



## Legislation Text

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**File #:** 19-1224, **Version:** 1

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**DATE:** February 19, 2020

**TO:** Franklin Municipal Planning Commission

**FROM:** Joey Bryan, Principal Planner  
Amy Diaz-Barriga, Current Planning Supervisor  
Emily Hunter, Director of Planning and Sustainability

### Subject

Consideration Of Resolution 2019-111, A Resolution Approving A Development Plan For Downs Boulevard Properties PUD Subdivision With 2 Modifications Of Development Standards, For The Property Located North Of Downs Boulevard And West Of Columbia Avenue, On 2.68 Acres, Located At 1536 Columbia Avenue. (Construction Of A Gas Station) Establishing A Public Hearing On April 14, 2020. (FMPC 2/27/20, 9-0; WS 3/10/20)

### Project Information

**COF Project Number:** 7081

**Applicant:** Davide Tocci, Gresham Smith + Partners

**Owner:** Tri Star Energy

### Background/Staff Comments

The applicant requested deferral at the December 12, 2019, FMPC meeting, and the Commission voted to defer this item to the January 23, 2020 meeting.

The applicant has submitted a development plan for the construction of a fueling station for the property located at 1536 Columbia Avenue. The property is zoned General Commercial (GC) and is located in the Neighborhood Mixed Use Design Concept as defined by the Envision Franklin Land Use Plan. Additionally, the parcel is located in the Columbia Avenue Overlay-Special Area 3 (CAO 3) which has additional regulations to create a more pedestrian-oriented commercial node that serves adjacent residential neighborhoods.

The Neighborhood Mixed Use Design Concept promotes walkability and creating pedestrian-oriented streetscapes. Envision Franklin states, "Building setbacks adjacent to streets should be minimal to create an active street environment with wide tree-lined sidewalks that encourage pedestrian activity." The proposed layout of placing the retail component at the rear of the property and the fuel canopy at the front along Columbia Avenue does not meet the recommendations of Envision Franklin or the Columbia Avenue Overlay District standards in the Zoning Ordinance as this design is structured more for vehicular rather than

pedestrian traffic.

### **Modifications of Standards**

There are two Modification of Standard requests with this plan.

MOS #1: Requesting a canopy to be freestanding and be located in front of the principal structure.

The applicant is requesting to locate the canopy along Columbia Avenue with the retail component located on the side of the property. Section 4.1.6(3)(a) of the Franklin Zoning Ordinance states, “Canopies... shall not be freestanding or attached to an accessory structure unless located to the rear of the principal structure.” The proposed location of the canopy at the front of the property along Columbia Avenue does not meet the regulations or the design intent of the Zoning Ordinance. Staff recommends denial of the First Modification of Standards request.

MOS #2: Requesting the use of a drive-thru in CAO-3 north of Downs Boulevard.

The applicant is requesting a drive-through use component as part of the Development Plan for this property. Section 3.4.7(f)(g)(ii) of the Franklin Zoning Ordinance prohibits the use of drive-throughs in this location, “Drive-through uses are prohibited on properties north of Downs Boulevard to create a pedestrian-oriented node.” The subject property is located on the north side of Downs Boulevard within CAO-3. Since the proposed site layout, and specifically the drive-through, does not align with the design intent of Envision Franklin’s Neighborhood Mixed Use Design Concept or the Columbia Avenue Overlay District in this location, staff recommends denial of the second Modification of Standards request.

### **Recommendation**

**Recommend disapproval to the Board of Mayor and Aldermen.**

See attached pages for a list of staff recommended conditions of approval.

### **PROCEDURAL REQUIREMENTS:**

1. If the plan receives BOMA approval, the applicant shall upload the corrected plan to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>). All revisions to the approved plans shall be “clouded.” With the resubmittal, each condition of approval/open issue in the online plan review system shall contain a full response from the applicant as to the satisfaction or completion of that condition.
2. The city’s project identification number shall be included on all correspondence with any city department relative to this project.