



# City of Franklin

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Franklin, TN 37064  
(615)791-3217

## Meeting Minutes

### Franklin Municipal Planning Commission

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Thursday, November 16, 2017

7:00 PM

Board Room

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#### CALL TO ORDER

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

#### MINUTES

1. Approval of the October 26, 2017 FMPC Minutes.

**Attachments:** [DRAFT FMPC Minutes 10-26-17](#)

**Commissioner Harrison moved, seconded by Commissioner Allen, to approve the minutes from October 26, 2017, as presented. The motion carried by the following vote:**

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

#### 2018 FMPC CALENDAR

2. Approval of the 2018 FMPC Calendar.

**Attachments:** [DRAFT FMPC - Meetings and Deadlines Schedule PUBLIC 2018](#)

**Commissioner Lindsey moved, seconded by Commissioner Allen, that the 2018 FMPC Calendar be approved. The motion carried by the following vote:**

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

#### CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

*Chair Hathaway asked for citizen comments. There were none.*

## ANNOUNCEMENTS

*Chair Hathaway asked if Staff had any announcements.*

*Ms. Emily Hunter, Director of the Planning and Sustainability Department, stated that the Online Training Course for the Planning Commissioners should be completed before the end of December. She also stated that she emailed the Commissioners a list of dates for 2018 work session retreat. She asked the Commissioners to let her know what dates they were not available.*

## 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 McLemore, to approve items 3-12, 15, and 16 on the Consent Agenda. The motion carried by the following vote:**

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

## SITE PLAN SURETIES

3. Alexander Plaza PUD Subdivision, site plan, (Kroger Site Renovations); accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)  
**This Planning Item was approved.**
4. Amelia Park PUD Subdivision, site plan, section 1; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
5. Benelli Park Subdivision, site plan; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
6. Brazzell Building Subdivision, site plan; release the maintenance agreement for landscaping (includes bioretention) improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**

7. Grace Pointe Church Subdivision, site plan; extend the performance agreement for landscaping Phase B improvements for one year. (CONSENT AGENDA)  
**This Planning Item was approved.**
8. Hard Bargain Development Subdivision, site plan; extend the performance agreement for landscaping improvements for one year. (CONSENT AGENDA)  
**This Planning Item was approved.**
9. Highlands at Ladd Park PUD Subdivision, site plan, section 20; release the maintenance agreement for landscaping (street trees) and landscaping (Carothers street trees) improvements; accept the landscaping (Carothers buffer) improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)  
**This Planning Item was approved.**
10. Highlands at Ladd Park PUD Subdivision, site plan, section 21; accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)  
**This Planning Item was approved.**
11. Tywater Crossing PUD Subdivision, site plan, section 2; accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)  
**This Planning Item was approved.**
12. Westhaven PUD Subdivision, site plan, section 25, lots 4202-4204 (Harris Teeter); extend the performance agreement for landscaping (future buffer) improvements for six months. (CONSENT AGENDA)  
**This Planning Item was approved.**

#### **REZONINGS AND DEVELOPMENT PLANS**

13. Consideration Of Ordinance 2017-52, To Be Entitled: "An Ordinance To Rezone 188.28 Acres From Estate Residential (ER) District To Civic And Institutional (CI) District For The Property Located East Of I-65 And West Of The Harpeth River, Southeast Municipal Complex."

**Attachments:** [MAP\\_SEMunicipalComplex.pdf](#)  
[ORD 2017-52 CI Zone SE Municipal Complex\\_with Map.Law Approved](#)  
[SE Municipal Complex REZONING 17\\_9\\_29.pdf](#)

*Ms. Amy Diaz-Barriga, Current Planning Supervisor, stated that the City acquired this 188-acre parcel to support future Civic and Institutional uses in the southeast quadrant of the City. She stated that the public notification had not gone out in a timely manner and asked that the item could be deferred until after the public notification was mailed.*

*Staff recommended to defer to December 14, 2017 FMPC Meeting for appropriate public notification.*

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

*Chair Hathaway asked for a motion.*

**Commissioner McLemore moved, seconded by Commissioner Allen, that Ordinance 2017-52 be deferred until the December 14, 2017, FMPC meeting. The motion carried by the following vote:**

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

14. PUBLIC HEARING Consideration Of Resolution 2017-62, To Be Entitled: "A Resolution Approving A Development Plan For Colletta Park PUD Subdivision, With 2 Modifications Of Development Standards (Lots Less Than One Acre, Cul-De-Sac Length Greater Than 500 Feet), For The Properties Located South Of Murfreesboro Road And East Of Carothers Parkway, (Including 4350 And 4344 South Carothers Road)". (11/16/17 FMPC 7-2; WS 11/28/17 )

**Attachments:** [MAP\\_CollettaParkDevPlan.pdf](#)  
[RESOLUTION 2017-62 Colletta Park\\_with Map.Law Approved 3.pdf](#)  
[Colletta Conditions of Approval 01.pdf](#)  
[Impact Study \(10.18.17\) - 10647.pdf](#)  
[Arch\\_Colletta.pdf](#)  
[Colletta Park Dev Plan Resubmittal 11.2.2017.pdf](#)  
[CollettaConnectivity.pdf](#)  
[CollettaLayout.pdf](#)

*Ms. Diaz-Barriga stated that the plan before the Commission was very similar to the previous plan. The major change is that the plan now meets the existing R-1 zoning. She stated the plan is for 199 units. There are two design concepts within this development and the plan meets the intent and details of each of the design concepts. There are two Modification of Standards:*

*Modification of Standards Request #1- Lots less than 1 Acre in size.  
Section 3.5.10(2)(d)(iii) of the Zoning Ordinance states: New development shall be restricted to detached residential dwellings on lots with a minimum lot area of one to five acres.*

*The current recommendation of Envision Franklin, as stated above, is for a single family residential subdivision with compatible lot sizes. The applicant is proposing lot sizes compatible the existing lots within Franklin East Subdivision and Cross Creek Subdivisions to be located in the area of the proposed subdivision that abuts these existing County subdivisions. The lots then transition smaller to the south to lot sizes compatible with other City subdivisions in the immediate vicinity.*

*Staff Recommended Approval of this Modification of Standards Request.*

*Modification of Standards Request #2- Cul-De-Sac length greater than 500 Feet.  
Section 5.10.8(1)(d) of the Zoning Ordinance states: Cul-de-sac streets shall not extend for more than 500 feet as measured from the center of the cul-de-sac turn around to the nearest right-of way boundary of the adjoining street right-of-way intersection.*

*Ms. Diaz-Barriga stated that there is an existing cul-de-sac at the southeast corner of the property that has a length greater than 500 feet. The existing property boundaries on the south constrain the roadway layout and design. Two connection points with pavement to the edge of the property are provided with this development. A temporary turnaround is being provided with this development until such a time the properties to the east or west are annexed into the City and connected to this parcel.*

*She also stated there is a condition which states that "building permits shall only be issued for 20 units until the applicant constructs a secondary access road or emergency access route. Alternatively, the applicant may fully bond the roadway infrastructure along the route that completes the secondary access or emergency access point. The applicant shall submit a phasing plan for development that incorporates this condition of approval.*

*If more than 20 homes are permitted for any reason and not meeting the condition above, all homes will require the installation and maintenance of an automatic home fire sprinkler system to compensate for the extended travel distance and the single access point. This requirement shall be recorded on the final plat of each phase approved."*

*With this condition, Staff Recommended Approval of this Modification of Standards Request.*

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

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

*The following citizens spoke concerning Item 14:*

- 1. Brian Caplen, 1191 Beacon Hill, spoke against Item 14, especially against the approval of MOS 1 which would allow smaller lot sizes.*
- 2. Monique Kueker, 4245 Warren Road, spoke against Item 14. She stated that she did not believe the plan met the R-1 Zoning requirements.*
- 3. Thomas Brittain, 1209 Ridgeway Drive, spoke against Item 14 and MOS 1 which would allow smaller lot sizes.*
- 4. Michael Kueker, 4245 Warren Road, spoke against Item 14 and MOS 1 which would allow smaller lot sizes.*

*The Applicant was represented by Greg Gamble, Gamble Design. Mr. Gamble stated there was a typo in the Development Plan. He stated this would be corrected. He stated that the roadways are not connecting to Ridgeway and Stanford. Instead, gates would be installed at Stanford and Beacon Hill for emergency use only. Mr. Gamble stated the Statement of Impact would be changed with the next submittal. Mr. Gamble stated he was available to answer questions.*

*Chair Hathaway asked for a motion.*

*Commissioner Harrison moved, seconded by Commissioner Orr, that Resolution 2017-62, with staff comments, be recommended favorably to the Board of Aldermen .*

*Chair Hathaway asked if there was a motion to amend the main motion to include MOS 1.*

*Commissioner Harrison moved, seconded by Commissioner Orr, that the amendment to the main motion to include MOS 1 be approved.*

*Chair Hathaway asked for a vote on the amendment. The motion to amend the main motion to include MOS 1 was carried by the following vote (7-2). Commissioner Gregory and Alderman Petersen voted against motion.*

*Chair Hathaway asked if there was a motion to amend the main motion to include MOS 2.*

*Commissioner Harrison moved, seconded by Commissioner McLemore, that the amendment to the main motion to include MOS 2 be approved.*

*Chair Hathaway asked for a vote on MOS 2. The motion to amend the main motion to include MOS 2 was carried unanimously by the following vote (9-0).*

*Chair Hathaway asked if there was any discussion for the main motion, as amended.*

*Alderman Petersen asked about the slope of the roads. She stated some of the roads in the area have a grade over 20%. She asked what the grade would be for the roads. Mr. Gamble stated that they will be working closely with the Engineering Department staff on a grading plan. He stated that areas on a residential lot with a slope of 20% or greater could not be within the building envelope of the lot. Mr. Gamble referred specifically to the 1-2 acre lots. He stated that the roads would be designed to meet the Street Standards for the City of Franklin.*

*Alderman Petersen asked what the Street Standards for slopes were.*

*Mr. Jimmy Wiseman, Assistant Director for the Engineering Department, stated that the Street Standards require that the street slopes were not greater than 10%.*

*Alderman Petersen asked about the limits of disturbance.*

*Mr. Gamble stated the requirement to have a certain percentage of tree canopy that is preserved in the site. Any trees removed within the tree canopy area would be dead or a hazard. Lots greater than one acre would require a tree removal permit from the City of Franklin.*

*Chair Hathaway asked Staff if the typo should be addressed in the motion.*

*Ms. Hunter stated that it could be added as a recommended condition of approval to the Board. She stated the Applicant had already agreed to make the correction.*

*Chair Hathaway asked for a vote on the main motion, as amended, to include MOS 1 and MOS 2.*

*The motion carried by the following vote (7-2). Commissioner Gregory and Alderman Petersen voted against the motion.*

**Commissioner Harrison moved, seconded by Commissioner Orr, that Resolution 2017-62, with two Modification of Standards (MOS-1: 7-2, MOS-2: 9-0) be recommended favorably to the Board of Aldermen . The main motion, with staff comments, carried by the following vote:**

**Aye:** 7 - Commissioner McLemore, Commissioner Lindsey, Chairperson Hathaway, Commissioner Franks, Commissioner Allen, Commissioner Orr, and Commissioner Harrison

**No:** 2 - Commissioner Petersen, and Commissioner Gregory

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

15. Highlands at Ladd Park PUD Subdivision, Final Plat, Section 28, Lots 664 & 665, Creating 2 Detached Residential Lots, On 0.34 Acres, Located East Of Carothers Parkway And South Of Truman Road. (CONSENT AGENDA)

**Attachments:** [Highlands at Ladd Park FP Sec 28 Lots 664 665 Map](#)  
[6515 Highlands at Ladd Park FP Sec 28 Lots 664 665 Conditions of Approval\\_01](#)  
[SEC 28 PLAT LOTS 665 665 COF#6515 -](#)

**This Planning Item was approved.**

16. Highlands at Ladd Park PUD Subdivision, Final Plat, Section 35, Creating 23 Detached Residential Lots And 2 Open Space Lots, On 10.96 Acres, Located East Of The Intersection Of Carothers Parkway And Long Lane. (CONSENT AGENDA)

**Attachments:** [Highlands at Ladd Park FP Sec 35 Map](#)  
[6560 Highlands at Ladd Park FP Sec 35 Conditions of Approval\\_01](#)  
[COF # 6560 LADD SEC 35 PLAT-11-2-17](#)

**This Planning Item was approved.**

**ZONING ORDINANCE TEXT AMENDMENTS**



17. Consideration Of Ordinance 2016-36, To Be Entitled: "An Ordinance To Amend Chapter 5 Of The Zoning Ordinance Of The City Of Franklin, Tennessee To Amend Subsections 5.5.4 Pertaining To The Requirements For The Dedication Of Land For Parks And Greenways/Blueways."  
(11/16/17 FMPC 9-0)

**Attachments:** [Ordinance 2016-36 - Amend Parkland Dedication Requirements in Zoning Ordinance.Law Approved](#)

*Mr. James Svoboda, Assistant Director of the Planning and Sustainability Department, stated the proposed ordinance amends the Zoning Ordinance to remove existing Parkland Dedication Requirements and replace it with language that references the Parkland Impact Fee and Parkland Dedication Ordinance that is currently being considered by the Board Of Mayor and Aldermen. The existing requirements have been in the Zoning Ordinance since 2008 and are very complicated and do not provide flexibility. This has resulted in several Modification of Standards. After the adoption of the Parks Master Plan in 2016, Staff determined that since there were development approval process similarities in administering the City's Parkland Dedication Ordinance, Road Impact Fee Ordinance, and Sanitary Sewer and Water Off-Set Ordinance, that all the City's development impact fee ordinances should exist in the Municipal Code. This Ordinance would move the Parkland Dedication requirements from the City's Zoning Ordinance to a new Title in the City's Municipal Code for Parks to establish requirements for Parkland Impact Fees and Parkland Dedication.*

*Staff recommended approval of Ordinance 2017-36 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 Harrison moved, seconded by Commissioner Orr, that Ordinance 2017-36 be recommended to the Board of Mayor and Aldermen for approval.*

*Alderman Petersen confirmed that this would remove the language from the Zoning Ordinance.*

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

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

**Commissioner Harrison moved, seconded by Commissioner Orr, that Ordinance 2017-36 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:**

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

#### **NON-AGENDA ITEMS**

*Chair Hathaway asked if there were any other items to discuss. There were none.*

**ANY OTHER BUSINESS**

*Chair Hathaway asked if there was any further business. There was none.*

**ADJOURN**

*Commissioner Harrison moved, seconded by Commissioner Orr, to adjourn. The motion carried by a vote of 9-0.*

*There being no further business, the meeting adjourned at 7:20 p.m.*

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*Chair, Mike Hathaway*