



City of Franklin

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

Meeting Minutes

Franklin Municipal Planning Commission

Thursday, October 24, 2019

7:00 PM

Board Room

CALL TO ORDER

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

MINUTES

1. Approval of the September 26, 2019 FMPC minutes.

Attachments: [Draft - September 2019 FMPC minutes](#)

Alderman Petersen moved, seconded by Commissioner Harrison, to approve the minutes from September 26, 2019, as presented. The motion carried by the following vote:

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

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

Chair Hathaway asked for citizen comments.

Ms. Amy Black, 1001 Reese Drive in Rizer Point, spoke to the Commission concerning the retention area. She stated that her house is directly in this area. She stated that she was concerned that Goodall would start building new homes before they completed the work in this area. She provided pictures, which were added to the record. She stated that the water in the retention area was stagnant and had attracted mosquitoes.

Ms. Mary Ann Dotson, 117 Riverwood, spoke to the Commission about the proposed Zoning Ordinance (Item 54). She is a member of the Franklin Housing Commission. She stated that the Chairman and Co-Chairman were not available to attend the meeting. She stated that they had submitted a letter concerning the following two issues:

1. Lot Sizes - She stated that Alderman Speedy had requested that a presentation be given to the Housing Commission about a planned development in the Berry Farms area. She stated that the mission of the Housing Commission. She stated that the Housing Commission believes that the Envision Franklin requirement which limits lot sizes to a minimum of 45 feet, reduces the opportunity to address the issue for attainable and affordable housing. She stated the Housing Commission believes that a variety of lot sizes will spur production from both the private and non-profit sector. She asked that each project be considered on its own merit, and future projects be considered with varying lot sizes.

2. Accessory Dwelling Units (ADU) - As discussed at the October 3rd meeting, the Housing Commission decided to ask that the new requirements be removed from the proposed Zoning Ordinance. She stated that the Housing Commission believes that limiting ADU's solely to properties with owner occupancy limits the City's potential for attainable housing.

ANNOUNCEMENTS

Chair Hathaway asked if Staff had any announcements.

Ms. Kelly Dannenfelser, Assistant Director of the Planning and Sustainability Department, stated that there will not be a Planning Commission meeting in November. She stated the next meeting will be on December 12, 2019.

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 2-47 and items 50-52, as presented on the Consent Agenda. The motion carried by the following vote:

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

SITE PLAN SURETIES

2. 7007 Moores Lane PUD Subdivision, site plan, lot 2; extend the performance agreement for landscaping Phase 1 (Assisted Living) and landscaping Phase 2 (Villas) improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
3. Amelia Park PUD Subdivision, site plan, section 1; extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
4. Amelia Park PUD Subdivision, site plan, sections 2-6; extend the performance agreement for landscaping section 3, landscaping section 4, landscaping section 6 and landscaping buffer management improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
5. Amelia Park PUD Subdivision, site plan, section 4, revision 1; extend the performance agreement for streets, drainage, green infrastructure and sidewalks improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
6. Berry Farms Town Center PUD Subdivision, site plan, section 3, lot 306; extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
7. Berry Farms Town Center PUD Subdivision, site plan, section 9; release the maintenance agreement for drainage improvements. (CONSENT AGENDA)
This Planning Item was approved.
8. Berry Farms Town Center PUD Subdivision, site plan, section 9, revision 1 (Tennessee Baptist Association); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.

9. Blossom Park PUD Subdivision, site plan; release the maintenance agreement for landscaping open space improvements. (CONSENT AGENDA)
This Planning Item was approved.
10. Cool Springs East Subdivision, site plan, section 31, lot 710; extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
11. Cool Springs East Subdivision, site plan, section 36, revision 3, lot 707 (Home 2 Suites Hotel); accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)
This Planning Item was approved.
12. Creekstone Commons PUD Subdivision, site plan, section 4; extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
13. Downs Boulevard Properties Subdivision, site plan, lots 16 and 17; accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)
This Planning Item was approved.
14. Echelon PUD Subdivision, site plan, sections 1-3; extend the performance agreement for landscaping open space and landscaping buffers improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
15. Eddy Lane Industrial Office Subdivision, site plan; release the maintenance agreement for landscaping Phase 1B improvements. (CONSENT AGENDA)
This Planning Item was approved.
16. Franklin Christian Academy PUD Subdivision, site plan, section 2 (Morning Pointe of Franklin); release the maintenance agreement for streets improvements; extend the maintenance agreement for landscaping Memory Care and landscaping buffer improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.

17. Franklin Industrial Park Subdivision, site plan, (APCOM); extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
18. Franklin Park Subdivision, site plan, revision 1 (One Franklin Park Office Building); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.
19. Gateway Commons PUD Subdivision, site plan; extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
20. Gateway Community Church Subdivision, site plan; extend the maintenance agreement for sewer improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
21. Gateway Village PUD Subdivision, site plan, revision 4, lot 137 (Touchstone Office Building); release the maintenance agreement for green infrastructure improvements. (CONSENT AGENDA)
This Planning Item was approved.
22. Grace Pointe Church Subdivision, site plan; extend the performance agreement for landscaping Phase B improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
23. Hard Bargain Development Subdivision, site plan; extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
24. Heritage Church of Christ Subdivision, site plan, Phase 2 Parking Lot; extend the performance agreement for landscaping Phase 2 and landscaping Phase 3 improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.

25. Highlands at Ladd Park PUD Subdivision, site plan, section 20; extend the performance agreement for landscaping (Carothers buffer) improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
26. Highlands at Ladd Park PUD Subdivision, site plan, section 21; extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
27. Highlands at Ladd Park PUD Subdivision, site plan, section 23; extend the performance agreement for landscaping Carothers median street trees improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
28. Highlands at Ladd Park PUD Subdivision, site plan, section 24; release the maintenance agreement for drainage improvements; extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
29. Highlands at Ladd Park PUD Subdivision, site plan, section 25; release the maintenance agreement for drainage improvements; extend the maintenance agreement for green infrastructure improvements to October 22, 2020; extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
30. Hurstbourne Park PUD Subdivision, site plan, sections 1-3; extend the maintenance agreement for landscaping (section 3) improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
31. Longview Subdivision, site plan, section 1, lot 14 (Taco Bell); extend the performance agreement for green infrastructure improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.

32. Medcore Medical Office Subdivision, site plan, Phase 1, lot 3, revision 1 (Scott Hamilton Proton Therapy Center); accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)
This Planning Item was approved.
33. Ovation Subdivision, site plan, (Infrastructure); reduce and extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
34. Preserve at Echo Estates PUD Subdivision, site plan; release the maintenance agreement for landscaping section 1 open space improvements; extend the maintenance agreement for landscaping section 2 open space improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
35. Quail Hollow Subdivision, site plan, section 2, lot 11 (O'Reilly Auto Parts); extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
36. Quail Hollow Business Park Subdivision, site plan, section 2, revision 4 (Rolling Hills Hospital Addition); release the maintenance agreement for green infrastructure improvements. (CONSENT AGENDA)
This Planning Item was approved.
37. Ralston Row PUD Subdivision, site plan; extend the performance agreement for streets, drainage, sidewalks and landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
38. Rizer Point PUD Subdivision, site plan, section 1; release the maintenance agreement for sidewalks improvements; extend the performance agreement for drainage improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
39. Simmons Ridge PUD Subdivision, site plan, section 2, revision 1; extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.

40. South Park Subdivision, site plan, section 1, revision 2, lot 7 (Keystone Center); extend the performance agreement for access and sidewalks improvements to July 23, 2020. (CONSENT AGENDA)
This Planning Item was approved.
41. Stream Valley PUD Subdivision, site plan, section 13; extend the performance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
42. Through the Green PUD Subdivision, site plan, lot 5; accept the drainage improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)
This Planning Item was approved.
43. Travel Centers of America Subdivision, site plan; extend the performance agreement for green infrastructure improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
44. Tywater Crossing PUD Subdivision, site plan, section 1; extend the maintenance agreement for drainage and landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
45. Village of Eddy Lane Subdivision, site plan; accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)
This Planning Item was approved.
46. Westhaven PUD Subdivision, site plan, section 39, revision 1, lots 1489 and 1490; extend the maintenance agreement for landscaping improvements to October 22, 2020. (CONSENT AGENDA)
This Planning Item was approved.
47. Westhaven PUD Subdivision, site plan, section 42; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)
This Planning Item was approved.

FMPC ANNUAL CALENDAR

48. Approval of the 2020 FMPC calendar.

Attachments: [FMPC Meetings and Deadlines Schedule PUBLIC 2020 DRAFT](#)

Ms. Amy Diaz-Barriga, Current Planning Supervisor, stated that the 2020 FMPC calendar will, once again, combine the November/December meeting into one single meeting held in early December. She stated that, otherwise, the calendar was standard format.

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

Chair Hathaway asked for a motion.

Commissioner Allen moved, seconded by Commissioner Harrison, that Item 48 be approved.

Chair Hathaway asked for discussion on the item.

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

The motion carried unanimously.

Commissioner Allen moved, seconded by Commissioner Harrison, that Item 48 be approved. The motion carried by the following vote:

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

VESTING EXTENSION

49. Consideration Of Resolution 2019-89: A Resolution Amending The Apex PUD Subdivision To Extend The Vested Rights, For The Property Located In The Northeast Corner Of The Intersection Of Carothers Parkway And McEwen Drive.

Attachments: [RES 2019-89 Vesting Extension Apex Village with exhibits.Law Approved 1](#)
[Bigby - Letter for Entitlement Extension Request \(July 25 \)](#)
[Apex Village \(Bigby\) Withdrawal request](#)

Ms. Diaz-Barriga stated that she had given the copy of an email to each Commissioner. The email was from the Applicant requesting withdrawal of this item. She stated the Applicant could speak to this.

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

The Applicant was represented by Mr. Ryan McMaster, Kimley Horn. The Applicant stated that Kimley Horn was representing the owner, Crescent Communities, LLC. He stated they were requesting withdrawal of this item.

Chair Hathaway asked for a motion.

Commissioner Harrison moved, seconded by Commissioner Orr, to allow Resolution 2019-89 to be withdrawn, as requested by the Applicant.

Chair Hathaway asked for discussion on the item.

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

The motion carried unanimously.

Commissioner Harrison moved, seconded by Commissioner Orr, to allow Resolution 2019-89 to be withdrawn, as requested by the Applicant. The motion carried by the following vote:

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

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

50. Parish Presbyterian Church PUD Subdivision, Final Plat, Creating One Lot And Establishing Easements, On 13.84 Acres, Located at 4150 Clovercroft Road. (CONSENT AGENDA)

Attachments: [MAP COF 7087 Parish Pres PUD Sub Final Plat](#)
[Conditions of Approval 7087](#)
[7087- Parish Presbyterian Church PUD Subdivision, Final Plat](#)

This Planning Item was approved.

51. Shadow Green PUD Subdivision, Final Plat, Section 2, Creating One Attached Residential Lot with 80 Dwelling Units And 4 Open Space Lots On 16.93 Acres, Located At 1152 Hillview Lane. (CONSENT AGENDA)

Attachments: [MAP 7083 Shadow Green PUD FP Sec 2](#)
[7083 Shadow Green Sub FP Sec 2 Conditions of Approval 01](#)
[Shadow Green Section Two Final Plat 2019.10.03](#)

This Planning Item was approved.

52. William C. Perry Subdivision, Final Plat, Revision 2, Creating One Additional Single-Family Residential Lot, on 0.75 Acres, Located At 903 West Main Street. (CONSENT AGENDA)

Attachments: [MAP 7084 William C Perry Sub FP Rev 2](#)
[WILLIAM C. PERRY DIVISION PLAT](#)

This Planning Item was approved.

MAJOR THOROUGHFARE PLAN AMENDMENTS

53. Consideration Of Resolution 2019-105: A Resolution To Accept And Recommend Approval Of Amendment No. 3 To The Comprehensive Transportation Network Plan (Major Thoroughfare Plan) To The Franklin Municipal Planning Commission. (08/27/19 WS)

Attachments: [Res 2019-105 Amd 3 to MAJOR THOROUGHFARE PLAN with Exhibit.Law Approved.pdf](#)

Mr. Jimmy Wiseman, Assistant Director of the Engineering Department, stated that in May of 2018, City staff presented and facilitated a discussion on annexation and growth policies within the City of Franklin. As part of this process, staff evaluated the different areas around the City to identify short-term and long-term growth goals. The Goose Creek area was identified as a short-term growth opportunity based on the availability of sanitary sewer, the new fire station, and the improvements associated with Goose Creek Bypass and I-65. In addition, the Board continues to fund a significant amount of infrastructure in the area to include recently completed Carothers Parkway and proposed Long Lane Overpass. With proposed annexations in the Goose Creek Area, staff has been working on an update to the Comprehensive Transportation Network Plan.

As part of Amendment No. 3, staff is recommended the addition of Project 94 - Pratt Lane Improvements (Reams Fleming Blvd/Project 95 to Peytonsville Road) and Project 95 - New Roadway (Lewisburg Pike to Peytonsville Road). Project 95 would be an additional overpass over I-65. Based on the proposed land use/development in this area, the possibility of an interchange with I-65 and a future Park & Ride/transit hub should also be evaluated. These improvements would be subject to future annexation and would be revised as land uses and densities are established in the area.

Staff recommended approval of Resolution 2019-105.

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

Chair Hathaway asked for a motion.

Commissioner Allen moved, seconded by Commissioner Franks, that Resolution 2019-105 be approved.

Chair Hathaway asked for discussion on the item.

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

The motion carried unanimously.

Commissioner Allen moved, seconded by Commissioner Franks, that Resolution 2019-105 be approved. The motion carried by the following vote:

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

ZONING ORDINANCE

54. Consideration Of Ordinance 2019-37, As Amended, An Ordinance To Adopt A New Zoning Ordinance And Map Of The City Of Franklin, Tennessee. (FMPC 10/24/19, 9-0; WS 11/12/19; BOMA 1st Reading 11/12/19, 8-0 AS AMENDED; 2nd Reading 11/26/19, 8-0 AS AMENDED) THIRD AND FINAL READING

Attachments: [ORD 2019-37 Adopt new Zoning Ordinance and Map.Law Approved 3.pdf](#)
[Franklin Zoning Ordinance December 10 2019.pdf](#)
[Zoning Base Districts Map Updated 12.9.2019](#)
[Zoning Overlay Map 12.2.2019.pdf](#)
[Public Outreach Comments](#)
[Fairground St Mailer](#)
[Postcard to all Property Owners](#)
[CFHCLetterPlanningADUs](#)
[FINAL FMPC Franklin ZO Update Presentation 10-24-19](#)
[BOMA Worksession ZO Update FINAL for Granicus 11-12-19.pdf](#)
[BOMA 1st Reading ZO Update FINAL for Granicus 11-12-19.pdf](#)
[CFHCLetterADUsBOMA.pdf](#)
[CFHCLetterPlanningLotsBOMA.pdf](#)
[Walter Green Comment](#)
[Michael Good Comment](#)
[Patrick Baggett Comment](#)

Ms. Kelly Dannenfelser, Assistant Director of the Planning and Sustainability Department, stated that before the Commission was an exceptional Ordinance that reflects the high quality standards that Franklin expects in its development. She stated that this was the culmination of almost two years of very intense, hard work and a robust public outreach process. She introduced Mr. Bill Wright and Mr. Brian Wright with the consulting firm, Town Planning and Urban Design Collaborative (TPUDC). TPUDC helped to move the Ordinance forward to what was before the Commission tonight. Ms. Dannenfelser turned the presentation over to Mr. Brian Wright.

Mr. Brian Wright presented a Powerpoint presentation with the following information. Mr. Wright thanked the Commission for the opportunity to present. He introduced the Planning Department staff team members. He stated that he was the Principal at TPUDC, which is located in Franklin. He stated that TPUDC has worked with many cities across the United States to help create their Zoning Ordinances.

Mr. Wright stated that creating a Zoning Ordinance is a process. It was important to know where you are trying to go. He compared the process to flying in an airplane. He stated that when flying, you only need to know the following:

- Where are you trying to go?*
- What time is your flight?*
- What seat are you sitting in?*
- Where is the bathroom?*

He stated, when flying, you don't need to know how to fly the plane. He stated that their goal was to make sure you don't feel the pressure to become a pilot or a coding expert. Likewise, you (the public) don't have to be an expert on the Zoning Ordinance. He stated that there would be things that people were passionate about, and they heard this.

The City has Envision Franklin, which is the guiding document which establishes the vision for the future. This was the foundation of everything moving forward. Within Envision Franklin, he stated, that there are Design Concepts. These Design Concepts were presented on a map. Some of the Design Concepts are:

- 1. Regional Commerce - Mr. Wright stated this concept deals with large scale commercial development and mixed uses, where people are coming in from other places, not just locally serving.*
- 2. Neighborhood Commercial - He stated that this concept is more small scale, more intimate, neighborhood conveniences.*
- 3. Residential Design Concepts - There are number of residential design concepts that promote a variety of housing types and sizes.*
- 4. Development Reserve - He stated Development Reserve is for areas that are not served by infrastructure. This is in a more rural character.*

Mr. Wright stated that they needed to find a way to tie Envision Franklin, the guiding vision document, together with the Zoning Ordinance. He stated the Zoning Ordinance is what allows the vision to be implemented. He stated that the visions went through a public process and the ordinance goes through a public process.

Mr. Wright asked two questions:

- 1. Why Zone Franklin in the first place?*
- 2. What is Zoning?*

He stated that Zoning is the tool the City used that determines what you can do with your property. It doesn't cause anything to be developed. Zoning doesn't cause anything to be developed. It simply allows development based on the desires of the property owner and the market.

Mr. Wright listed the following perceived challenges of the current Zoning Ordinance:

- Too much subjectivity in process*
- Complicated development review process*
- Not user-friendly*
- Not enough regulation of building appearance/materials*
- Too many PUDs and Modification of Standards*
- Lots of nonconformances*
- Traffic issues, especially In Cool Springs.*

He stated the idea was how to take the perceived challenges and figure out what the update will do to help. He stated that an updated Zoning Ordinance will do the following:

- Align more with Envision Franklin*
- Emphasize community character*
- Organize the document for easier use*
- Protects most-loved parts of the city*
- Enhances areas that need improvement*
- Achieve desired development with zoning districts and development standards for*

straightforward projects

- *Reduce the number of conflicts and overlapping provisions*
- *Create more predictable outcomes*
- *Enhances Long-Term economic viability of the City*
- *Be clear, simple, and understandable*

Mr. Wright explained that Zoning can give you mixed results. He showed examples of cherished open space in the form of a downtown civic space and left over open space. He also showed examples of differences in types of town houses. He stated that, sometimes, we look back to move forward. He stated that we look at loved places around the world, country, and region for inspiration. He showed an example of a development in Maryland. This development was newer, but built to look as though it had been built a hundred years ago. This development was walkable and had the mixed housing types as in Envision Franklin.

Mr. Wright stated that the Zoning Ordinance needs to be updated to meet the changing preferences of the public. He stated that the Zoning Ordinance helps to respond to that change. He stated that is why the development proposals have so many Modifications of Standards. Mr. Wright presented, for example, that people now run businesses from their home. For developments, he stated that people want the studio/loft design and recreational options, such as volley ball and cornhole areas.

Mr. Wright stated that updating the Zoning Ordinance is not just about changing preferences. It is also about protecting Franklin's future economic viability. He showed examples of existing office buildings with the traditional parking lot. He presented an example showing that people now want mixed use areas with office, residential, and commercial. He stated that the Zoning Ordinance needs to support these things found in Envision Franklin, so that we can be strong into the future.

He referred to Ms. Dannenfelser's statement that this had been a robust public process throughout the past two years. Mr. Wright talked about the Planapalooza public outreach event. Planapalooza was a week-long event that invited the public to attend various meetings with specific topics and focus groups. This event was the most well attended event that TPUDC had conducted around the country. One meeting was about the future of the Cool Springs area. He stated that they obtained the following public input:

- *Increase housing options to increase affordability*
- *Needs mixed use*
- *Parking standards makes affordability difficult*
- *Add structured parking*
- *Increase connectivity*
- *Streets have sidewalks but are still auto-oriented*
- *Stormwater requirements between street and parking impedes redevelopment*
- *Transit between downtown & Cool Springs*

Mr. Wright stated that they had another meeting about open spaces & natural resources. They received the following public input:

- *Need more open space of all types*
- *Should have a 5 min walk max to play area or open space*
- *Trail system connects all the parks*
- *Many connections are planned but need to be built*
- *Need more/better parks signage*

- *Need safe routes to schools*

The next meeting was about architecture and design. Mr. Wright stated that they received the following public input:

- *Comfortable & safe character*
- *Sidewalks*
- *Nice details*
- *Reminiscent of downtown*
- *Bistro lights*

The next meeting was about connectivity. They received the following public input:

- *Connectivity benefits health*
- *Need a safer connection between downtown and the Factory*
- *Sidewalks need to be accessible*
- *Need more sidewalks along West Main*
- *Lewisburg Pike needs better facilities*
- *Increase options for moving around the City using multiple modes*
- *Feature the Harpeth River*
- *Vehicles should not be the main priority*

Mr. Wright stated that the fifth meeting was about housing and neighborhoods. They received the following public input at this meeting:

- *Concerns about companies buying homes and turning into rental properties*
- *Incentives for a density bonus to create affordable housing?*
- *Need to adhere to standards.*
- *Affordable housing needs to stay affordable*
- *Independent living*

Mr. Wright stated the sixth meeting was about Downtown Franklin. They received the following public input:

- *Too much through-traffic*
- *Not enough convenient parking*
- *Residential area should not allow additional uses*
- *Airbnb's should be owner-occupied*
- *Would like to have a grocery store and/or pharmacy in walking distance*

The also had a hands-on workshop. Community members put dots on maps and voted on things they liked.

He stated that the people liked:

- *Activated pedestrian environments*
- *Outdoor dining & seating*
- *Activated shopfronts & vibrant*
- *Masonry*
- *Natural materials*
- *Punched window openings*

- *He stated that the people did not like:*

- *Auto-oriented development*
- *Parking in front of buildings*
- *Large spans of glass*
- *Reflective materials*
- *Conventional suburban apartments*

Mr. Wright stated that for larger buildings, people liked:

- *Building articulation*
- *Vertical proportions*
- *Contemporary industrial design*

He stated for residential components, people liked traditional architecture and materials, but they did not like garage-dominated residential.

Mr. Wright then turned the presentation back over to Ms. Dannenfelser. She discussed the proposed new Zoning Ordinance update. She stated that the top changes were:

1. *Align the zoning district standards with Envision Franklin recommendations*
2. *Reduce the number of overlay districts, but add a scenic corridor overlay district*
3. *Refine the building and site design standards*
4. *Make improvements to the usability of the Ordinance*

Ms. Dannenfelser showed an example of the framework changes concerning chapters. The old Zoning Ordinance chapters include:

1. *General Provisions*
2. *Development Approval Authority And Procedures*
3. *Zone Districts, Use Tables, & Dimensional Standards*
4. *Use Regulations*
5. *Development Standards*
6. *Performance Agreements*
7. *Enforcement*
8. *Rules Of Construction & Definitions*

The new proposed Zoning Ordinance chapters include:

1. *Introductory Provisions*
2. *Nonconformities*
3. *Zoning Districts*
4. *Overlay Zoning Districts*
5. *Use Regulations*
6. *Building Types*
7. *Frontage Types*
8. *Transitional Features*
9. *Streets and Circulation*
10. *Parking and Transit*
11. *Open Space*
12. *Landscape*
13. *Fences, Walls, and Screening*
14. *Lighting*

15. Signs
16. Utilities
17. Natural Resources
18. Historic Resources
19. Review Bodies
20. Procedures
21. Performance Agreements
22. Enforcement
23. Definitions and Interpretations
24. History Table

She stated that the newer design looks more complicated. However, she stated that the old development standards chapter was 168 pages, very difficult to use, and not navigable. In the new design, everything is laid out by topic.

She stated that the Overlay Districts was another area they were able to simplify. The list below shows the both the old and the new Overlay Districts.

Old:

- *Historic Preservation*
- *Neighborhood Conservation*
- *Floodway*
- *Floodway Fringe*
- *Hillside/Hillcrest*
- *Columbia Avenue*
- *Height Overlay*
- *Scientific Research*
- *Berrys Chapel (8 Special Areas)*
- *Carnton (4 Special Areas)*
- *Central Franklin (10 Special Areas)*
- *Goose Creek (9 Special Areas)*
- *McEwen (10 Special Areas)*
- *McLemore (2 Special Areas)*
- *Seward Hall (7 Special Areas)*
- *Southall (6 Special Areas)*
- *West Harpeth (3 Special Areas)*
- *Traditional Areas or Conventional Areas*

New:

- *Historic Preservation*
- *Neighborhood Conservation*
- *Floodway*
- *Floodway Fringe*
- *Hillside/Hillcrest*
- *Columbia Avenue*
- *Central Franklin (reduced in geographic area)*
- *Scenic Corridors (new)*

Ms. Dannenfelser stated that they were able to eliminate fifty Overlay Districts. The added one new, Scenic Corridors. She stated that they transferred many of the setbacks that were in the Character Overlay Districts to the new Scenic Corridors Overlay District.

She stated that in the old Zoning Ordinance, you had to go to several places to find out what your bulk requirements were. With the new proposed Zoning Ordinance, you can go to the zoning district itself and find the requirements. Most of these sections are just two pages. She stated that there are hyperlinks for everything you need from the district. This is just one of the many examples of how we improved usability.

Ms. Dannenfelser stated that they put the Public Draft of the proposed Zoning Ordinance on the website, ZoneFranklin.com, in May, 2019. She stated that they had a very strong public outreach process. This included:

- Eight different Planapalooza meetings with 336 unique participants*
- Several Input Sessions, including two rounds of interviews with Aldermen and Planning Commissioners*
- Fifteen Think Tank Sessions with Design Professionals*
- Six Outreach Presentations reaching 625 Attendees*
- Sent out 24,361 notices to every property owner in the City of Franklin*
- Conducted 420 staff meetings in the past two years*

All of this was done to deconstruct the old Zoning Ordinance and put it back together to maintain the high quality standards. They refined the requirements where they needed to be refined. All of this to bring forward the proposed new Zoning Ordinance.

Ms. Dannenfelser stated that 5,315 people viewed the interactive zoning maps on the website, ZoneFranklin.com. Also, there were lots of downloads of the Public Draft and views of the Overlay Districts.

She stated that there was a lot of positive feedback. This included that people liked the following:

- New Graphics*
- Architectural Requirements*
- Simplified Process*
- Structure*
- Organization*

One person stated that they expect Franklin will continue to set the standard here in Middle Tennessee.

Concerning the Multifamily In RC Districts:

- The new RC6 and RC12 districts allow by-right multifamily up to 40 percent of the building square footage in a proposed mixed-use development*
- Common developer comment was that 40% maximum was too low*
- This proposal is a step toward implementation of Envision Franklin, but BOMA may consider more than 40% through the development plan approval process*
- Staff would like to revisit this provision after the conclusion of the Cool Springs Infrastructure Study*

Ms. Dannenfelser listed the following public input from Citizens concerning the Districts And Overlay Districts:

- Some citizens seeking clarifications about zoning districts – ok after explanation*
- Handful of individual concerns about zoning of specific properties, which staff worked*

through with most situations

- *Several concerns about the Scenic Corridor Overlay District on the northwest side of the City, which staff reduced Old Charlotte and Del Rio Pike corridor setbacks*

Ms. Dannenfelser listed the following public input from Citizens concerning the Short-Term Vacation Rentals

- *Majority of comments opposed short-term vacation rentals/wanted more regulation, and seemed supportive of the proposed requirements*
- *Handful have expressed concern about the future of their existing rental units, but support State law allowances for nonconformities in the draft*
- *Three citizen concerns about the desire to have the option in the future*
- *Staff is proposing requirements in all residential districts due to long-term impacts to the housing supply:*
 - *A maximum of one per lot*
 - *The owner resides on the property*

Ms. Dannenfelser stated there was still the availability to have Short Term Vacation Rentals, but not the primary use in a residential neighborhood.

Ms. Dannenfelser turned the presentation back over to Mr. Brian Wright.

Mr. Wright gave the following dates for the approval process:

*October 24, 2019 - FMPC Meeting and Public Hearing
November 12, 2019 - BOMA Worksession , 1st Reading and Public Hearing
November 26, 2019 - 2nd Reading and Public Hearing
December 10, 2019 – 3rd and Final Reading
December 30, 2019 – Effective Date*

Mr. Wright listed the path forward:

- *The new Ordinance is way better than our current one!*
- *Ordinance doesn't have to be perfect to adopt it*
- *Can't anticipate every scenario right now*
- *Test the Ordinance for a year*
- *Conduct a cleanup after 12 months*

Mr. Wright stated that whenever you go the adoption process of an important and complicated document, such as the proposed Zoning Ordinance, discussion points will come up. Mr. Wright stated that the places that have the most successful Zoning Ordinance are those that, when an issue comes up in the adoption process, ask what is the highest standard instead of going to the lowest common denominator. Mr. Wright stated that if this had not been a two-year process, the objections may have been handled at tonight's meeting. He stated that the response to an objection should state that this has been a two-year process of presentations and discussions with the community. This is where the cleanup comes in. When an objection or comes up, the person should state the reasons why, and then go through the process with the Planning staff.

To wrap up, he stated the most important things to consider were that the Zoning Ordinance has to:

- *Work for the community*
- *Work for business*
- *Work for all stages of life*
- *Work economically*
- *Work for character*

Chair Hathaway stated that the Planning Commission is a recommending body for this Ordinance. The Ordinance will go next to BOMA.

Chair Hathaway asked if there were any citizen comments.

The following citizens spoke concerning the proposed Zoning Ordinance:

1. Ms. Debbie Henry, 708 Columbia Ave - In Favor Of. Ms. Henry is the Executive Director of the TMA Group and the Franklin Transit Authority. She stated she is in support, specifically in relationship to transit. She stated that transit infrastructure requirement thresholds are needed, in addition to requirements about existing public transit services and routes. She stated the proposed Zoning Ordinance is a progressive, concise and detailed document. She stated it supports the necessary transit infrastructure requirements, which are needed.

2. Mr. Dirk Melton, 9441 Smithson Lane, Brentwood - In Favor Of. Mr. Melton stated he is the Development Director for Market Street Enterprises, a commercial real estate investment and development company. He stated that his firm, in 2017, was so encouraged by the Envision Franklin document, that they decided to invest in Franklin. They are currently working on a 50-acre redevelopment in Cool Springs. He stated that at the Joint Conceptual Workshop in June, the direction of the proposed Zoning Ordinance was established. He stated there are seven directives to guide the development of the new proposed Zoning Ordinance. He wanted to address the seventh directive which states that the Zoning Ordinance should enhance the long term economic viability for the City. He stated, for 25 years, Cool Springs had enjoyed economic success and was home to many headquarters. However, the future success of communities was not guaranteed. He stated that the office space vacancy was at 13%, double the rate of Downtown Nashville. He stated that they think people want a walkable, mixed-use environment offering a host of options. He stated that is the promise of Envision Franklin, which will be fulfilled in the proposed Zoning Ordinance.

3. Mr. Aubrey Preston - Mr. Preston stated that he and his wife, Michelle, own Animalia Veterinary Clinic. He stated they are concerned about the proposed 300 ft. set back requirement on the south side. He was concerned how this would affect their master plan for healthcare services and make their property non-conforming.

4. Mr. Walter Green, 227 4th Ave. South - In Favor Of. Mr. Green stated that he is a Board Member of the Downtown Neighborhood Association (DNA). He stated this association advocates for the neighborhood within its boundaries. He stated they are concerned about non-owner occupied Short Term Vacation Rentals in the R-4 Zoning areas. He stated the proposed Zoning Ordinance states that Short Term Vacation Rentals in the R-4 area must have an owner permanently occupying the premises and limits the number of rentals to one per lot. He stated the DNA Board of Directors voted in support of this language concerning Short Term Vacation Rentals in the proposed Zoning Ordinance.

5. Mr. Ernie Bacon, 224 4th Ave South - In Favor Of. Mr. Bacon stated that proposed

Zoning Ordinance was very clear. He is a 20 year-plus member of the Downtown Neighborhood Association (DNA). He stated he fully supports the DNA and their position of Short Term Vacation Rentals. He stated that they support the Planning Department's recommendation to limit Short Term Vacation Rentals to owner-occupied. He stated that non-owner occupied are a threat to the community. He stated that density would need to be addressed at some point. He stated that there are no parking regulations in Downtown Franklin for churches, civic or schools.

6. Mr. J. Roderick Heller, 1344 Carnton Lane - In Favor Of. Mr. Heller is the Chairman and CEO of Harpeth Associates, which is developing the \$115 million mixed-use project in Downtown Franklin. He stated that his focus is on Downtown Franklin, and the balance of community, character, and economic viability. He stated that Franklin is a unique community. They decided to invest their funds in Franklin, in part, because of a belief in the continued viability of a dynamic residential component to Downtown Franklin. He stated that there is a matter of fundamental fairness. He stated that the Planning Staff has helped to maintain the level of quality that his company had long sought in their project. He stated that without the continuation of restrictions, there will not be an equal playing field for those who are not subject to same zoning, financial, and regulatory requirements that his project is subject to. He stated his project will provide \$550,000 in occupancy tax to the City of Franklin and Williamson County. He stated equal treatment is important.

7. Mayor Ken Moore - In Favor Of. Mayor Moore stated he was there to speak in support of the proposed Zoning Ordinance. He urged passage of the proposed Zoning Ordinance. He stated he was involved in the process of passing the current Zoning Ordinance in 2007. He stated that it was necessary to go ahead and pass the proposed Zoning Ordinance, use it, and then determine where the changes need to be made. He stated that he recognized the hard work of the Planning Department staff and was very proud of them. He stated that passage of the proposed Zoning Ordinance would ensure that we have the high quality standards that we expect. He stated that the proposed Zoning Ordinance was:

- 1. Easier to use*
- 2. More intuitive*
- 3. Reduces several of the conflicts as seen in the current Zoning Ordinance*
- 4. More predictable*
- 5. Preserves and creates value in the community*
- 6. Continues to promote economic vitality in the community.*

Chair Hathaway called the public hearing portion to a close.

Chair Hathaway asked for a motion.

Commissioner Franks moved, seconded by Commissioner Orr, that Ordinance 2019-37 be recommended to the Board of Mayor and Aldermen for approval.

Chair Hathaway asked for any discussion on the motion.

Commissioner Harrison wanted to discuss two issues. The first was the 20 ft. setback requirement for garages. He stated this would directly affect the cost of homes in Franklin and create a larger building envelope, creating larger lots. He stated that this would drive up the cost of homes continually in the City of Franklin. The second area of

concern is the Scenic Overlay. He stated that this is area which needed more discussion. He stated that he would like for to ask to amend the motion to remove Section 4.9, Scenic Corridor and Overlay District, be removed from the vote, be discussed at a later date, and added back.

Chair Hathaway stated this was a proper amendment and asked if anyone seconded it. Commissioner McLemore stated that she would like to second the motion.

Ms. Dannenfelser stated that the proper motion was to recommend to the Board of Mayor and Aldermen that they amend the Zoning Ordinance.

Commissioner Harrison moved, seconded by Commissioner McLemore, to recommend to the Board of Mayor and Aldermen to amend the Zoning Ordinance to remove Section 4.9, Scenic Corridor Overlay District.

Commissioner Harrison stated he recommended asking for this amendment because he believed this requirement would detrimentally affect the property values of the property owners along the corridor.

Ms. Shauna Billingsley, City Attorney, asked to confirm that this was a motion to recommend the removal of Section 4.9, Scenic Corridor Overlay District. Commissioner Harrison confirmed this and restated that this section needed further discussion.

Chair Hathaway restated that Commissioner Harrison moved, seconded by Commissioner McLemore, to recommend to the Board of Mayor and Aldermen to amend the main motion to remove Section 4.9, Scenic Corridor Overlay District.

Chair Hathaway asked if there was any discussion.

Commissioner Allen stated that this would be a major amendment. She stated that maybe they should defer the vote for the recommendation to the Board of Mayor and Aldermen (BOMA) and discuss this issue first. She stated she could not support the amendment.

Commissioner Harrison stated that he did not want to hold up the entire document from going forward.

Mr. Eric Stuckey, City Administrator, stated that two Public Hearings had already been scheduled in relation to the adoption of the proposed Zoning Ordinance. The first Public Hearing is November 12, 2019.

He requested the Planning Commission's recommendation for approval or disapproval at tonight's meeting, so that BOMA could move forward, considering that public notice had been given.

Ms. Dannenfelser stated that a number of the corridors that have the setbacks in the SCO are currently in the current Zoning Ordinance. She stated these are in the Character Overlay Districts. She stated that there are some more in Envision Franklin, implementing the Heritage Road Scenic Corridor as adopted by BOMA a number of years ago.

Commissioner McLemore stated she would like to discuss the Accessory Dwelling requirement that properties must be owner occupied.

Chair Hathaway stated that this discussion was only in relation to the Scenic Corridor amendment.

Chair Hathaway if there was any further discussion about the amendment to the main motion.

There being none, he asked for vote on the motion to amend the main motion.

The motion failed by the following vote (2-7).

Aye: Commissioner Harrison and Commissioner McLemore

No: Commissioner Orr, Commissioner Franks, Commissioner Allen, Chair Hathaway, Vice-Chair Lindsey, Commissioner Szilagyi, and Alderman Petersen

Chair Hathaway asked for any other amendments to the main motion.

Alderman Petersen stated that she would like to have a discussion. She stated that the motion should be to recommend approval to the Board of Mayor and Aldermen. She referred to page 114, Section 6.3, of the proposed Zoning Ordinance. The section states that "Entry Features shall have a covered porch, covered stoop, or a balcony over the entrance". She stated that this cuts out several designs such as the Federalist style. She stated there are many homes, including Historic homes, that do not have this design. She stated this would have an effect on anyone who did not want to build a Craftsman style home.

Chair Hathaway asked if that would allow for a Modification of Standard (MOS). Ms. Dannenfelser confirmed that it would.

Alderman Petersen stated this was something will need to be discussed.

Commissioner Franks stated that they could go on about the 10 foot garage setback vs. the 20 foot garage setbacks. He stated there were many issues that could be discussed. However, to Mr. Stuckey's point, the Commission has an opportunity to recommend the document to BOMA. He stated that the document could be revisited in the future to make changes. He stated he supported the proposed Zoning Ordinance.

Commissioner Szilagyi stated that, within the proposed 12 month clean-up period, there would probably be some issues to address. She stated this was a period for testing.

Commissioner Allen stated they could take notes and keeping a list of items over that period of time, along with Planning.

Commissioner Franks asked if there was an opportunity to make changes before the proposed Zoning Ordinance passed.

Ms. Dannenfelser stated that the opportunity to make changes was at this meeting. She stated that they are planning to keep a list and watching items as they come up. She stated they hoped to bring this compiled list to the Planning Commission toward the end of next year, especially with the way vesting works now.

Mr. Brian Wright stated Staff could set up a process for adding items to a list. He stated they could set up specific dates to address the items.

Commissioner Franks asked if they thought there would be less Modifications of Standards being requested, as compared to current period. He stated that someone might want to change, for example, garages from a 20 foot setback to 10 foot setback. He stated the Commission might be sympathetic to that. He also stated that they need to think about the aging population needing zero grade instead of eighteen inches off of the ground.

Commissioner McLemore referred to the comments from Mary Ann Dotson of the Housing Commission. The comments pertained to the Housing Commission asking for a change in the Accessory Dwelling requirement that these properties must be owner occupied. She stated that they should talk to the Aldermen. She stated that she would be voting to recommend approval of the proposed Zoning Ordinance to BOMA. She stated, however, that Accessory Dwellings allow for people to provide units for more affordable housing.

Ms. Dannenfelser stated that the subject of Accessory Dwellings came forward a few years ago to allow these in neighborhoods. She stated this was controversial because it was allowing dwellings to be built in backyards of existing neighborhoods. She stated that a rule was added to prevent investors from having two rentals on one property. The rule was to require the property owner to live on the property. This still allowed the property owner to lease either the main home or accessory dwelling.

Commissioner Lindsey stated that they needed to be careful having discussions on items at this point in the process, especially with the Public Hearings. He stated that they should go through the Modification of Standards process on a case by case basis. He stated that he would vote to recommend approval to BOMA.

Alderman Petersen stated that a number years ago there was a discussion about having an accessory dwelling in the back of any home. She stated that with some lot sizes, in some cases, this would cause privacy issues. She stated she spoke against the 2008 Zoning Ordinance before she became an elected official. She stated there were several items she did not like in the current Zoning Ordinance.

Chair Hathaway asked for a vote on the motion.

The motion carried unanimously.

Commissioner Franks moved, seconded by Commissioner Orr, that Ordinance 2019-37 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:

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

NON-AGENDA ITEMS

Chair Hathaway asked if there were any other non-agenda items to discuss. There were none.

ANY OTHER BUSINESS

Chair Hathaway asked if there was any further business.

Ms. Amy Smith, 548 Franklin Road, spoke concerning the proposed Zoning Ordinance. She stated she supported the proposed rezoning of her residential property to General Office.

ADJOURN

There being no further business, the meeting adjourned at 8:20 p.m.

Chair, Mike Hathaway