

# **MINUTES OF THE MEETING OF THE FRANKLIN MUNICIPAL PLANNING COMMISSION FEBRUARY 27, 2014**

The Franklin Municipal Planning Commission held a regular meeting on Thursday, February 27, at 7:00 p.m. in the city hall boardroom.

Members present:     Marcia Allen  
                              Jimmy Franks  
                              Lisa Gregory  
                              Scott Harrison  
                              Mike Hathaway, Chair  
                              Roger Lindsey, Vice Chair  
                              Michael Orr  
                              Ann Petersen, Alderman

Members absent:     Alma McLemore

Staff present:         Vernon Gerth, Community and Economic Development  
                              Donald Anthony, Planning and Sustainability Department  
                              Brad Baumgartner, Planning and Sustainability Department  
                              Emily Hunter, Planning and Sustainability Department  
                              Catherine Powers, Planning and Sustainability Department  
                              Brenda Woods, Planning and Sustainability Department  
                              Carl Baughman, Engineering Department  
                              Paul Holzen, Engineering Department  
                              Tom Ingram, Engineering Department  
                              Dustin Scruggs, Engineering Department  
                              Chris Bridgewater, Building and Neighborhood Services  
                              Eric Stuckey, Administration  
                              Shauna Billingsley, Legal Department

The purpose of the meeting will be to consider matters brought to the attention of the Planning Commission and will include the following. The typical process for discussing an item is as follows:

1. Staff presentation,
2. Public comments,
3. Applicant presentation, and
4. Motion/discussion/vote.

Applicants are encouraged to come to the meeting, even if they agree with the staff recommendation. The Planning Commission may defer or disapprove an application/request unless someone is present to represent it.

For accommodations due to disabilities or other special arrangements, please contact the Human Resources Department at (615) 791-3216, at least 24 hours prior to the meeting.

**1. CALL TO ORDER**

**2. MINUTES**

- 1/23/14 Regular Meeting

**3. CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA**

Open for Franklin citizens to be heard on items not included on this Agenda. As provided by law, the Planning Commission shall make no decisions or consideration of action of citizen comments, except to refer the matter to the Planning Director for administrative consideration, or to schedule the matter for Planning Commission consideration at a later date. Those citizens addressing the Planning Commission are required to complete a Public Comment Card in order for their name and address to be included within the official record.

**4. ELECTION OF OFFICERS FOR 2014**

- Elect a Chair for 2014
- Elect a Vice-Chair for 2014

**5. ANNOUNCEMENTS**

**6. VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA**

The non-agenda process, by design, is reserved for rare instances, and only minor requests shall be considered. Non-agenda items shall be considered only upon the unanimous approval of all of the Planning Commission members.

**7. CONSENT AGENDA**

The items under the consent agenda are deemed by the Planning Commission to be non-controversial and routine in nature and will be approved by one motion. The items on the consent agenda will not be individually discussed. Any member of the Planning Commission, City Staff, or the public desiring to discuss an item on the consent agenda may request that it be removed and placed on the regular agenda. It will then be considered in its printed order.

- Initial Consent Agenda
- Secondary Consent Agenda- to include any items in which Commissioners recuse themselves

**SITE PLAN SURETIES**

Consent: Items 8 – 9

8. Gateway Village PUD Subdivision, site plan, section 6; release the maintenance agreement for drainage and sidewalks improvements.
9. Generals Retreat PUD Subdivision, site plan; extend the performance agreement for drainage/detention improvements.

**REZONINGS AND DEVELOPMENT PLANS**

**10. ORDINANCE 2014-04, TO BE ENTITLED “AN ORDINANCE TO REZONE ±10.33 ACRES FROM LOW RESIDENTIAL DISTRICT (R-1) TO AGRICULTURAL DISTRICT (AG) FOR THE PROPERTIES LOCATED AT 4108 AND 4114 MURFREESBORO ROAD, BY THE CITY OF FRANKLIN, TENNESSEE.”**

Project Number: 2952  
 Applicant: Greg Gamble, Gamble Design Collaborative  
 Staff Recommends: Favorable Recommendation to BOMA  
 Consent Status: Nonconsent

**11. RESOLUTION 2014-16, TO BE ENTITLED “A RESOLUTION APPROVING A DEVELOPMENT PLAN REVISION (MODIFICATION OF STANDARDS—SIGNAGE) FOR THE COOL SPRINGS GALLERIA PUD SUBDIVISION, LOCATED AT 1800 GALLERIA BOULEVARD, BY THE CITY OF FRANKLIN, TENNESSEE.”**

Project Number: 2965  
 Applicant: Caleb Thorne, Ragan Smith  
 Staff Recommends: Favorable Recommendation to BOMA  
 Consent Status: Nonconsent

**12. RESOLUTION 2014-14, TO BE ENTITLED “A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR THE FRANKLIN CHRISTIAN ACADEMY PUD SUBDIVISION, LOCATED ALONG OLD CHARLOTTE PIKE AND NEW HIGHWAY 96, BY THE CITY OF FRANKLIN, TENNESSEE.”**

Project Number: 2961  
 Applicant: Allen Jones, Ragan Smith Associates  
 Staff Recommends: Approval, with conditions  
 Consent Status: Nonconsent

**13. RESOLUTION 2014-15, TO BE ENTITLED “A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR RIZER POINT PUD SUBDIVISION, LOCATED NORTH OF DEL RIO PIKE, BY THE CITY OF FRANKLIN, TENNESSEE.”**

Project Number: 2962  
 Applicant: Greg Gamble, Gamble Design Collaborative  
 Staff Recommends: Approval, with conditions  
 Consent Status: Nonconsent

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

**14. Benelli Park Subdivision, preliminary plat, 11 residential lots and 2 open space lots on 5.06 acres, located at 425 Boyd Mill Avenue.**

Project Number: 2958

Applicant: Greg Gamble, Gamble Design Collaborative  
Staff Recommends: Approval, with conditions  
Consent Status: Nonconsent

**15. Berry Farms Town Center PUD Subdivision, final plat, section 4, 14 nonresidential lots and 4 open space lots on 21.34 acres, located along Five Mile Crossing, north of Goose Creek Bypass and east of Berry Farms section 3.**

Project Number: 2959  
Applicant: Brandon Lambert, Littlejohn Engineering Associates  
Staff Recommends: Disapproval  
Consent Status: Nonconsent

16. Blossom Park PUD Subdivision, site plan, 26 residential units and 3 open space lots on 9.04 acres, located at 3003 Del Rio Pike.

Project Number: 2941  
Applicant: Greg Gamble, Gamble Design Collaborative  
Staff Recommends: Approval, with conditions  
Consent Status: Consent

17. Blossom Park PUD Subdivision, final plat, 26 residential lots and 3 open space lots on 9.04 acres, located at 3003 Del Rio Pike.

Project Number: 2960  
Applicant: Greg Gamble, Gamble Design Collaborative  
Staff Recommends: Approval, with conditions  
Consent Status: Consent

18. Cool Springs East Subdivision, site plan, section 36, revision 3, lot 707, Home 2 Suites Hotel on 1.20 acres, located at 107 International Drive.

Project Number: 2964  
Applicant: Scotty Bernick, Ragan Smith & Associates  
Staff Recommends: Approval, with conditions  
Consent Status: Consent

19. Franklin First United Methodist Church PUD Subdivision, site plan, section 1, request for the 1<sup>st</sup> six-month site plan extension for the site plan approved by FMPC 3/28/13 until 9/28/14.

Project Number: 2665  
Applicant: Jeff Hooper, Barge Cauthen & Associates  
Staff Recommends: Approval  
Consent Status: Consent

20. Kamalu, site plan (parking addition), surety revision to place sidewalk funds in escrow, located at 142 and 144 Second Avenue North.

Project Number: 2297  
Applicant: Daniel Woods, The Addison Group  
Staff Recommends: Approval  
Consent Status: Consent

**21. Ovation Subdivision, preliminary plat, 9 lots on 145.48 acres, located at the southeast corner of Carothers Parkway and East McEwen Drive.**

Project Number: 2893  
Applicant: Seth Sparkman/Dan Barge, Barge Cauthen  
Staff Recommends: Approval, with conditions  
Consent Status: Nonconsent

**22. Pickering West Property, appeal of DRT decision regarding hillside development and slope protection standards, located at the southeast corner of Interstate-65 and East McEwen Drive.**

Applicant: Alan Thompson, Ragan-Smith Associates  
Consent Status: Nonconsent

**23. W.R. Jenkins Subdivision, final plat, revision 4, 1 residential lot on 0.59 acres, located at 418 Boyd Mill Avenue.**

Project Number: 2945  
Applicant: Mike Holmes, H & H Land Surveying Inc.  
Staff Recommends: Approval, with conditions  
Consent Status: Consent

**ZONING ORDINANCE TEXT AMENDMENTS**

**24. ORDINANCE 2013-46, TO BE ENTITLED: "AN ORDINANCE TO REMOVE BASE ZONING DISTRICTS: RX, MN, ML, MX; AND TO CREATE FIVE NEW BASE ZONING DISTRICTS: SD-R, SD-X, RM-10, RM-15, RM-20."**

Applicant: Catherine Powers, Director, Planning and Sustainability  
Staff Recommends: Favorable Recommendation to BOMA  
Consent Status: Nonconsent

**25. ORDINANCE 2013-47, TO BE ENTITLED: "AN ORDINANCE TO AMEND CHAPTER 4, SECTION 4.1.6 (14) OF THE ZONING ORDINANCE TO REVISED REQUIREMENTS AND DEFINITIONS RELATED TO RECREATIONAL VEHICLES."**

Applicant: Chris Bridgewater, Director of Building and Neighborhood Services  
Staff Recommends: Unfavorable Recommendation to BOMA  
Consent Status: Nonconsent

**HISTORIC DISTRICT GUIDELINES UPDATE**

**26. RESOLUTION 2014-18, TO BE ENTITLED: "A RESOLUTION AUTHORIZING THE ADOPTION AND IMPLEMENTATION OF AMENDMENTS TO THE HISTORIC DISTRICT DESIGN GUIDELINES, AS PERTAINING TO CERTIFICATE OF APPROPRIATENESS EXTENSIONS."**

Applicant: Catherine Powers, Planning and Sustainability Director  
Consent Status: Consent

**NON-AGENDA ITEMS**

**ANY OTHER BUSINESS**

## ADJOURN

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### 1. CALL TO ORDER

Chair Hathaway called the meeting to order at 7:00 p.m.

### 2. MINUTES

Mr. Harrison moved to approve the January 23, 2014, Planning Commission minutes as presented, Mr. Orr seconded the motion, and it passed unanimously (7-0).

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

No one came forward.

### 4. ELECTION OF OFFICERS FOR 2014

Vice Chair Hathaway stated that the Planning Commission would elect a Chair and a Vice-Chair for 2014.

Mr. Harrison moved to nominate Chair Hathaway for the Chair, Ms. Allen seconded the motion, and it passed unanimously (7-0).

Mr. Harrison moved to nominate Vice Chair Lindsey for the Vice Chair, Mr. Orr seconded the motion, and it passed unanimously (7-0).

### 5. ANNOUNCEMENTS

Ms. Powers stated that staff had three non-agenda items to place on the agenda for this meeting, and staff would present them.

### 6. VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

Mr. Anthony stated that before this meeting, information pertaining to the three site plans had been placed on the desk of each Planning Commissioner. The initial site plans for extensions would expire in the next few days on these projects. The Planning Commission would have to vote to allow second six month extensions on all three. Staff recommends approval of all three six month extensions.

Mr. Harrison moved to allow the three non-agenda items to be added to the agenda, Ms. Allen seconded the motion, and it passed unanimously (7-0).

Chair Hathaway stated that since these were three straight forward items, he would add them to the beginning of the agenda.

No one else wanted to place any non-agenda items on the agenda.

### 7. CONSENT AGENDA

Chair Hathaway stated that the items under the consent agenda were deemed by the Planning Commission to be non-controversial, routine in nature and would be approved by one motion. He asked if anyone wanted to pull any items from the consent agenda, and no one wanted to pull any items.

Chair Hathaway stated that Nonconsent item 10 had been requested to be withdrawn by the applicant, and he wanted to add it to the Consent items as a withdrawn item. The Consent items would be 8 through 10, 16 through 20, 23, and 26.

Mr. Harrison moved to approve the consent agenda, as amended, Mr. Orr seconded the motion, and it passed unanimously (7-0).

**8. GATEWAY VILLAGE PUD SUBDIVISION, SITE PLAN, SECTION 6**

Maint agreement: **Sidewalks \$2,500**  
Established: February 15, 2013  
Previous Action: 9/12/07 PA posted  
10/17/08 Approved extension to 10/16/09  
10/16/09 Approved extension to 10/15/10  
10/28/10 Approved extension to 10/27/11  
10/27/11 Approved extension to 10/25/12  
6/28/12 Release denied; extend to 12/20/12; all sidewalks must be installed prior to release.  
12/20/12 Approved extension to 12/19/13  
2/15/13 Release PA, establish MA for \$2,500  
2/25/13 MA posted  
Recommendation: Release the maintenance agreement.

Maint agreement: **Drainage \$2,500**  
Established: February 15, 2013  
Previous Action: 9/12/07 PA posted  
10/17/08 Approved extension to 10/16/09  
10/16/09 Approved extension to 10/15/10  
10/28/10 Approved extension to 10/27/11  
10/27/11 Approved extension to 10/25/12  
10/25/12 Approved extension to 10/24/13  
2/15/13 Release PA, establish MA for \$2,500  
2/25/13 MA posted  
Recommendation: Release the maintenance agreement.

**9. GENERALS RETREAT PUD SUBDIVISION, SITE PLAN**

Perf agreement: **Drainage/detention \$5,000**  
Established: February 23, 2006  
Previous Action: 6/27/06 PA posted  
4/13/07 Approved extension to 4/24/08  
8/23/07 Reduce from \$10,000; extend to 8/28/08  
8/15/08 Approved extension to 2/20/09

2/20/09 Release denied; extend to 2/19/10  
2/19/10 Extend to 2/18/11  
2/24/11 Extend to 2/23/12  
2/23/12 Approved extension to 2/15/13  
2/28/13 Extend to 2/27/14; portion of site still under construction  
12/23/13 NEW APPLICANT

Recommendation: Extend to February 26, 2015.

**10. ORDINANCE 2014-04, TO BE ENTITLED “AN ORDINANCE TO REZONE ±10.33 ACRES FROM LOW RESIDENTIAL DISTRICT (R-1) TO AGRICULTURAL DISTRICT (AG) FOR THE PROPERTIES LOCATED AT 4108 AND 4114 MURFREESBORO ROAD, BY THE CITY OF FRANKLIN, TENNESSEE.”**

Ordinance 2014-04 was withdrawn at the request of the applicant.

16. Blossom Park PUD Subdivision, site plan, 26 residential units and 3 open space lots on 9.04 acres, located at 3003 Del Rio Pike.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

**PROCEDURAL REQUIREMENTS:**

1. In addition to uploading the corrected plan to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit one (1) complete and folded set and a .pdf file of corrected site plan to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). 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. Once the corrected site plan has been approved, one (1) full-size and one (1) half-size copy of the final approved landscape plans shall be submitted to the Department of Building and Neighborhood Services for future landscape inspection purposes.

3. Once all conditions of approval related to engineering and tree preservation concerns have been met, the applicant shall submit one (1) half-size copy and four (4) full-size copies of the corrected grading/drainage and seven (7) full-size copies of the corrected water/sewer plans to the Department of Building and Neighborhood Services (Attn: Engineering Dept.) to be stamped and signed by city officials prior to the issuance of stormwater and grading permits and water/sewer approval, where applicable. It is also suggested that the applicant submit the stormwater and grading permit applications and stormwater maintenance plan and agreement in conjunction with the grading/drainage plan submittal.

4. The applicant shall submit (4) four sets of complete building plans, including the approved, revised site plans, to the Building and Neighborhood Services Department for review and approval prior to the issuance of a building permit.

5. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.

6. The city's project identification number shall be included on all correspondence with any city department relative to this project.

**\*PROJECT CONSIDERATIONS:**

1. Land Planner accepts these additional plant materials; however, the detention areas are still holes in the ground. Collaboration of the Landscape Architect and stormwater designer could have produced a more aesthetic and environmental design.

\* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

**CONDITIONS OF APPROVAL:**

**Performance Agreement and Surety**

**General Comments**

**1. Landscape**

Landscape surety shall be determined at Post PC - TBD \$

**Engineering**

**General Comments**

**2. Sidewalks**

Ramps are to be directional (in line with the sidewalk), not diagonal. On the SE corner there will be two directional ramps, the NE corner will have one directional ramp.

**3. Sanitary Sewer**

The previous comment was "Show sanitary sewer stub outs to lots." The previous comment was not addressed. Provide the location of the sewer service to each lot on the sewer and utility plans.

This was a comment previously that was not addressed

**4. Streets**

This is a new comment. Provide a street typical section and curb and gutter that meets the requirements in the City of Franklin Streets Standards. The frame and grate for each catch basin must be located inside the curb and gutter section. None of the catch basin grate or frame is permitted to be located within the pavement section of the street.

**5. Grading**

This is a new comment. Connect all proposed contours to existing contours. Connect all proposed headwalls to proposed contours. Label proposed contours along swales and berms. Provide the top of berm elevations.

**6. Sanitary Sewer**

Applicant has not addressed the intent of the comment. The profiles show REFLECT the outside pipe diameter on the profile in order to visualize the clearance. Create a line for top and bottom of pipe (4" (scaled)). Maintain a minimum of 18" clearance at crossings, unless NOT Possible, concrete encasement allowed where not possible.

#### 7. Sanitary Sewer

Prior to approval of sanitary sewer permit sets, the applicant shall provide the necessary design information for review including pump specs & calcs, all additional calculations, pump station dimensions, additional detail on the pump station layout, and any other required information as deemed necessary by City Staff. This information can be submitted with permit sets; however, please note that this method will result in multiple review periods and new comments prior to plan approval" will remain open until all of the pump station submittals are complete.

#### 8. Sanitary Sewer

Meter and backflow preventer must be located in vault and outside of roadway.  
Water/Sewer

#### 9. Wastewater

The previous comment was not fully addressed. A sanitary sewer service shall be clearly shown to serve each lot. Sanitary services will not be allowed to cross property lines to serve lots. Sanitary services shall be as short as possible.

#### 10. Force main

The 4" ductile force main shall be lined with protecto 401 coating for approved use in sewer.

#### Zoning

#### 11. Driveway

The typical lot diagram and note show that the driveway is 21' from the sidewalk. The Zoning Ordinance requires at least 22' from the sidewalk.

17. Blossom Park PUD Subdivision, final plat, 26 residential lots and 3 open space lots on 9.04 acres, located at 3003 Del Rio Pike.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

#### PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plat to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit three (3) paper copies and a .pdf file of the corrected plat, along with the Mylar, to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). The Certificates of Approval for the Subdivision Name and Street Names, Water System (if not COF Water), Survey, and Ownership shall be signed when the plat is resubmitted. The Mylar shall be submitted to BNS within five (5) business days of the corrected electronic plat being uploaded to the online plan review website (or vice versa) or the

item shall be rejected as incomplete for City review. 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.

3. The applicant shall upload a .dwg copy of the final plat through the IDT system (link above) in Tennessee state plan coordinates, NAD 83, NAVD 88, zone 4100/5301 for incorporation of the plat into the Franklin GIS database.

**\*PROJECT CONSIDERATIONS:**

1. None

\* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

**CONDITIONS OF APPROVAL:**

**Engineering**

1. Traffic/Transportation

ROW reservation area is acceptable but not sufficient. Place a note on the plat regarding its purpose, to accomplish future relocation of intersection access with Del Rio Pike, to provide needed separation from the Carlisle Lane intersection.

**Parks**

**General Comments**

2. Parkland information

Regarding parkland dedication, applicant shall correct square footage calculation from 31,000 sf to 31,200 sf. 26 units x 1200 sf=31,200 sf.

**Planning (Landscape)**

**General Comments**

3. Critical Tree Lots

Only Lots 3, 8, 10, 11, 12, 15, 16, 17, 18, 19, 25 and 26 shall be labeled as critical tree lots.

**Streets**

4. ADA/Ramp

Plat shall reflect the changes made to the site plan at the stub intersection of Bloomington Ln. in front lot 20. Please refer to site plan.

**Water/Sewer**

5. Force main easement

Label the Force main easement along the front of lots 8,9,10 and 11. This comment has been added because the force main moved onto the lots out-of-the-way of street trees.

18. Cool Springs East Subdivision, site plan, section 36, revision 3, lot 707, Home 2 Suites Hotel on 1.20 acres, located at 107 International Drive.

STAFF RECOMMENDATION: Approval, with conditions

**PROCEDURAL REQUIREMENTS:**

1. In addition to uploading the corrected plan to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit one (1) complete and folded set and a .pdf file of corrected site plan to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). 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. Once the corrected site plan has been approved, one (1) full-size and one (1) halfsize copy of the final approved landscape plans shall be submitted to the Department of Building and Neighborhood Services for future landscape inspection purposes.

3. Once all conditions of approval related to engineering and tree preservation concerns have been met, the applicant shall submit one (1) half-size copy and four (4) full-size copies of the corrected grading/drainage and seven (7) full-size copies of the corrected water/sewer plans to the Department of Building and Neighborhood Services (Attn: Engineering Dept.) to be stamped and signed by city officials prior to the issuance of stormwater and grading permits and water/sewer approval, where applicable. It is also suggested that the applicant submit the stormwater and grading permit applications and stormwater maintenance plan and agreement in conjunction with the grading/drainage plan submittal.

4. The applicant shall upload complete building plans, including the approved, revised site plans, to IDT for the Building and Neighborhood Services Department for review and approval prior to the issuance of a building permit.

5. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.

6. The city's project identification number shall be included on all correspondence with any city department relative to this project.

**\*PROJECT CONSIDERATIONS:**

1.

\* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

**CONDITIONS OF APPROVAL:**

Performance Agreement and Surety

## General Comments

### 1. Landscape

Landscape surety shall be determined at Post PC - TBD \$

## Fire

### 2. Fire Protection

Adoption of the 2012 International Fire Code becomes effective March 1, 2014.

507.5.1.1 of the IFC requires a fire hydrant closer than the distances indicated. A new fire hydrant will be required. Please provide the required fire hydrant in either the island adjacent to the porte cochere or the island adjacent to the drive lane/fire lane intersection.

(Sheet C1.2)

## Planning (Landscape)

### General Comments

### 3. Green Roof

Before and during installation of green roof, City of Franklin Land Planner shall be present during installation. Add this note to Green Roof Sheet 1 of 1

## Water/Sewer

### General Comments

### 4. Wastewater

A grease trap shall be shown on the 6" sewer service for this site plan. This comment was overlooked on the first review.

## Zoning

### 5. Color Elevations

Provide Color elevations, with materials labeled, for all facades of the storage building. The storage building is required to match the main building.

The screen used on the rooftop HVAC does not match the rest of the building. Rooftop screening is required to be part of the building and blend in with the architecture. Revise the elevations to show this.

### 7. Loading Dock

With revised plans the applicant shall document that the provided loading spaces are adjacent to the building's loading / service entrance. Loading areas are required to be located in an area that promotes their practical use.

### 8. Color Elevations

Revised plans shall be submitted showing that only three main colors are used on the exterior façades. The current elevations show the use of four main colors.

### 9. Elevation

With the submittal of revised plans a note shall be added to the site plan and elevations that the glass room shall not be accessible and shall not be lit internally or externally.

19. Franklin First United Methodist Church PUD Subdivision, site plan, section 1, request for the 1<sup>st</sup> six-month site plan extension for the site plan approved by FMPC 3/28/13 until 9/28/14.  
COMMENTS: This project has not yet been issued a building permit, and the approval of the site plan is soon to lapse. A six month extension to September 28, 2014 is recommended.

20. Kamalu, site plan (parking addition), surety revision to place sidewalk funds in escrow, located at 142 and 144 Second Avenue North.

STAFF RECOMMENDATION: Approval

COMMENTS: The site plan for this project was approved by the FMPC at its November 11, 2011, meeting. Conditions placed on the approval included construction of a sidewalk on Bridge Street. The City's Engineering Department has determined that a sidewalk on Bridge Street cannot be installed at this time due to site constraints. Therefore, rather than holding the \$1,900 surety indefinitely, the funds shall be converted to escrow until such time that the sidewalk can be constructed.

Escrow Requirement added to COF 2641:

Sidewalk	\$	1,900
<b>TOTAL</b>	<b>\$</b>	<b>1,900</b>

\* The sidewalk funds must be placed in escrow prior to the issuance of a building permit.

23. W.R. Jenkins Subdivision, final plat, revision 4, 1 residential lot on 0.59 acres, located at 418 Boyd Mill Avenue.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

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

PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plat to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit three (3) paper copies and a .pdf file of the corrected plat, along with the Mylar, to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). The Certificates of Approval for the Subdivision Name and Street Names, Water System (if not COF Water), Survey, and Ownership shall be signed when the plat is resubmitted. The Mylar shall be submitted to BNS within five (5) business days of the corrected electronic plat being uploaded to the online plan review website (or vice versa) or the item shall be rejected as incomplete for City review. 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.

3. The applicant shall upload a .dwg copy of the final plat through the IDT system (link above) in Tennessee state plan coordinates, NAD 83, NAVD 88, zone 4100/5301 for incorporation of the plat into the Franklin GIS database.

**\*PROJECT CONSIDERATIONS:**

1. None

\* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

**CONDITIONS OF APPROVAL:**

Planning

General Comments

1. Revision number

Applicant shall update plat to show correct information for the property to the north/northeast. The most recent plat for that property is revision 3 to the W.R. Jenkins Subdivision.

26. RESOLUTION 2014-18, TO BE ENTITLED: "A RESOLUTION AUTHORIZING THE ADOPTION AND IMPLEMENTION OF AMENDMENTS TO THE HISTORIC DISTRICT DESIGN GUIDELINES, AS PERTAINING TO CERTIFICATE OF APPROPRIATENESS EXTENSIONS."

Favorable recommendation to the BOMA.

This completed the consent agenda.

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**Non-agenda Item 1.**

**The Highlands at Ladd Park PUD Subdivision, site plan, section 11, second 6-month extension**

Mr. Anthony stated that the three non-agenda items would be taken one at a time. He referred to document COF# 2516 and stated that it was for Highlands of Ladd Park, site plan, section 11. This would be for a second six-month extension to begin on March 19, 2014, and staff recommended approval.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked for if there was an applicant.

No one came forward.

Mr. Franks moved to extend the second extension for an additional six months, to begin on March 19, 2014, Mr. Harrison seconded the motion, and it passed unanimously (7-0).

**Non-agenda Item 2.**

**The Highlands at Ladd Park PUD Subdivision, site plan, section 12, second 6-month extension**

Mr. Anthony stated that this non-agenda item would be for COF# 2517, Highlands of Ladd Park, site plan, section 12, and would be for a second six-month extension to begin on March 19, 2014, and staff recommended approval.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked for if there was an applicant.

Mr. Bill Charles, of Ford Custom Homes, stated that he was present and requested approval.

Alderman Petersen asked if this would become a first six-month extension when the applicant already had a six-month extension.

Mr. Anthony stated that the first six-month extension, which was administratively granted, would expire prior to the March 27, 2014, Planning Commission meeting so the Planning Commission would have to give the second extension.

Vice Chair Lindsey moved to extend the second extension for an additional six months, to begin on March 19, 2014, Mr. Harrison seconded the motion, and it passed unanimously (7-0).

**Non-agenda Item 3.**

**The Highlands at Ladd Park PUD Subdivision, site plan, section 15, second 6-month extension**

Mr. Anthony stated that this non-agenda item would be for COF# 2518, Highlands of Ladd Park, site plan, section 15, and would be for a six-month extension to begin on March 19, 2014, and staff recommended approval.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked for if there was an applicant.

No one came forward.

Vice Chair Lindsey moved to extend the second extension for an additional six months, to begin on March 19, 2014, Mr. Orr seconded the motion, and it passed unanimously (7-0).

**11.RESOLUTION 2014-16, TO BE ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN REVISION (MODIFICATION OF STANDARDS—SIGNAGE) FOR THE**

**COOL SPRINGS GALLERIA PUD SUBDIVISION, LOCATED AT 1800 GALLERIA BOULEVARD, BY THE CITY OF FRANKLIN, TENNESSEE.”**

Ms. Hunter presented Resolution 2014-16 and stated that the applicant was submitting this Development Plan Revision in order to request a Modification of Standards for signage. It is mainly related to the new tenant signage for the Sears renovation and the district addition that was recently approved. Approval for these changes will allow the mall to construct several multi-tenant signs. One will be at the intersection of Mallory Lane and Nichol Mill, and the other at Mallory Lane and Crossroads Boulevard. Those signs will be 18 feet tall to allow for the mall identification as well as a listing of six tenants. The mall currently has a modification to allow 14 foot development signage, but that would not include any of the multi-tenant signs. This Modification of Standards also includes multi-tenant signs that would be located on the stand-alone district buildings, as well as the second floor mall exterior where the Sears renovation was recently approved. Staff recommends approval of the modifications, mainly because this is a regional shopping destination. These requests and modifications are in-line with previously approved modification of standards and in-line with other modification of standards for signage that have been requested on other PUDs in the City.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked for if there was an applicant.

Mr. Caleb Thorne, of Ragan Smith Associates, stated that the intent of this revision to the original standard, which was approved in 1990, brings signage up to a standard being supportive of the currently approved additions to the mall. This standard helps promote the mall's intent to be a lively urban contemporary development. It exhibits these characteristics through the architecture, landscape details, and signage. The applicant feels that these minor adjustments accomplish the goal, are glad to see staffs' favorable recommendation, and requests approval of Resolution 2014-16.

Mr. Harrison moved to favorably recommend approval of Resolution 2014-16 to the Board of Mayor and Aldermen, and Mr. Orr seconded the motion.

Alderman Petersen stated that she would be in favor of Resolution 2014-16; however, some of the comments stating that the standards for signage were intended to preserve the history and tradition of a city, which had been around for a century, did not have anything to do with just what downtown was like. When the mall was approved, it did receive some special signage, and it is the only place where there is a moving sign. There were many things at the time that were only allowed for the Galleria Mall and not anywhere else

With the motion to favorably recommend approval of Resolution 2014-16 to the Board of Mayor and Aldermen having been made and seconded, it passed unanimously (7-0) with the following:

**STAFF RECOMMENDATION:** Favorable Recommendation to the BOMA;

COMMENTS: The applicant is requesting a modification of standards for new signage standards related to tenant signage for the new Sears renovation and the section 2 (The District) addition. Approval of these changes will allow the mall to construct several multi-tenant signs, one at the intersection of Mallory Lane and Nichol Mill and the other at Mallory Lane and Crossroads Blvd. The signs requested would be 18' tall to allow for the mall identification and the listing of six tenants. The Mall currently has a modification to allow 14' development signage, but this does not include multi-tenant signs.

Multi-tenant signs would also be located strategically on buildings or stand alone in significant locations along Galleria Blvd ring road. In addition to the multi-tenant signs, the applicant is requesting that signage be permitted on the second floor of the mall exterior for the second floor tenants. The other requests in this modification relate to the exterior signage at the open air lifestyle center.

Staff recommends approval of these modifications. The Cool Springs Galleria mall is a regional shopping destination. The requested modifications are in line with their previously approved modifications and similar in scope with the modifications granted for various other PUDs in the City.

**PROCEDURAL REQUIREMENTS:**

1. Fifteen (15) half-size copies of the Development Plan shall be submitted to the Department of Planning and Sustainability by 9am on the Monday after the Planning Commission meeting in order to be placed on the Board of Mayor and Aldermen agenda.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.

**\*PROJECT CONSIDERATIONS:**

1. None;

\* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

**12.RESOLUTION 2014-14, TO BE ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR THE FRANKLIN CHRISTIAN ACADEMY PUD SUBDIVISION, LOCATED ALONG OLD CHARLOTTE PIKE AND NEW HIGHWAY 96, BY THE CITY OF FRANKLIN, TENNESSEE."**

Mr. Anthony presented Resolution 2014-14 and stated that the Planning Commission reviewed the Franklin Christian Academy development plan last year. At that time, the development plan included a school consisting of several buildings on the northern half of the property and a church on the southern half of the facility. The development plan was ultimately approved by the Board of Mayor and Aldermen, and the site plan for the school was subsequently approved by the Planning Commission.

With this revision, the southern portion of the property would house an assisted living center and a memory care unit. Up to 125 people would be housed or served between the two facilities.

Staff recommends approval of the development plan revision with the conditions set forth in the staff report.

The applicant has requested a design modification for this project. The Zoning Ordinance requires that the building facades along arterials consist of 75 percent brick or stone. Thus, on this project, the southern façade of the assisted living center and the western facades of both the assisted living center and the memory care facility should consist of 75 percent brick or stone. The applicant has asked that the Planning Commission reduce that requirement from 75 percent to 46 percent. The applicant made a similar request for the school last year, and the Planning Commission granted the request. Staff does not have a recommendation on this request.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked for if there was an applicant.

Mr. Alan Thompson, of Ragan Smith Associates, presented Resolution 2014-14 and stated that the applicant was looking at the use for coming in with an assisted living facility on the front portion of this site, fronting Highway 96, with approximately a 12 acre parcel. The school is currently under construction on the northern portion of the property, which is approximately a 15 acre parcel. The applicants agreed with all of the conditions of approval; however, they did wish to speak on behalf of the modification of standard. He introduced Mr. Jack Potter, the architecture, of Hart Freeland and Roberts, who would discuss the building materials that would be used and what the applicant would be proposing on this site in terms of how it would be seen from the street.

Mr. Jack Potter, of Hart Freeland and Roberts, showed samples and discussed the building materials that would be used for this project. He stated that there were a fair number of windows, it was 40 percent glazing in entrances along this phase, that was including all of the gable areas, and that was the primary reason they were requesting a variance.

Mr. Harrison moved to favorably recommend approval of Resolution 2014-14, and Mr. Franks seconded the motion.

Alderman Petersen stated that she noticed in the narrative, it said that the Design Team was taking cue from neighboring farm lands, Westhaven, and The Factory at Franklin, and none of those had this mix in front. She did not object, necessarily, to it because it was somewhat far away from Mack Hatcher. However, there was really nothing on the way to this development that looks like this. Everything has much more brick and/or stone on it than anything else and, certainly, The Factory of Franklin is brick. The structures in Franklin that had a mix were built in the 80s or later. Franklin now has mainly brick and stone. She did not object to this project since it is set back because it would not be seen; however, she did not want people to start thinking that the City does not uphold its design standards. She had heard some of the Design Professionals talk about this also, and that is not the case.

Mr. Harrison moved to amend the main motion to include the modification of standards, and Mr. Franks seconded the motion.

Ms. Allen stated that she wanted to make it clear that the reason she could support Resolution 2014-14 was because it was not right up against the road but was set back. Since it is as far back as it is from sight, it does not defeat the purpose of the design standards.

With the motion to amend the main motion to include the modification of standards having been made and seconded, it passed unanimously (7-0) with the following.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: The applicant requests a modification of the design standards set forth in Section 5.3.6(7)(a)(i) of the Zoning Ordinance. That subsection requires the following: "Building facades of buildings three stories or less facing an arterial street, Mack Hatcher Parkway, and Interstate 65 shall include brick, stone (real or faux), marble, or scored precast concrete for a minimum of 75 percent of the net façade area."

The applicant's request follows:

#### DESIGN MODIFICATION REQUEST

The design team would like to seek a modification of design standard 5.3.6 (7) (i) from the FMPC per the provisions of section 5.3.11. The required design standard states that masonry must occupy a minimum of 75 percent of both the southern and western fascades since they face an arterial road and the proposed Mack Hatcher Extension. The design team would like a reduction from 75% masonry to 46% masonry.

- The requested reduction is no less conforming than what was approved for Franklin Christian Academy.
- The western façade is approximately 320 feet from the travel way of the future Mack Hatcher Extension. Due to this large distance, the façade's visibility will be greatly reduced once landscaping is installed and the existing TVA transmission lines and poles. The façade being presented follows the craftsman style with residential textures and shapes familiar to Franklin. These include the use of manufactured stone ad clap board with sloped shingled roofs to give and maintain a residential character that is within the City of Franklin. This look will help provide a transitional design between commercial and residential areas.
- The southern façade is approximately 250 feet from the property line. Due to this large distance, the façade's visibility will be greatly reduced once landscaping is installed.
- The design modification as requested will not be detrimental to the public safety health or injurious to other property or improvements in the neighborhood in which the property is located.
- The conditions upon which this request is based are unique to the design intent for the development and are only applicable to this property and its future phases.

The applicant made a similar request for the school facility when the FMPC reviewed the school site plan at the April 25, 2013, FMPC meeting. At that time, the FMPC granted the applicant's request.

**PROCEDURAL REQUIREMENTS:**

1. Fifteen (15) half-size copies of the Development Plan shall be submitted to the Department of Planning and Sustainability by 9am on the Monday after the Planning Commission meeting in order to be placed on the Board of Mayor and Aldermen agenda.
2. If the plan receives BOMA approval, the applicant shall upload the corrected plan to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>) and submit one (1) complete and folded set and a .pdf file of corrected development plan to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). 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.
3. The city's project identification number shall be included on all correspondence with any city department relative to this project.

**\*PROJECT CONSIDERATIONS:**

1. None

\* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

**CONDITIONS OF APPROVAL:**

Engineering

General Comments

1. Drainage

The previous comment "All stormwater that flows from impervious areas must be channeled to detention and pass through the required water quality treatment facilities." was not addressed. Remove the grading from the grading and drainage plans that show stormwater will flow off site prior to detention.

2. Water

The previous comment "In order to provide adequate emergency water flow the water line must be extended to Old Charlotte Pike." was not completely addressed. Provide the location of water line and reclaim line in Old Charlotte Pike and show the connections to those lines. Provide the location of the reclaim line to the proposed development site.

3. Infrastructure Coordination

Update the MHP & SR 96 intersection to the latest signalized intersection proposal, as uploaded into IDT. The roundabout proposal has been withdrawn. This is a new issue based on the current submittal.

Planning

General Comments

4. Modification of design standards request

Applicant has requested modification of design standards. Should the modification be denied by the FMPC, the applicant shall revise elevations to comply with all building material standards set forth in the Zoning Ordinance.

5. Setbacks

Applicant shall revise setback information to include internal setbacks for the memory care lot/structure.

(This is a new condition. Staff realized that the memory care structure was situated within the listed setbacks.)

Planning (Landscape)

General Comments

6. Tree removal

At site plan, all specimen trees that are removed outside of the Tree Preservation area shall be shown and their replacement provided at 2:1.

**13.RESOLUTION 2014-15, TO BE ENTITLED “A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR RIZER POINT PUD SUBDIVISION, LOCATED NORTH OF DEL RIO PIKE, BY THE CITY OF FRANKLIN, TENNESSEE.”**

Mr. Anthony presented Resolution 2014-15 and stated that the purpose of this revision is to reduce the widths of certain typical lots within the Rizer Point PUD Subdivision from 55 and 65 feet to 52 and 62 feet, respectively. This change better accommodates the floodplain and does not change the total number of lots in the development. Staff recommends approval with the conditions listed on the staff report.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked for if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative, stated that as Section 2 and 3 were under construction, the applicant discovered through the process that the reclaim water force main was not in the location that the as-built surveys had shown and that the Tennessee One Call had located. It was actually about 3 feet closer to the residential lots. To accommodate and move the force main, the applicant is asking that two of the lots be reduced in size from 55 feet to 53 feet so that their plats do not have several of the residential lots lapping over the easements of the force main. He requested approval of the Planning Commission for item 13.

Mr. Orr moved to favorably recommend approval of Resolution 2014-15, and Mr. Harrison seconded the motion.

Alderman Petersen stated that she had heard that some updated Federal Emergency Management Agency (FEMA) maps were available. She did not know if the City had the updated FEMPA maps, but she understood that they were available.

Ms. Hunter stated that she knew that the City should be receiving them in the next several months, but she had not heard that the City had yet received them.

Alderman Petersen asked if this could be checked on because she had heard the FEMA maps were out. This development plan was changing the elevation to get this project, and these lots were right on the edge of the floodplain. She asked if this project was started in 2010, and where did the floodplain come to on this lot.

Mr. Gamble stated that this Development Plan was started at the May 2010 flood. He stated that the Letter of Map Amendment (LOMA) documents had been filed with FEMA, and the process was underway.

Vice Chair Lindsey asked if the LOMA documents were intended to remove the parcels.

Mr. Gamble stated that all residential lots would be outside of the floodplain. They were established at 3 feet above the floodplain level, which is the requirement of the City.

With the motion to favorably recommend approval of Resolution 2014-15 having been made and seconded, it passed unanimously (7-0) with the following.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

PROCEDURAL REQUIREMENTS:

1. Fifteen (15) half-size copies of the Development Plan shall be submitted to the Department of Planning and Sustainability by 9am on the Monday after the Planning Commission meeting in order to be placed on the Board of Mayor and Aldermen agenda.
2. If the plan receives BOMA approval, the applicant shall upload the corrected plan to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>) and submit one (1) complete and folded set and a .pdf file of corrected development plan to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). 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.
3. The city's project identification number shall be included on all correspondence with any city department relative to this project.

\*PROJECT CONSIDERATIONS:

1. None

\* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

CONDITIONS OF APPROVAL:

Planning

General Comments

1. Previous plans and plats

Applicant shall revise any previously-approved site plans and plats affected by the change in typical lot widths. Revised plans and plats shall be submitted to the Planning Department for full review following the FMPC/Administrative calendar.

Stormwater

General Comments

2. Stream Buffer

On sheet C2.0 the stream buffer is still labeled as Zone 2. Applicant shall label as a Zone 1 buffer.

Zoning

General Comments

3. FFO

The applicant shall obtain a floodplain development permit prior to any disturbance of the FFO.

4. FFO/FEMA

The applicant shall obtain a letter of map amendment from FEMA for any flood plain alteration.

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

**14. Benelli Park Subdivision, preliminary plat, 11 residential lots and 2 open space lots on 5.06 acres, located at 425 Boyd Mill Avenue.**

Mr. Anthony presented item 14 and stated that staff recommended approval with the conditions set forth in the staff report.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked for if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative, stated that the applicant agreed with all conditions of approval, and he requested approval of item 14.

Mr. Harrison moved to favorably recommend approval of item 14, and Mr. Franks seconded the motion.

Alderman Petersen stated that Sharp's Branch was located at the back of this project. She asked if Sharp's Branch had the floodplain on it.

Mr. Anthony stated that he did not remember if Sharp's Branch had the floodplain in it at this particular location, but there were places where there was floodplain associated with Sharp's Branch.

Mr. Gamble stated that this particular property did have a portion of it as having been identified in the floodplain. Lot 11 had about 10 square of the floodplain on it at the back bottom corner. The floodplain line then comes underneath the new proposed road, just slightly and crosses across the back of Lot numbers 5 and 6. The applicant will fill 194 cubic yards of floodplain with this development plan, but they are creating 350 cubic yards of additional floodplain that is not on the property at this time.

Alderman Petersen asked where the floodplain was, and Mr. Gamble described. She stated that she thought it should be designated as the 100 year floodplain even though Mr. Gamble was going to change it.

Mr. Gamble stated that there was a portion of Lot 6 at the rear of the lot that was currently in the floodplain but would be removed from the floodplain.

Alderman Petersen asked if she was correct in stating that the Sharp's Branch part did not have a study on it, and Mr. Gamble stated that she was correct.

Mr. Gamble reiterated that they were filling 194 cubic yards of floodplain with this development plan, but they are adding an additional 350 cubic yards of floodplain storage onsite that was not on the property at this time.

With the motion to favorably recommend approval of item 14 having been made and seconded, it passed unanimously (7-0) with the following:

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

**PROCEDURAL REQUIREMENTS:**

1. The applicant shall upload the corrected preliminary plat to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>) and submit one (1) complete and folded set and a .pdf file of the corrected preliminary plat to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). All revisions to the approved plans shall be clouded. A response letter addressing each condition shall be included with the .pdf upload and the set of corrected plans.

2. The city's project identification number shall be included on all correspondence with any city department relative to this project.

**\*PROJECT CONSIDERATIONS:**

**1. None**

\* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

**CONDITIONS OF APPROVAL:**

**Engineering**

**General Comments**

**1. Streets**

There was a problem with the IDT system and this open issue was unintentionally deleted from the original review comments.

The maximum cross slope and profile slope on a cul-de-sac is 5%.

**Fire**

**2. Fire Protection**

Flow test pending due to weather reschedule.

**Planning**

**General Comments**

**3. Static and residual pressures**

Applicant shall provide static and residual pressures at nearest fire hydrant.

**4. Building envelopes**

Applicant shall remove building envelopes from preliminary plat.

**Planning (Landscape)**

**General Comments**

**5. Tree Preservation**

Add this Note: "By trees 146 and 148 see note below."

**15. Berry Farms Town Center PUD Subdivision, final plat, section 4, 14 nonresidential lots and 4 open space lots on 21.34 acres, located along Five Mile Crossing, north of Goose Creek Bypass and east of Berry Farms section 3.**

Mr. Anthony presented item 15 and stated that staff had sent out a revised staff report earlier this week. The applicant has requested deferral on this item until March. Staff agrees with the request and recommends deferral of this item.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked for if there was an applicant.

No one came forward.

Mr. Harrison moved to recommend deferral of item 15 to the March 27, 2014, Planning Commission meeting, Vice Chair Lindsey seconded the motion, and it passed unanimously (7-0).

**21. Ovation Subdivision, preliminary plat, 9 lots on 145.48 acres, located at the southeast corner of Carothers Parkway and East McEwen Drive.**

Ms. Hunter presented the staff report for item 21 and stated that staff recommended approval with the revised conditions on the staff report, dated February 24, 2014.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked for if there was an applicant.

Mr. Seth Sparkman, of Barge Cauthen Associates, stated that they had reviewed and were in agreement with all of the conditions of approval for item 21, and he requested approval.

Mr. Harrison moved to favorably recommend approval of item 21, Ms. Allen seconded the motion, and it passed unanimously (7-0) with the following:

STAFF RECOMMENDATION: Approval, with conditions;

COMMENTS: This staff report revision removes three conditions of approval (#2, #3, and #5) and changes two conditions of approval (#6 and #7) to project considerations. Staff has recently met with the applicant to discuss the conditions of approval, and based on the discussion, staff recommends these changes to the previously provided conditions of approval.

CONDITIONS OF APPROVAL:

~~2. The previous comment was not completely addressed. The applicant shall label the width of the sanitary sewer easement where it is not included in a roadway. Additionally, the easements shall be revised so that there is a minimum of 10' on either side of the waterlines. Alternatively, prior to Post-PC approval, the applicant shall provide a letter from Mallory Valley stating they will accept less than a 20' exclusive easement as shown on the plans.~~

~~Sanitary sewer easements require adequate width according to the depth of the line. Additional width for the sewer easements may be required. Separation between the sewer line and adjacent utilities may require additional space according to the depth of the utilities. Street trees will not be permitted within 10 feet of the sewer line or within the sewer easement.~~

~~Adjust the line weight of the TVA easements to match the line weight of the other easements.~~

~~3. Previous comment was not fully addressed.~~

~~The applicant shall revise the sanitary sewer alignment where it connects to an existing manhole near McEwen Drive. The applicant shall revise the alignment so the sewer only crosses perpendicular to the stream buffer and disturbance is minimized. The applicant shall revised the alignment of the sewer line so the sewer line crosses the proposed wetlands in the shortest possible manner. Sewer manholes must be placed outside of the wetlands or any other detention or water quality feature.~~

- ~~5. Minimum building setback lines shall be removed and only listed in the site data chart. A note regarding the measurement of the setback lines from the Carothers R.O.W. shall also be added to the site data chart.~~

~~It appears that there is a right turn lane on Carothers that is not included within the proposed R.O.W. All proposed roadway and turn lanes shall be included in the R.O.W. to be dedicated. Since including the turn lane as R.O.W. will likely impact the distances from the road to the buildings, the applicant shall continue to work with staff to identify the exact distances of the buildings from the R.O.W.~~

~~The setbacks shall be further identified with the upcoming PUD Development Plan submittal for this section. The applicant shall add a note to the setback information that states that the setbacks may be modified with an upcoming PUD development plan approval.~~

- ~~6. The Tree Preservation Plan shall be shown on the Development Plan or Site Plan, whichever is submitted first.~~
- ~~7. All specimen trees to be removed in the right of way for the roads shall be shown and a plan for tree replacement at the rate of 2 to 1 shall be shown on the Development Plan or Site Plan and the grading/infrastructure plans.~~

**\*PROJECT CONSIDERATIONS:**

1. The Tree Preservation Plan shall be shown on the Development Plan or Site Plan, whichever is submitted first.
2. All specimen trees to be removed in the right of way for the roads shall be shown and a plan for tree replacement at the rate of 2 to 1 shall be shown on the Development Plan or Site Plan and the grading/infrastructure plans.

\* These items are not conditions of this approval, but are intended to highlight issues that should be considered in the overall site design or may be required when more detailed plans are submitted for review. These items are not meant to be exhaustive and all City requirements and ordinances must be met with each plan submittal.

**CONDITIONS OF APPROVAL:**

Engineering

General Comments

1. Streets

Knoll Top Lane roundabout node is to be removed, as it does not provide connectivity, only access. Give overall connectivity index calculation with this revision.

Parks

General Comments

## 2. BOMA Approval

Agreement from BOMA needed: From Turning Wheel Drive west for approximately 280-/+ feet, the new road, Tribute Lane, is shown on City Park property. Before this section of roadway can be fully approved for construction, an agreement or approval from BOMA shall be obtained. Construction documents for this section of Tribute Lane shall not be approved until BOMA has agreed to permit the work and provide R.O.W./access easements.

### **22. Pickering West Property, appeal of DRT decision regarding hillside development and slope protection standards, located at the southeast corner of Interstate-65 and East McEwen Drive.**

Ms. Hunter presented the staff report for item 22 and stated that Section 5.8.1 of the Franklin Zoning Ordinance included Environmental Protection Standards that limit Hillside Development. The Environmental Protection Standards for Hillside Development apply to any area of naturally-occurring slopes 14 percent or greater that, in the opinion of DRT, warrant protection, regardless of proximity to the HHO District.

While not within the HHO District, a significant portion of the land near McEwen Drive contains slopes greater than 20 percent. Given the steep slopes and their proximity to the interstate, arterial streets, and gateway points into the City, DRT has determined that an area of slope immediately south of East McEwen Drive shall be protected to maintain the viewshed from areas north of the site.

The impact of applying Section 5.8.1 to this site is that development on slopes of 20 percent or greater would be prohibited within that green boundary. Development on slopes 20 percent or greater would be permitted outside of this identified boundary, as long as it is limited to areas outside of the HHO and 500 feet HHO Buffer.

In making this determination, the Departmental Review Team (DRT) looked to the Environmental Protection Guiding Principles in the Land Use Plan, which specifically encourages balancing the protection of environmental resources with the ability to reasonably develop a property, but not at the expense of compromising neighborhood character.

The applicant has submitted several documents and exhibits in the appeal of the DRT determination. While many of these documents provide additional illustration and conceptual design, the Planning Commission should keep in mind that these plans are merely preliminary. The designs provided by the applicant that comply with the DRT recommendation for slope disturbance do not actually show the intent of hillside preservation. Under the DRT determination, the natural hillside would be maintained at an elevation of approximately 860 feet. The hillside should gradually level off to a more acceptable final grade than 805 feet, as identified on the applicant's exhibits. Staff questions whether a finished grade of 805 feet is appropriate or even permissible under current regulations.

Additionally, the Huffines Ridge extension is not shown in a location agreeable to staff. If it were located farther south along the ridge, the finished grade of the site could be higher, which would indicate more preservation of the naturally-occurring hills. These items should be kept in mind when considering the applicant's appeal submittal. If necessary, staff has some additional drawings drafted in-house that may better convey the staff vision for the property.

The Planning Commission is asked whether the natural preservation of the parcels in question are of limited benefit such that the area of slopes 14 percent or greater is so small that there is no meaningful benefit from the application of Section 5.8.1 of the Zoning Ordinance. Staff has found that there are areas of 14 percent or greater slope on this property that provide meaningful community value and has recommended that such hillsides and hillcrests be protected against encroachment wherever possible.

Chair Hathaway asked for comments from the citizens.

Alderman Beverly Burger, stated that she represented this area, Ward 1, and stated that she had had concerns about this hill for years but finally the City had an opportunity to make something happen in the southeast part of McEwen and I65. When the McEwen Exchange was constructed, the wall was patched, and it looks like a patchwork quilt, but it is not so pretty. The hill itself screams out now that the development on the other three quadrants has been started or coming into the first phase of being addressed. This area needs attention. It is very unkempt. It would be wrong to leave it sit there and not do anything to enhance this important gateway. The area is also very small, and she could see no meaningful benefit for the application of section 5.8.1 of the Zoning Ordinance at this location at all. Furthermore, after she looked into this, took some time to study it, and talked with staff, she was assured that this area had no benefit as an environmental resource and certainly does not compromise a neighborhood character at all. In fact, grading this corner would greatly enhance the corner or the corridor and all proper development to hopefully happen in this area. The area slopes off in the back to a much lower acreage, and it needs to be graded to allow the better use of the area. Again, this is an area that Alderman Burger represents, she talks with her residents all of the time, and there has been concern about what will happen on this parcel. As it stands today, people see this parcel as unsightly, over-bearing, in need of better grading and for sure a much better and higher use. She has established a diverse focus group across her ward. In the Cool Springs area, she has about 32 individuals. Today she texted them to get their input, and 24 people said that they would like to see the area graded and come into a better use, one said he/she was not sure and one said he/she would like to see a hotel. She and her focus group are glad that Highwoods Realty is coming to the Planning Commission to make a request that makes excellent sense to the McEwen/Carothers I65 Corridor. In fact, she sought out the developer herself about the corner some time ago to ask what might be done, and she was at this meeting to tell everyone that she was here on her own initiation. She had been concerned that this last quadrant be developed rightly. She referred to a non-intersection study, which had been done in this area, and it supports this type of development and use of this land. A good project at this location would create additional capital improvements for the City. As Alderman of this area, she is fully in support of item 22.

This ended citizen comments.

Chair Hathaway asked for if there was an applicant.

Mr. Alan Thompson, of Ragan Smith Associates, stated that he represented SouthStar and that Mr. Glenn McGehee, of SouthStar, would later speak regarding item 22. Mr. Thompson distributed page 5-104, Chapter 5, Hillside Development, 5.8.1, from the City of Franklin's, Zoning Ordinance. He further stated that back in December of 2013, he submitted a request for a slope determination to the DRT. Staff worked with them and assisted them through the process. On January 15, 2014, they received a determination from City staff. He showed and discussed exhibits regarding the appeal of the DRT determination and spoke and gave examples of why he believed they met the bigger picture of the intent of (1) Purpose and Intent, from page 5-104, Chapter 5, Hillside Development, 5.8.1, from the Zoning Ordinance. He stated that they were putting density in the proper place and were preventing it from going to another rural option. They understood staff's perspective, but he respectfully disagreed to the appeal and requested support from the Planning Commission for item 22

Mr. Glenn McGehee, of SouthStar, presented item 22 and stated that they had known from the start that the Zoning Ordinance did permit the DRT to waive the application of the Hillside Development Standards when the area of the natural slopes was so small that there was no meaningful benefit. He respectfully disagreed to the appeal and requested support from the Planning Commission for item 22.

Mr. Franks moved to approve the motion to appeal, and Mr. Harrison seconded the motion.

Chair Hathaway wanted to clarify with Attorney Billingsley that by the Planning Commission voting to approve or disapprove an appeal to the DRT, it did not imply any other Planning approval or anything else because it was giving direction to staff for this particular issue to move the project forward one way or the other.

Ms. Billingsley stated that Chair Hathaway was correct that the Planning Commission was the final decision maker.

Alderman Petersen clarified the motion to state that it was to approve the appeal for item 22.

Alderman Petersen stated that the impact of construction whether it was at I65 or the McEwen Interchange really affected this corner area. This came about, although it was not one of the Hillside Overlay designations. She asked if this had happened before.

Ms. Hunter said that they had used that section of the Zoning Ordinance to make a determination when there were 14 percent or greater slopes that warrant protection, but those were because they were in a stream buffer area, so that was a different situation. It has not been used as far as a hilltop. This is the first time that this part of the Zoning Ordinance has been used by staff to recommend an appeal.

Alderman Petersen stated that to her the character of the corridor from north of Moores Lane to Highway 96 was probably developed or going to be developed. She did appreciate the fact that this was a small area; however, lanes were supposed to be added to the McEwen Interchange,

which would, most likely, cut into this even more. She thought of the Neighborhood Character as not being the hill whenever it was right on I65. She thought of it as the I65 development.

Ms. Allen stated that one of the things that concerned her about this area was the location of Huffines Ridge. Even if the Planning Commission agreed on the appeal, she asked how this would be affected.

Ms. Hunter stated that the final grade of where the development would actually occur would still be determined at a later date. Engineering would have to figure out the actual location and route of that street and then determine what grades that street could have to meet the City's Street Standards.

Ms. Allen stated that she was on the Board of Mayor and Aldermen commission when some serious mistakes were made handling hillsides; therefore, this item was very important.

Alderman Petersen stated that besides the destruction of the natural scenic beauty and the neighborhood character, the other side was soil erosion, soil slippage and things of this nature. She was assuming that this was not a problem except sighting in the streets and what they would do there.

Ms. Hunter stated that this was yet to be determined.

Vice Chair Lindsey stated that when looking at the diagrams and comparative elevations and taking about 50 feet off of the high point, there also appears that there is a lot of fill back to the eastside and to the south side and short of the protected hilltop. He asked how much differential there was between what appears to be a large pad that extends all the way back to the buffer on the back hilltop and to the Vanderbilt property to the east.

Mr. Thompson stated that Vanderbilt sits with a finished floor at 750, so there is a significant amount of grade change here, which is one of the reasons that they had to request this appeal in order for any type of public roadway infrastructure improvement. They would have to go at a fairly aggressive grade, pushing the limits of what the City will allow in terms of grades, to get to the top. In terms of the difference, they did include the preliminary conceptual grade as well. This was a conceptual layout, it was not exact. There will be some fill sections, but fill sections are going to provide less cut towards what is deemed protected, which is the hilltop/hillcrest overlay. They have met all of the standards, as set forth by the City, and one of those standards is Tree Canopy Preservation. They will have to meet approximately 3.2 acres of tree canopy. That will also be preserved in this area. They do not know the exact grades, but with the cuts they are having, there will definitely be some fill, and a 55 foot transition from the high point to Vanderbilt, which is approximately 1,500 feet.

Vice Chair Lindsey stated that ultimately he thought it was all about appearance, and this area needed to be properly prepared.

With the motion to approve the appeal for item 22 having been made and seconded, it passed unanimously (7-0).

## **ZONING ORDINANCE TEXT AMENDMENTS**

### **24. ORDINANCE 2013-46, TO BE ENTITLED: "AN ORDINANCE TO REMOVE BASE ZONING DISTRICTS: RX, MN, ML, MX; AND TO CREATE FIVE NEW BASE ZONING DISTRICTS: SD-R, SD-X, RM-10, RM-15, RM-20."**

Ms. Powers presented item 24 and stated that Ordinance 2013-46 was the end of a yearlong process that staff had gone through in order to make the Zoning Ordinance more flexible and to give both the Board of Mayor and Aldermen and the Planning Commission greater oversight. She thanked the members of the taskforce, consisting of Alderman Petersen, citizen representative Dan Klatt, Doug Sharp, Allen Ramsey, and Khris Pascarella. Staff did manage to come to a consensus with that group of people and are thrilled that they are able to present Ordinance 2013-46 to you.

This ordinance will tie densities to rezonings rather than to the development plan. This will give the Board of Mayor and Aldermen an opportunity to see those densities, and increases in the densities will have to go back through the Board of Mayor and Aldermen. However, in the flexibility area, staff is proposing three areas where multi-family rezonings are allowed in certain areas of the City where there is already a great deal of development. Those by-right districts are shown on the maps in both purple and yellow. The other map depicts where there are currently Planned Unit Developments (PUDs) with their densities attached. Ms. Powers understood that the maps were hard to read, and staff will come up with a map that is more legible.

Additionally, staff is looking at the removal of Residential Variety District (RX), Neighborhood Mixed-Use District (MN), Local Mixed-Use District (ML), and Regional Mixed-Use District (MX). Staff was looking to remove RX, and came up with Special Development – Residential District (SD-R) and Special Development – Variety District (SD-X), which will take the place of MN, ML, and MX. That will allow for Multi-Family Development as well as Mixed-Use Development. The percentages of uses in the MN, ML, and MX will now be gone because part of the problem was that the percentages could not be met. Those are the primary changes to Ordinance 2013-46.

This particular process has been vetted through a number of different committees and commissions. There were two conceptual workshops as well as one design conceptual meeting and this Planning Commission meeting. Notices were sent to the owners of properties that had PUDs since 2008, and notices were sent to all of the design professionals. Staff only received one response, and it was positive. Staff recommends approval of Ordinance 2013-46.

Chair Hathaway asked for comments from the citizens.

Alderman Mike Skinner, of 258 Sonntag Drive, and the City of Franklin's Ward Three Alderman, stated that he recognized all of the effort that staff has put into this. However, this is going to be a significant change, particularly that there will be some designated areas for multi-family by-right. He was not sure the public was fully aware of this. Yes, the proper notification had been done, but he did not think this would sink in until one of the projects by-right got approved in an area without public input, and that was his main concern. He did not think that the public

had had enough input or notification of this as this was a significant change, and the City had designated areas for multi-family.

Ms. Powers stated that although these areas were designated as multi-family areas by-right, the individual project would still have to be rezoned, so the neighbors would still have notification that the area was going to be rezoned and what that rezoning would be.

Alderman Petersen stated that it was only after they got rezoned that they had it by-right. It still had to go through rezoning.

Mr. Greg Gamble, of Gamble Design Collaborative, stated that he thought that this was a welcomed addition to the Zoning Ordinance. He thought clients of his as well as other consultants, with whom he works, appreciate having some additional zoning categories and may even find that a few more are needed after this. His only concern was in regard to multi-family apartments versus townhomes as it relates to the multi-family in the by-right areas, specifically regarding the setbacks. It is appropriate in multi-family apartment developments to have 15 foot side yard setbacks. When one is looking at a townhome subdivision, the same 15 foot side yard setback could not be applied. From a by-right standpoint when doing a townhome subdivision, he thought one would find that individuals keep coming back asking for reductions in Modification of Standards forcing that development into a PUD situation regardless.

Alderman Petersen stated that staff had spent an enormous amount of time on Ordinance 2013-46, along with the members of the committee. She emphasized that after the Zoning Ordinance was passed in 2008, RX was the zone that permitted anything other than single-family. So no matter what one wanted to do, it was all loaded into RX, which was a big difference. This turned out to not be helpful in the long run. Previous to 2008 whenever there was a rezoning, which had a PUD, it had a density attached to the rezoning. For RX, there was not a maximum density so, at least, with Ordinance 2013-46 the density will be known and will be part of the rezoning process when it goes to one of the others.

Mr. Franks moved to favorably recommend approval of Ordinance 2013-46 to the Board of Mayor and Aldermen, Mr. Orr seconded the motion, and it passed unanimously (7-0).

**25. ORDINANCE 2013-47, TO BE ENTITLED: "AN ORDINANCE TO AMEND CHAPTER 4, SECTION 4.1.6 (14) OF THE ZONING ORDINANCE TO REVISED REQUIREMENTS AND DEFINITIONS RELATED TO RECREATIONAL VEHICLES."**

Mr. Bridgewater presented Ordinance 2013-47 and stated that on February 28, 2012, the Building and Neighborhood Services Department was informed that a Recreational Vehicle (RV) was parked on a lot at 121 Grenadier Drive. The subject neighborhood is zoned R-3 and the parking and storage of RVs is prohibited in that zoning district.

At the present time, RV storage and parking is allowed in the Low Residential (R-1) and Medium Residential (R-2) zoning districts but not in R-3 or Historic Core Residential District (R-6). The reason for not allowing RV parking in R-3 and R-6 is the more compact nature of those zoning districts, creating a greater opportunity for RVs to create a sight and noise issue for neighbors.

On August 27, 2013, the owner, Mr. Martin Lyles, approached the Board of Mayor and Alderman (BOMA) to request relief from the provisions of the Zoning Ordinance.

Members of the BOMA discussed that in some cases Homeowner Associations (HOAs) are responsible for oversight of RVs; however, other aldermen stated the downtown area and some subdivisions do not have HOAs or HOA regulations vary between subdivisions.

The BOMA decided to refer an amendment to the Franklin Municipal Planning Commission (FMPC), which would eliminate RVs from the regulations prohibiting storage of trucks and trailers.

On November 19, 2013, the FMPC considered the amendment and requested staff provide a zoning amendment to allow RV parking or storage in R-3 zoning districts utilizing the same provision as R-1 and R-2 districts.

Staff has revised the permit zoning table to RV parking/storage in the rear yard in the R-3 zoning district, as well as R-1 and R-2.

While staff agrees that Mr. Lyles' property may be conducive to parking of an RV, lots in R-3 zoning districts are often smaller and closer to neighboring properties, which can create visual conflict.

Staff recommends denial of Ordinance 2013-47.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Alderman Petersen moved to recommend disapproval of Ordinance 2013-47 to the Board of Mayor and Aldermen.

Ms. Allen stated that she was not sure about what was being voted upon. She reiterated her understanding of what Mr. Bridgewater had read. She verified that the vote was to agree with staff and recommend disapproval of Ordinance 2013-47.

Mr. Harrison stated that this was not what he understood.

Chair Hathaway asked for a motion to rescind Alderman Petersen's motion.

Alderman Petersen stated that she did not want to rescind her motion.

Mr. Orr seconded Alderman Petersen's motion to recommend disapproval of Ordinance 2014-47 to the Board of Mayor and Aldermen.

Ms. Allen stated that the Planning Commission had discussed Ordinance 2013-47 previously, and she had never heard of it being a problem. She did not think rear-yard parking in this instance was a problem. The vehicle would have to be seen in order to be aesthetically

unappealing. She did not think this would be a major problem, so she would be voting against this motion because she did not think it would hurt for this text amendment to take place.

Chair Hathaway asked if there was a minimum lot depth regarding R-3.

Alderman Petersen stated that it was not a third of an acre.

Chair Hathaway stated that there was a potential that one could have a vehicle that could not be hidden in the back on some of the lot sizes, and that was why he asked the question.

Ms. Allen stated that in this day and age if the lot size was that small, one would probably not own an RV.

Mr. Orr stated that it may be hidden from the street, but it would not be hidden from the neighbors beside.

Mr. Franks asked if this would apply to the areas in the Urban Growth Boundary (UGB) that were eventually in the City that have an RV that is between the fronting street and the residence.

Ms. Powers stated that once something is zoned, it would have to comply with the rules and regulations of that zone.

Alderman Petersen stated that if something was in the UGB, it would not even be under the City's rules.

Chair Hathaway stated that was true, but if it got annexed into the City, it would become part of the City's zoning.

Mr. Bridgewater stated that parking of major RVs was not allowed in the front or side yards in any zoning district, but the use table allows it in rear-yards in certain districts.

With the motion to recommend disapproval of Ordinance 2013-47 to the Board of Mayor and Aldermen having been made and seconded, it passed four to three (4-3) with Mr. Harrison, and Mses. Allen and Gregory voting no.

There being no further business, the meeting adjourned at 8:32 p.m.

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Chair, Mike Hathaway