigating potential conflicts will be provided, such alternatives shall require approval during the development plan approval process."

He showed and discussed the development plan proposal map for Ashcroft Valley.

He discussed the 5 other modifications of standards and stated that there were five other connection points of which they had chosen not to connect. Each of these roads were Williamson County roads and did not have curb and gutter.

Ms. Diaz-Barriga apologized for interrupting Mr. Gamble but told him that the 6 modifications of standards, to which he referred, would be voted on during the next item number 8.

Mr. Gamble requested approval to the Board of Mayor and Aldermen of Ordinance 2016-28.

Commissioner Harrison moved, seconded by Commissioner Orr that Ordinance 2016-28 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

Aye: 6 - Commissioner Harrison, Commissioner Franks, Commissioner Gregory, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

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

Chairing: 0

8. [15-1094](#) Consideration Of Resolution 2016-42, To Be Entitled: "A Resolution Approving A Development Plan For Ashcroft Valley PUD Subdivision With 6 Modifications Of Development Standards (Character Area Lot Size, Warren Road Connection, Beacon Hill Drive Street Connection, Internal Street Connection, Cross Creek Drive Street Connection, And Biltmore Court Street Connection, For The Property Located South Of Murfreesboro Road And North Of South Carothers Drive." Establishing a Public Hearing for November 22, 2016. (09-22-16 FMPC 6-3; 10/11/16 WS)

Attachments: [15-1094 Connectivity Presentation - Ashcroft Valley.pdf](#)

[AshcroftValleyDevPlan.pdf](#)

[Res2016-42 AshcroftValleyDevPlan_with Map_Law Approved 2..pdf](#)

[AshcroftValley_Conditions of Approval_01.pdf](#)

[AshcroftLayout.pdf](#)

[AShcroftElevations.pdf](#)

[Full_PlanSet_Ashcroft Valley Dev Plan Set Resubmittal 9.1.2016.pdf](#)

[TIA_Ashcroft\(9.1.16\).pdf](#)

[Ashcroft Valley Public Notice Affidavit 8.9.2016.pdf](#)

[AshcroftValleyMOSMap.pdf](#)

[Susan and Brian Caplen letter - 9-15-16](#)

[citizen comment letter](#)

[Connectivity Presentation - Ashcroft Valley](#)

Mr. King stated that Resolution 2016-42 was for the Ashcroft Valley PUD Subdivision. The staff report contains the relevant language from the Land Use Plan and Zoning Ordinance. The plan is in conformity with the Land Use Plan except for the Modification of Standards (MOS) below.

Approval of Resolution 2016-42 with conditions was recommended to the Board of Mayor and Aldermen.

Chair Hathaway stated that this would be the Development Plan for the Ashcroft Valley PUD Subdivision, and the Planning Commission would be making a recommendation to the Board of Mayor and Aldermen. He asked for citizen comments.

Mr. Greg Gamble of Gamble Collaborative Design, stated that he represented Resolution 2016-42 and requested approval to the Board of Mayor and Aldermen.

Mr. Brooks Hodges, of 1175 Cross Creek Drive, distributed presentations to the Planning Commission. He stated that his comments would be limited to discussing the current and proposed un-signalized intersections in his neighborhoods and the levels of service before and after the completion of the Ashcroft Valley Development. He represented people from both Cross Creek and Franklin East Subdivisions. The subject matter is largely contained in the September 2016 Traffic Study, which was completed without any consideration of the interconnectivity shown in MOS 2-6. Most of the people had been working over the last year and a half and had met many times with the City officials, the developer, the architect, Williamson County officials, and, of course, the Board of Mayor

and Aldermen. The current plan, submitted by Mr. Gamble, is the eighth iteration of the plan. It accommodates many of the concerns that the neighbors have put forward over the last year and a half, and they feel this is probably the best plan they can hope for with the modifications of standards requested. The developer and the architect have been very helpful, yet there are still areas of contention regarding the density, etc., but by and large they think this is the best deal they will get. He referred the Planning Commissioners to the second page of his presentation regarding the two intersections at Cross Creek Drive and Ridgeway Drive. Their concerns were when they come out of Cross Creek and Ridgeway and attempt to go west, the delay is much greater than 50 seconds in the evening. In the morning, it is not quite as bad. They have to wait for the Clovercroft light to change to stop the traffic so they can get it, and there has to be somebody on Clovercroft going east for that to happen. Sometimes, there are several cycles of the lights. By that time, traffic is backing up and people start to take risks. To cross onto Highway 96, the individuals have to cut through 4 to 5 lanes of traffic, two of the lanes may be stopped by Clovercroft, but westbound Highway 96 is not stopped so the individuals have to negotiate, and hopefully no one decides to change lanes. He referred everyone to page four, stated this was out of the Traffic Study, and he read the definition for the levels of service for un-signalized intersections. He had coded the chart in colors. Mr. Hodges referred everyone to page six and stated that in the morning Cross Creek Drive was in reasonably good shape going west. He discussed going from a "D" to an "E" trying to get out in the morning. In the evenings, they would be in an "F," which is very dangerous. He showed Ridgeway Drive and Franklin East on page seven and stated that they really had problems. This is already an unsafe intersection, and this will make it a little more unsafe. His reason for bringing this up was that was without the interconnectivity that was being proposed. He urged the Planning Commission and the Board of Mayor and Aldermen to consider the consequence of interconnecting, and he strongly pleaded to approve the MOS.

Ms. Krista Jameson, of 1190 Cross Creek Drive, stated that she lived in a cul-de-sac, and she shared a property line with 4348 South Carothers, one of the properties proposed for Ashcroft Valley. She was speaking on behalf of a newly elected board member of the Cross Creek Subdivision and a concerned mother. She and her family had moved to this address just over a year ago to be closer to I65. They chose this address to safely raise her three young children. Her two older children attend Liberty Elementary, which requires them to walk on the side of Cross Creek Drive, which is very hilly and narrow. They wait for their bus on the edge of the road at Biltmore Court and Cross Creek Drive. Because there is no traffic since their house is at the end of the subdivision, this has not posed a serious safety risk so far. If there is connectivity to Cross Creek Drive and Biltmore Court, they are concerned about the safety of not only their children but all of the other children who are in the Cross Creek subdivision. Drivers can easily exceed 40 miles per hour on these hills and not even realize it. Adding 100s of vehicles would make this a scary situation. Without City standard street lighting, it can be difficult to see when it is dark, foggy, or raining. She knew that the family's walks down Cross Creek Drive, her morning runs, or neighbors' walking pets will no longer have this option if there is connectivity. Their roads were never designed for this type of volume of traffic. Opening the main road to hundreds of motorists, coming from Ashcroft Valley and all of the other southern neighborhoods cutting through would be detrimental. It is a safety hazard to their way of life in Cross Creek, and she plead with the Planning Commission to share her concerns as a mother to not support connection through her neighborhood and to approve the MOS to not connect.

Mr. Ted Buselmeier, of 1109 Ridgeway Drive, stated that he was not happy that this land would be developed. Since he had moved into his house in 1992, he knew that at some

point this land would be developed. If the developer of Ashcroft Valley had presented a plan of one house one or more acre lots, he could have lived with that. After all, that is part of the Seward Hall character area of which his neighborhood and most of the Ashcroft Valley development are part. When Ashcroft Valley was first presented, he and his neighbors were extremely concerned about the changes to their neighborhoods and the traffic coming through their streets. They made their concerns known to the Board of Mayor and Aldermen, and the Board rejected the plan. He expressed his appreciation to Land Solutions and Gamble Collaborative Design for the way they had met, worked, and engaged with the neighborhoods during the past year to address their concerns, and in particular addressing the very serious concerns they had about the significant and dangerous increase in traffic that would be dumped on the narrow county roads. As one of the most effected residents living on the lower end of Ridgeway Drive, he considered it essential that all of the MOS that are included in the current presented plan be recommended to the Board of Mayor and Aldermen. These MOS are necessary to maintain our safe roads and neighborhoods.

Mr. Jay Larimore, of 1169 Cross Creek Drive, stated that he believed that the Planning Commission's vote at this meeting would have an indelible impact on the quality of life for the Cross Creek residents. Life, liberty, and the pursuit of happiness is what we all want. The Declaration of Independence says those are rights given to every human being by their creator in which governments are created to protect. He humbly asked on behalf of his family and the other families of Cross Creek for the City's continued protection. He and his wife moved to Tennessee over 20 years ago, and they were lucky, they found their personal slice of happiness in Cross Creek, which in his opinion represents the very best that Franklin has to offer. The latest Ashcroft Development plan represents the right and proper balance between additional growth in the immediate area, while respecting and protecting the character and integrity of the Cross Creek established community. The essential key to that balance; however, is the requested MOS to not connect to Cross Creek Drive, Beacon Hill, or Biltmore Court. To over-ride this key element of the plan would; however, and forever change the character of our established community and unnecessarily compromise the safety of the men, women, and particularly the children who make their homes there. He requested that the Planning Commission recommend to the Board of Mayor and Aldermen to approve the MOS.

Mr. Horton Frank, of 104 Hollow Court, stated that he and his wife purchased their home in Cross Creek in 1993 because it was a single-entry subdivision, and they had moved from an area where they had lived on a through street that traffic used to go to a mall. They are empty nesters now, but were watching their neighborhood turn over with young children. This is a unique and unusual situation from a planning standpoint because, as Alderman Petersen had mentioned, Cross Creek and Franklin East were in a doughnut where county roads, houses, design, and planning go back 35 years, and that is the way it is. He knew that Cross Creek Drive, Beacon Hill, Ridgeway, and Biltmore Court were not designed, planned, or built for the kind of traffic (connecting at every possible point to this neighborhood) that would dump onto Cross Creek Drive. These roads were all designed and built as local roads to get people from their homes to an artery. They were not designed to be feeders or collectors. There are no sidewalks, shoulders, bike lanes, or pedestrian lanes, but children and adults do a lot of walking in his neighborhood. Visibility is limited because of the topography. The speed limit is posted at 25 miles per hour. Since there are no sidewalks for the children to play on, they use the road, they stand on the side of the road to catch the school bus in the morning. They have worked with the developer for over a year, and they have had very candid, and sometimes a very spirited exchange of concerns. The plan that has been filed is the product of much work and compromise. From a planning process, he thought this was how the process should

work. He discussed the three connections and stated that all of the neighborhoods were connected, just not at every conceivable point, because Cross Creek and Franklin East were county neighborhoods, not City neighborhoods. If they were City neighborhoods, developed under current City standards, there would not be a problem, but there is a problem. The City staff has done a fabulous job, and they have a job to tell individuals to compare the plan with the standards; however, the Planning Commission had the reason, the judgement, the discretion, and the right to modify this to accommodate both the unchanging conditions (in county neighborhoods) and with the new neighborhood. He requested that the Planning Commission recommend to the Board of Mayor and Aldermen to approve the MOS.

Mr. Dan Horecka, of 505 Biltmore Court, stated that he and his family had lived at this address for 23 years and had witnessed multiple accidents because of the topography of the hills, the blind intersecting roads, the blind driveways, and the narrow roads. His oldest daughter has special needs. She is mobile, very quick, and they try to keep her out of harm's way, but things happen. Cross Creek is at the very back of the subdivision, Biltmore Court is the last cul-de-sac, and it has been such a safe environment for all of the children, and especially his daughter, Keri. He requested that the Planning Commission recommend to the Board of Mayor and Aldermen to approve the MOS.

Mr. Al Gleeson, of 1157 Cross Creek Drive, stated that Cross Creek would be impacted. They would have 300 houses where there are now fields, trees, turkeys, and those things; however, working with the developer they had come up with a compromise that allowed the Adams' property to be developed and helped to protect their quality of life as best as it could at Cross Creek. That was assuming that the MOS was agreed upon because the traffic that was being increased through his area did not have roads that were prepared to handle it. He requested that the Planning Commission recommend to the Board of Mayor and Aldermen to approve the MOS.

Mr. Troy Hackett, of 1165 Cross Creek Drive, stated that he and his wife moved into the neighborhood in July. He had the following comments:

1. The intersections that surround the junction of Highway 96 and Interstate 65 have become overloaded resulting in gridlock several times a day, and as mentioned before this includes the increased risk of collision at the intersections with their neighborhood.
2. If the connections to South Carothers Road are not adequate to handle the added traffic of new developments, then the density of homes in this region should be reduced accordingly.
3. Referring to the City's preference and plans for conservation-style neighborhoods, he pointed out that 100 homes distributed in a convention-style neighborhood produces the same amount of automotive traffic as 100 homes distributed in a different manner in a conservation-style neighborhood. The traffic problems that the neighborhood is already enduring is caused by the excessive number of new homes and not the manner in which they are distributed.
4. It is not an acceptable solution to divert access traffic through a private neighborhood that was not designed for this purpose.
5. The Cross Creek is not in need of improved connectivity. The current design is adequate for the number of homes and for access by emergency and utility vehicles.
6. The residents of our neighborhood have paid a high financial price to live in this location. We will never be compensated for the loss of privacy, safety, and home value that will follow.
7. The developers and City planners do not live in our neighborhood and will not be forced to live with the consequences of connecting the subdivision.

8. *The future residents of Ashcroft and other connected subdivisions will use our streets for their convenience without regards to the integrity of our neighborhood.*
9. *There is no net benefit to us, instead we, alone, will suffer the negative impacts in the form of diminished privacy, safety, property value, and quality of life.*
10. *Any plan to link our streets with new development is unnecessary, unjustified, and unacceptable.*

He respectfully requested that the Planning Commission recommend to the Board of Mayor and Aldermen to approve the MOS to prohibit connectivity in their neighborhood.

Mr. Thomas Brittain, of 1209 Ridgeway Drive, stated that he agreed with most of the Cross Creek individuals for the need for modifications to be made to limit connectivity. He has a unique situation with sons at home, they have a busy home and represent one-third of the children that are on the top end of Ridgeway Drive. Safety is his primary concern. He lives within the Urban Growth Boundary (UGB), and he is beginning the impact the connectivity will cause to the county roads going forward. Ridgeway is slated to be a connection. He discussed the grade and slope of Ridgeway Drive and stated that it would be very difficult to negotiate. He agreed that if this project goes through, the MOS would be needed to not connect, but for safety reasons and for future school reasons, he believe it was a bad idea based on the infrastructure that is currently present. He did not want his endorsement of the MOS to be an endorsement of the project rather if the project goes forward the county residents in Franklin East would need to know that the residents were not trying to connect it together.

Ms. Barbara Owens, of 300 Ridgetop Court, stated that their driveway was accessed by Cross Creek Drive, so if the traffic increases on Cross Creek Drive she might have difficulty getting out of Cross Creek Drive. She dittoed everything that her neighbors had said.

Mr. Skip Beasley, of 208 Vantage Way, stated that he was the former president of the Cross Creek Homeowners Association (HOA). He represented the majority of 86 homeowners in Cross Creek. They appreciated the efforts of Mr. Gamble's design team to minimize the impact on their neighborhood. They realize that the Adams' property will eventually be developed, and this is probably the best design that they can expect. They would like to have seen lot sizes of one acre or more, but they can live with this as long as Ashcroft Valley's traffic is not funneled through their cull-de-sac-style neighborhood. They already have a dangerous traffic situation at their entrance, which has already been discussed. He hopes they will abide by the vision of the new City of Franklin Planning Director, which would be to have new projects align with the existing neighborhoods and to not be extremely different. He hoped that included county residential neighborhoods.

Ms. Maggie Lindley, of 301 Ridgetop Court, stated that she had been at this address for six months. She moved to downtown Franklin, on Adams Street, about 14 years ago. They loved being there, but she now has four children. One of the biggest reasons that they moved was because Adams Street became a cut-through to avoid the traffic on Columbia Avenue, and it became dangerous. Her husband asked for a speed gun for Christmas one year because she had become uncomfortable letting their children play in the front yard on Adams Street because the speed limit was 25 miles per hour. Her husband would stand out in the yard with the speed gun, and he told her that most vehicles were going about 45 miles per hour. That was one of the biggest reasons that they moved. Her house is now situated right after the blind hill that most of the citizens were speaking about. Considering what she saw on Adams Street for so long regarding the speed limit, she is guessing this is going to be the same situation. She requested

that the Planning Commission recommend to the Board of Mayor and Aldermen to approve the MOS to prohibit connectivity in their neighborhood.

Mr. Matt Fontana, of 1006 Vista Circle, stated that the issue was the co-mingling of longstanding county neighborhoods with more modern City standards. As had been previously stated, in Cross Creek, there were no sidewalks. The roads were narrower than in the newer developments. There were traffic issues getting into and out of the neighborhoods. The traffic problems are compounded more in the mornings and evenings by school buses. The children have to walk to the school buses with no sidewalks and narrower streets. He would rather not see the development; however, he thought Mr. Gamble and his team had done an admirable job of making the best of what he and his neighbors consider a less than popular situation. He requested that the Planning Commission recommend to the Board of Mayor and Aldermen to approve the MOS to prohibit connectivity in their neighborhood.

Mr. Keith Cranston, of 1149 Cross Creek Drive, showed some pictures that he had taken with some of his and the neighborhood teenagers who were building a homecoming float. The first picture showed, when standing on top of the hill, a couple of vehicles, and 25 yards later one could see where the teenagers parked their vehicles. He also discussed the difference in coming over the hill at 25 miles per hour versus 45 miles per hour. He is a realtor, and discussed that conformity maintained value. With the current plan, the neighborhood characteristics conformed fairly well. The denser properties conformed more to Lockwood Glen. The conformity was handled well as long as there was no connection, and once all of the roads were connected into Cross Creek, the design element would become moot. Currently, there were no expectations from the subdivision south of Cross Creek that there would ever be any access through Cross Creek. The only expectation that the Cross Creek individuals had was that they would not live in a through street neighborhood.

Mr., Mike Brasel, of 1153 Cross Creek Drive, stated that most of the individuals in the room agreed with the 14 individuals who had just spoken, and he urged the Planning Commission also consider the individuals who were in the room that had not spoken.

Ms. Pamela Moehle, of 1115 Ridgeway Drive, stated that she lived at what would be the entrance to Ashcroft Valley. This had been a long process with a lot of tears shed. Their lives would change with these new houses, and they have come to an acceptance. They were here to say that they agreed with plan B, the plan in front of the Planning Commission. She discussed Ridgeway Drive's steepness, the sharp curve at Beacon Hill, and requested that the Planning Commission recommend to the Board of Mayor and Aldermen to approve the MOS to prohibit connectivity in their neighborhood.

Mr. John Vahrenkamp, of 1120 Cross Creek Drive, stated that he was the original land owner and house builder of Cross Creek Subdivision. He had lived at the fifth house on the right at the top of the hill for the past 33 years. While there were many children in the subdivision, Mr. Vahrenkamp and his neighbors were retired. The people who had moved there, when he moved there, were still there. When he moved to Cross Creek, he moved with the expectation that the homes would be acre lots whenever any of the lots came in around them; however, he realizes that will not happen, and Cross Creek will be a doughnut hole. He requested that the City let Cross Creek continue to be in the county. They support and do many things for Franklin that everyone in the county does. He stated that none of his neighborhoods were happy about the new development, and he requested that the Planning Commission recommend to the Board of Mayor and Aldermen to approve the MOS to prohibit connectivity in their neighborhood.

Ms. Laura Minchew, of 1163 Cross Creek Drive, requested that the Planning Commission not show preference for the individuals moving into Franklin at the expense of the individuals who had lived in Franklin for many years. She requested that the Planning Commission recommend to the Board of Mayor and Aldermen to approve the MOS to prohibit connectivity in their neighborhood.

Ms. Janie Luna, of 115 Hollow Circle, stated that at 5:30 a.m. there were kindergarteners waiting for the school bus in the dark. When her children were younger, she sat with her children in the car waiting for the bus. She drove down through the teenagers' vehicles last night because she lives in the neighborhood. There is no way more traffic can be put on these roads without widening the roads and putting in sidewalks. She urged the Planning Commission to think about the 5 year-olds at 5:30 in the morning.

Mr. Troy Mizell, of 4113 Murfreesboro Road, found himself quite sad tonight to listen to so many of his neighbors implore the Planning Commission to protect their quality of life, to protect their children, and to protect themselves. He thought that was not the question that should be asked tonight. He thought the question should be, why are we considering developing this property without it meeting the Land Use Plan and the other requirements that are set forth? He thought that no one would have problem if these properties were developed without all of the modifications, waivers, and exemptions. That was why they were there, to protect our way of life and to keep us safe. The development visioning and character of this property is very clear and laid out in the Land Use Plan. This proposed subdivision does not meet the requirements of the Land Use Plan, as indicated by the request of the developer asking for a modification or exemption. The proposed subdivision does not meet the Zoning Ordinance for the property as indicated by the developer asking for a MOS or exemption. No one has mentioned that the water that flows off of this property flows into the Harpeth River. This proposed development site is one of the last beautiful hillsides that is made up of mature, thick, forested trees, creeks, springs, and waterways. If this project is approved, that splendor will be gone, and the citizens will be left with a mere hill stripped of much of its forest, and the people can enjoy the splendor of viewing a clump of densely-built two-story homes.

This ended citizen comments.

Mr. Greg Gamble, of Gamble Collaborative Design, stated that it was true that they had been working on this plan for quite some time. Several of the neighbors had stated that this plan was about as good as they were going to get. This property today could be developed in the county at one unit per acre. The county has a requirement that all roads stubbed to property lines be connected. It is almost worded the same as Franklin's. The roads, Cross Creek Drive and Ridgeway Drive, according to the county, are built to county standards. New streets in this subdivision would also be built to county standards, no curb and gutter, no sidewalks, and no streetlights. That is a county road. The City of Franklin has higher standards. The City has a development in the process that allows the clustering of homes, create significant landscape buffers, create open space areas that transition between home types, densities, and neighborhoods. The Land Use Plan does not restrict this site to a development to one to five acre lots. Chapter three of the Zoning Ordinance is where that statement is made, but it also states that with appropriate transition and appropriate buffers that that type of development is acceptable. Here is an opportunity for an extension of residential neighborhood in the City of Franklin to connect to the City of Franklin public services and public utilities. There is an incentive to develop this property in this way in relationship to the existing neighborhoods that are here today. The applicant has looked at Ridgeway Drive and what

it would take to get a light at that intersection. If 70 percent of the trips proposed in a fully-connected neighborhood accessed Stanford Drive or Beacon Hill and used Ridgeway Drive to exit out, there would be about 2,400 trips per day. That would warrant a traffic light on Highway 96. The applicant had been prepared from day one to install a light at this location; however, with this proposal it is not warranted. As a part of staff comments, the fire marshal says that if there is not sufficient connectivity in a development, all homes should be sprinklered. They will be constructing new water lines to increase water pressure throughout the neighborhood. The applicant had asked for consideration of staff on an exhibit, which he described and discussed and distributed to the Planning Commission. He pointed out on the map the three areas, the upper, gated area, a portion with a cul-de-sac, and the southern portion, which has limited connectivity at this time. They would like the City's consideration that these be areas that they will provide sprinklers in. They will commit to that and/or would like the opportunity to work with staff or the Planning Commission at a site plan level to establish those areas appropriate for a fire sprinkler in the home. That is staff comment number 10. As the comment reads today, it requires 100 percent of the homes to be sprinklered, and they would like for some consideration regarding certain considerations of the plan to be sprinklered.

Commissioner Harrison asked if the Planning Commission would consider all MOS separately.

Chair Hathaway stated that they would.

Chair Hathaway asked Mr. King if he would read each MOS for clarification.

Mr. King stated the following regarding MOS 1:

MOS 1- Minimum Lot Size. The applicant is proposing lot sizes smaller than one acre, a minimum separation of 75 feet from the nearest property line of a County Subdivision lot. This applies only to the parcels in the Seward Hall Character Area Overlay-3.

Staff recommends approval of MOS 1.

Commissioner Harrison moved, seconded by Commissioner Orr to approve MOS 1.

Commissioner McLemore stated that she was originally opposed to the annexation and the rezoning, but after hearing the comments from the citizens and the new information from the applicant, she stated that she would be voting in favor of MOS 1.

With the motion to approve MOS 1 having been made and seconded, it passed eight to one (8-1) with Commissioner Allen voting no.

Mr. King stated the following regarding MOS 2:

MOS 2- Warren Road Connection. The applicant is proposing not to extend the roadway network to Warren Road from this subdivision. Naturally occurring grades between 10 percent and 20 percent exist between the subdivision and Warren Road. Granting this MOS would allow the applicant not to connect to Warren road. Significant upgrades would need to be made to Warren and Arno Roads in the event this connection is made.

Staff recommends approval of MOS 2.

Commissioner McLemore moved, seconded by Commissioner Harrison to recommend approval of MOS 2.

Commissioner Allen asked if there would be a discussion on the main motion before voting on the MOS 2.

Chair Hathaway stated that the main motion would be discussed when the MOS were modified.

With the motion to approve MOS 2 having been made and seconded, it passed nine to zero (9-0).

Mr. King stated the following regarding MOS 3, MOS 5, and MOS 6:
MOS 3, 5, and 6 will be the same with the only change being the name of the street. The applicant is proposing to not make a connection from this subdivision to a Williamson County subdivision road other Beacon Hill Drive, Cross Creek Drive, or Biltmore Court. Providing for multiple connections disperses concentrated traffic volumes and reduces pressure on major roads. These connections can also reduce vehicle miles traveled and average trip length.

Staff recommends disapproval of modification of standards, MOS 3, MOS 5, and MOS 6

Commissioner Allen moved to disapprove MOS 3, MOS 5, and MOS 6. The motion died due to the lack of a second.

Commissioner Orr moved, seconded by Commissioner Harrison to recommend approval of MOS 3. The motion passed nine to zero (9-0).

Commissioner Harrison moved, seconded by Commissioner Orr to recommend to not approve the connection of MOS 5. The motion passed nine to zero (9-0).

Commissioner Harrison moved, seconded by Commissioner Orr to recommend to not approve the connection of MOS 6. The motion passed nine to zero (9-0).

Mr. King stated the following regarding MOS 4:
MOS 4- Internal Street Connection - The applicant is proposing to not connect the development from north to south via an internal roadway. The intention was to reduce the traffic impact on the Franklin East and Cross Creek Subdivisions. The proposed connectivity index was 1.43. This modification of standards would grant the applicant permission not to make this connection.
Staff recommends disapproval of this MOS.

Commissioner Harrison asked if this was the emergency access path. Mr. King stated that it was.

Ms. Diaz-Barriga stated that the applicant wanted an emergency access path only, and that staff wanted the street.

Commissioner Harrison moved, seconded by Commissioner Orr to approve MOS 4. The motion passed eight to one (8-1) with Commissioner Allen voting no.

Commissioner Allen stated that the gentleman who had last spoken had also taken her thunder. It was almost sad to listen to the citizens who had come to the microphone so speak. She knew they did not say what they really wanted to say and almost pleaded

with the Planning Commission to not disapprove the development, which was asking for almost twice the amount of homes and to ask the Planning Commission to recommend disapproval to the Board of Mayor and Aldermen for a development that was asking for 179 extra houses but to ask the Planning Commission to recommend approval to the Board of Mayor and Aldermen for the MOS because it was a foregone conclusion that this extremely dense development was going to get approved. We are killing the goose that laid the golden egg. We, as a City, ought to get on the ball about this. The developers are building and building. We need to say what we really mean, and not be so concerned about what we think is going to happen.

Alderman Petersen stated that she had voted for all of the MOS, and she thought they were the best under the circumstances; however, she would be voting against the main motion. She reminded everyone, again, that the Planning Commission voted to make a recommendation to the Board of Mayor and Aldermen, and the final decision would come from the Board of Mayor and Aldermen.

Chair Hathaway stated that the Planning Commission would be voting to recommend approval to the Board of Mayor and Aldermen for the Development Plan.

Commissioner Harrison moved, seconded by Commissioner Orr that Resolution 2016-42 be recommended to the Board of Mayor and Aldermen for approval including 6 Modifications of Standards (MOS1 approve 8-1 [Allen "no"]; MOS2 approve 9-0; MOS3 approve 9-0; MOS4 approve 8-1 [Allen "no"]; MOS5 approve 9-0; MOS6 approve 9-0). The motion carried by the following vote:

Aye: 6 - Commissioner Harrison, Commissioner Franks, Commissioner Gregory, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

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

Chairing: 0

9. [16-0689](#) PUBLIC HEARING: Consideration Of Ordinance 2016-33, To Be Entitled, "An Ordinance To Rezone 5.195 Acres From General Office District To Specific Development Residential 27.33 District For The Property Located North Of Mallory Station Road And East Of Franklin Road, 222 Mallory Station Road."; [AVENIDA] (09/22/16 FMPC 9-0 and 10/11/16 WS & 1st Reading 8-0) SECOND OF THREE READINGS

Attachments: [ORD 2016-33 Avenida Rezoning with Map Law Approved 2](#)
[MAP_6190AvenidaVer2](#)
[Avenida_PlanSet.pdf](#)
[16001 Avenida - Certified Mailing Addresses letter labels.pdf](#)
[16001 Rezoning and PUD Development Plan Public Notification.pdf](#)
[PUBLIC NOTICE AFFIDAVIT_signed.pdf](#)
[Avenida of Cool Springs Deferral Letter](#)

Mr. King stated that Ordinance 2016-33, the proposed zoning of SD-R 27.33, is consistent with the recommendations of the Land Use Plan and is compatible with the surrounding properties. The proposed density is 27.33 dwelling units per acre in a single multifamily building. Approval of Ordinance 2016-33 is recommended to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments. There were none.

Mr. Dwight Kiser, of Kiser Vogrin Design, stated that he represented Ordinance 2016-33 and requested approval to the Board of Mayor and Aldermen.

Commissioner Harrison moved, seconded by Commissioner McLemore that Ordinance 2016-33 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

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

Chairing: 0

10. [16-0690](#) PUBLIC HEARING: Consideration of Resolution 2016-47, To Be Entitled: "A Resolution Approving A Development Plan For Avenida Of Cool Springs PUD Subdivision, For The Property Located North Of Mallory Station Road And East Of Franklin Road, 222 Mallory Station Road." (09/22/16 FMPC 9-0; 10/11/16 WS)

Attachments: [MAP AvenidaofCoolSprings DevPlan.pdf](#)
[RES 2016-47 Avenida DevPlan_with Map.pdf](#)
[6191 AvenidaofCoolSprings Conditions of Approval 01.pdf](#)
[AvenidaofCoolSpringsDevPlan.pdf](#)
[Layout Avenida.pdf](#)
[AvenidaElevations.pdf](#)
[TIS Review2 Avenida 20160810 CB appr.pdf](#)
[PUBLIC NOTICE AFFIDAVIT signed.pdf](#)

Mr. King stated that the applicant was proposing 142 units of attached residential dwelling units in one structure located on 5.195 acres. The development is intended to be an age restricted (55+) community as allowed by the Federal Fair Housing Act. Approval of Resolution 2016-47 is recommended to the Board of Mayor and Aldermen, with conditions.

Chair Hathaway asked for citizen comments. There were none.

Mr. Dwight Kiser, of Kiser Vogrin Design, stated that he represented Resolution 2016-47 and they had deferred this item from the August 25, 2016, Planning Commission so that they could resolve an issue regarding parking. They had achieved the desired results. They had reviewed all of the requirements, and they requested approval to the Board of Mayor and Aldermen.

Commissioner Harrison moved, seconded by Commissioner Lindsey that Resolution 2016-47 be recommended to the Board of Mayor and Aldermen for approval.

Alderman Petersen asked if the MOS had been handled.

Mr. King stated that staff had been able to resolve the parking issue through a deferred parking arrangement.

Alderman Petersen asked about the building.

Mr. Kiser stated that there was a building length that was part of the original applicant. He believed that they had indicated that this was more of a design issue that would be addressed at the site plan.

Ms. Diaz-Barriga stated that building length was part of section 5.3 in the Zoning Ordinance and only requires a design modification at the Planning Commission level during the site plan.

Commissioner Harrison moved, seconded by Commissioner Lindsey that Resolution 2016-47 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

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

Chairing: 0

11. [16-0795](#) PUBLIC HEARING: Consideration Of Ordinance 2016-37, To Be Entitled, "An Ordinance To Rezone 3.66 Acres From Specific Development Residential (SD-R 8.03) District To Specific Development Residential (SD-R 8.70) District And Rezone 0.48 Acres From Detached Residential 3 (R-3) District To Specific Development Residential (SD-R 8.70) District For The Property Located North Of West Main Street And West Of Rucker Avenue, 117 Rucker Avenue." (09/22/16 FMPC 9-0 and 10/11/16 WS and 1st BOMA Reading 8-0) SECOND OF THREE READINGS

Attachments: [Ordinance 2016-37 Rucker Park PUD Subd with Map.Law Approved](#)
[Ord-2016-37 Rucker Park Rezoning Map](#)
[6226 Rucker Park Rezoning Plan Set](#)

Mr. Baumgartner stated that the applicant was looking to rezone the property to include the increased density asked for in the following development plan revision. The property is zoned SDR, and thus the density of the project must align with the allowed density of the zoning district. The original Rucker Park PUD Subdivision has an existing zoning of SD-R 8.17, and is applying to be rezoned to SD-R 8.70.

Approval of Ordinance-2016-37 is recommended to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments.

Ms. Avalena Gosie Hadley, who formerly lived in Franklin, Tennessee, and was a graduate of Franklin High School. She was coming in on the tail-end of this. They had experienced what had happened earlier relative to the Rucker Park. She wanted to know if this was moving from 30 residents to 36. She also wanted to know how many homes would be built on Old Carter's Creek Pike.

Mr. Greg Gamble, of Gamble Collaborative Design, stated that he represented Ordinance 2016-37 and said that there was a total of six homes that were being proposed, a four-unit building, and a duplex building. It will look like more of a Franklin-style southern home, and the four-plex buildings are designed in keeping with Rucker Park's existing architecture.

Ms. Hadley asked about the status of this project.

Mr. Gamble stated that this was the development plan revision proposal.

Ms. Hadley stated that there were several older homes that were still within the Rucker Subdivision. She asked if the future plans were to force everyone out, buy the properties to develop because there was an old section and a new section. They knew progress was going to happen, she was curious about the juncture of when it would happen.

Chair Hathaway stated that he did not know if any of the Planning Commission knew exactly when this would happen. It would all be contingent upon the buyers and the willing sellers. Neither the City nor the Planning Commission advocate certain development patterns, per se, so they did not know what the future would hold.

Ms. Hadley stated that another concern she had was traffic. Traffic had always been a problem in the Rucker Park area, and with the addition of all of this she asked what was

being done in terms of traffic.

Mr. Baumgartner stated that what was on the floor right now was just for the piece of property that was on the screen. If a developer did come in and look to do something that the existing zoning did not allow, they would have to come in for a rezoning process, which would start right here, and the City does have a notification policy.

Mr. Gamble stated that Rucker Park was unique to Franklin. There have been so many success stories in Rucker Park regarding people who have lived in the City of Franklin for over 30-35 years and now have an opportunity to purchase a home.

Commissioner Harrison moved, seconded by Commissioner McLemore that Ordinance 2016-37 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

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

Chairing: 0

12. [16-0796](#) PUBLIC HEARING: Consideration Of Resolution 2016-57, To Be Entitled: "A Resolution Approving A Revised Development Plan For Rucker Park PUD Subdivision, For The Property Located North Of West Main Street And West Of Rucker Avenue, 117 Rucker Avenue." (09/22/16 FMPC 9-0, 10/11/16 WS)

Attachments: [Res-2016-57 Rucker Park DP Rev 1 Map](#)
[2016-57 RES Rucker Park PUD Dev Plan_with Map.Law Approved](#)
[6227 Rucker Park DP Rev 1 COA](#)
[6227 Rucker Park DP Rev 1 Plan Set](#)
[6227 Rucker Park DP Rev 1 Architecture](#)

Commissioner Franks recused himself from item 12.

Mr. Baumgartner stated that the applicant was proposing a Development Plan Revision to the Rucker Park PUD Subdivision. The applicant purchased additional property to the northeast of the site totaling an additional 0.48 acres. The applicant is proposing to include two additional structures, one four-unit townhome and one duplex that faces Rucker Avenue. Approval of Resolution 2016-57 is recommended to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments. There were none.

Mr. Greg Gamble, of Gamble Collaborative Design, stated that he represented Ordinance 2016-37 and requested approval to the Board of Mayor and Aldermen.

Commissioner Harrison moved, seconded by Commissioner Lindsey that Resolution 2016-57 be recommended to the Board of Mayor and Aldermen for approval.

Commissioner Allen asked how many more units this project would have since this had just been done.

Mr. Gamble stated that the one to which she referred was a rezoning.

Commissioner Allen stated that she understood and thanked Mr. Gamble.

Commissioner Harrison moved, seconded by Commissioner Lindsey that Resolution 2016-57 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

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

Recused: 1 - Commissioner Franks

Chairing: 0

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

13. [16-0798](#) 508 Duke Drive Subdivision, Preliminary Plat, 4 Commercial Lots On 7.3 Acres, Located At The Southeast Corner Of Mallory Station Road And Duke Drive.

Attachments: [MAP_508DukeDrivePP.pdf](#)
[508DukeDrive_PP_Conditions of Approval_01.pdf](#)
[508DukeDrive_PP.pdf](#)

Alderman Petersen stated that she noticed on the regular list that number 13 was not on consent, and she noticed it was on consent whenever they saw the Agenda Items list.

Mr. King stated that the applicant was seeking to subdivide two platted lots into four lots. The zoning was Light Industrial, and the new lots will retain that zoning. Future site plans will be required for construction purposes. The proposed plat is consistent with the Land Use Plan. Staff recommends approval with conditions of this preliminary plat.

Mr. Greg Gamble, of Gamble Collaborative Design, requested approval of item 13.

Commissioner Harrison moved, seconded by Commissioner Lindsey for approval, with conditions. The motion carried by the following vote:

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

Chairing: 0

14. [16-0802](#) Berry Farms Town Center PUD Subdivision, Final Plat, Section 10 and Section 7 (Revision To Lot 7099), Two New Commercial Lots And A Revision To One Previously Platted Lot On 14.14 Acres, Located At The Intersection Of Rural Plains Circle And Berry Farms Crossing. (CONSENT AGENDA)

Attachments: [MAP_BFTC_Sec10FP.pdf](#)
[BFTC_Sec10_FP_Conditions of Approval_01.pdf](#)
[FullPlat_BFTC_Section10FP.pdf](#)

This Planning Item was approved.

15. [16-0800](#) Cottages At 509 Hill Drive PUD Subdivision, Final Plat, Four Lots On 0.559 Acres, Near The Intersection Of West Main Street And Hill Drive, 509 Hill Drive. (CONSENT AGENDA)

Attachments: [MAP_Cottagesat509HillDriveFP.pdf](#)
[Cottagesat509HillDrive_FP_Conditions of Approval_01.pdf](#)
[FP_Cottageat509HillDr.pdf](#)

This Planning Item was approved.

16. [16-0797](#) Downs Boulevard Subdivision, Final Plat, Revision 9, Lots 2 And 22, Revisions To Two Existing Commercial Lots And Platting Of An Access Easement On 4.11 Acres, Located Near The Intersection Of Downs Blvd And Columbia Ave. (CONSENT AGENDA)

Attachments: [MAP DownsBlvdLot2and22.pdf](#)
[DownsBlvd_LOt2222_Conditions of Approval_01.pdf](#)
[FP_DownsBlvd_6164 resubmitted 8-31-16.pdf](#)

This Planning Item was approved.

17. [16-0799](#) Family Legacy PUD Subdivision, Final Plat, 5 Lots On 22.72 Acres, Located Near The Intersection Of Franklin Road And Cumberland Park Drive, At 568, 562, And 554 Franklin Road. (CONSENT AGENDA)

Attachments: [MAP_FamilyLegacyPUDSubdFP.pdf](#)
[FamillLegacy_FP_Conditions of Approval_01.pdf](#)
[FP_FamilyLegacyPUDSubdivision.pdf](#)

This Planning Item was approved.

18. [16-0791](#) Franklin Special School District Board Of Education Subdivision, Final Plat, (Fairground Street), Creating A New Lot Fronting Fairground Street, Totaling 0.47 acres, Located South Of Fairground Street And East Of Columbia Avenue. (CONSENT AGENDA)

Attachments: [Franklin Special School District, FP Fairground St Map](#)
[6224 Franklin School District FP COA](#)
[6224 Franklin School District FP Plat](#)

Mr. Baumgartner stated that staff recommended approval of item 18, the Franklin Special School District Board of Education Subdivision, final plat.

Chair Hathaway asked for citizen comments. There were none.

Alderman Petersen asked what was planned for the Franklin Special School District Board of Education Subdivision.

Ms. Diaz-Barriga stated that she did not think staff had many discussions with the Franklin Special School District.

Mr. Baumgartner stated that it was his understanding that the Franklin Special School District was looking to sell the extra lot, and to do that they needed to plat that off. It is still zoned Civic Institutional.

Ms. Diaz-Barriga stated that the Franklin Special School District understood that they would have to file a rezoning to do residential at that location.

Alderman Petersen stated that it looked as though the lot next door is zoned High Industrial.

Commissioner Harrison moved, seconded by Commissioner Orr to approve, with conditions, this final plat. The motion carried by the following vote:

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

Chairing: 0

19. [16-0793](#) Longview Subdivision, Final Plat, Section 1, Revision 2, A Final Plat To Rename An Easement And Add An Access Easement, On 2.27 Acres, Located At Werthan Circle. (CONSENT AGENDA)

Attachments: [Longview Subd. FP, sec 1, Rev 2 Map](#)
[6225 Longview Conditions of Approval](#)
[Longview Subd. FP, Sec 1, Rev 2 Plat](#)

This Planning Item was approved.

20. [16-0736](#) Richland Close Subdivision, Final Plat, Four Lots On 2.07 Acres, Located At 1048 Carlisle Lane. (CONSENT AGENDA)

Attachments: [MAP 6229 Richland Close Subd, FP](#)
[Conditions of Approval 6229](#)
[Richland Close Subdivision, final plat - submittal 002](#)

This Planning Item was approved.

21. [16-0794](#) Tywater Crossing PUD Subdivision, Final Plat, Section 3, 27 Lots On 6.62 Acres, Located Northeast Of Downs Boulevard And South Of The Existing Homes Within Tywater Crossing. (CONSENT AGENDA)

Attachments: [Tywater Crossing PUD Subd, FP, Sec 3 Map](#)
[6230 Tywater Crossing PUD Subd, FP, Sec 3 COA](#)
[6230 Tywater Crossing PUD Subd, FP, Sec 3 Plat](#)

This Planning Item was approved.

ZONING ORDINANCE TEXT AMENDMENTS

22. [16-0811](#) PUBLIC HEARING: Consideration of Ordinance 2016-39, To Be Entitled: "An Ordinance To Amend Chapters 3 And 5 Of The Zoning Ordinance Of The City Of Franklin, Tennessee, To Adopt The New FEMA Flood Insurance Rate Maps, And Amend The City Of Franklin Zoning Map To Update The Boundaries Of The Floodway Fringe (FFO) And Floodway (FWO) Overlay Districts Accordingly." (09/22/16 FMPC 9-0 and 10/11/16 WS & 1st BOMA Reading 8-0) SECOND OF THREE READINGS

Attachments: [Ordinance 2016-39 Amend ZO to adopt new FEMA Flood Maps and FWO and FWO Overlay Districts Law Approved FEMA Final Flood Hazard Determination Letter 6-22-16 Staff Report Exhibit - Item 22 - Ordinance 2016-39](#)

Mr. Svoboda stated that the purpose of Ordinance 2016-39 was to amend Chapters 3 and 5 of the Franklin Zoning Ordinance to adopt the new Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs), Flood Insurance Study (FIS), and to amend the Franklin Zoning Map to update the boundaries of the Floodway Fringe (FFO) and Floodway (FWO) Overlay Districts to match the FIRMs.

Mr. Svoboda stated that this item was discussed at the Joint Conceptual Meeting earlier in the evening and referred to the detailed information contained in the staff report as follows: The City of Franklin received a final determination notice from FEMA on June 22, 2016, that the proposed modified flood hazard determinations (FHDs) affecting the City's FIRMs and FIS had been approved by FEMA, effective as of December 22, 2016. The Floodplain Protection standards in Chapter 5 enable the City to consider the new FIS data and FIRMs as better data and the City is able to enforce the new maps prior to adoption of Ordinance 2016-39. However, in order to maintain eligibility in the National Flood Insurance Program (NFIP), the City is required by Federal Regulations to adopt an Ordinance formally adopting the FIS and FIRMs.

The FIS and FIRMs that were updated by FEMA were prepared for the Harpeth River Watershed area and did not include other watersheds with the City of Franklin or the Urban Growth Boundary (UGB). Therefore, the FIRMs that were not included in the new FIS will maintain their original panel numbers and effective date of September 29, 2006. The FIRMs that were included in the new FIS have been given new panel numbers and will have an effective date of December 22, 2016. Ordinance 2016-39, updates the Floodplain Protection Standards in Chapter 5 of the Zoning Ordinance, Subsection 5.8.5 (2) (b), to formally amend and adopt the FIS and list of FIRMs as required by FEMA.

It is necessary to also update the Franklin Zoning Map to amend the FFO and FWO Overlay Districts boundaries accordingly to reflect the floodplain and floodway boundaries identified on the existing and new maps identified in Subsection 5.8.5 (2) (b) described above. The corresponding text that delimitates the boundaries of the FWO and FFO Overlay Districts in Subsections 3.4.4 (4) and 3.4.5 (5) have been updated to reference the FIS and FIRMs that are being adopted in Subsection 5.8.5 (2) (b).

A draft map is included with the staff report that illustrates the approximate locations of the revised FFO and FWO boundaries within the City and the areas of special flood hazard located in the UGB. Upon passage of this Ordinance the Zoning Map will be amended to reflect the location of the FFO and FWO for the areas located within the existing city limits. In addition, when properties within the UGB are annexed by the City, the Ordinance that zones the property will include any FFO and/or FWO overlay districts

that need to be adopted according to the adopted FIS and FIRMs.

Approval of Ordinance 2016-39 is recommended to the Board of Mayor and Aldermen.

Chair Hathaway asked for citizen comments. There were none.

Commissioner Lindsey moved, seconded by Commissioner Orr that Ordinance 2016-39 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

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

Chairing: 0

NON-AGENDA ITEMS

ANY OTHER BUSINESS

ADJOURN

There being no further business, the meeting adjourned at 9:00 p.m.

Chair Mike Hathaway