

MINUTES OF THE MEETING OF THE FRANKLIN MUNICIPAL PLANNING COMMISSION APRIL 24, 2014

The Franklin Municipal Planning Commission held a regular meeting on Thursday, April 24, 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
 Alma McLemore
 Michael Orr
 Ann Petersen, Alderman

Members absent: None

Staff present: Donald Anthony, Planning and Sustainability Department
 Amy Diaz-Barriga, Planning and Sustainability Department
 Emily Hunter, Planning and Sustainability Department
 Paula Kortas, Planning and Sustainability Department
 Catherine Powers, Planning and Sustainability Department
 Andrew Orr, Planning and Sustainability Department
 Brenda Woods, Planning and Sustainability Department
 Tom Ingram, Engineering Department
 Shauna Billingsley, Law 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

- 3/27/14 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.

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 – 30

8. Alexander Plaza Subdivision, site plan, (Zaxby's); accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year.
9. Cool Springs East Subdivision, site plan, section 24, lots 11 and 703 (Hilton Garden Inn); accept the landscaping screening lot 703 improvements, release the performance agreement and establish a maintenance agreement for one year.
10. Cool Springs East Subdivision, site plan, section 24, lots 11 and 703 (Hilton Garden Inn/Medical Office Building); accept the landscaping lot 703 improvements, release the performance agreement and establish a maintenance agreement for one year.

11. Cool Springs East Subdivision, site plan, section 34, lots 358-360 (Community First Bank and Trust Unified Development); extend the performance agreement for landscaping Phase 2 improvements.
12. Dallas Downs PUD Subdivision, site plan, section 2A, lot 28 (Heritage Church of Christ); release the maintenance agreement for landscaping improvements.
13. Franklin Crest PUD Subdivision, site plan, (Circle at Cool Springs Apartments); release the maintenance agreement for landscaping Phase 2 improvements.
14. Hardison Hills PUD Subdivision, site plan, section 3; accept the landscaping (section 6) improvements, release the performance agreement and establish a maintenance agreement for one year.
15. Highlands at Ladd Park PUD Subdivision, site plan, section 5 (Neighborhoods H and F); extend the performance agreement for landscaping Phase 1 improvements.
16. McEwen Place PUD Subdivision, site plan, lots 145, 146, 147 and 157 (Parking Revision); release the maintenance agreement for landscaping lot 146 improvements; extend the performance agreement for landscaping lot 145 improvements.
17. McKays Mill PUD Subdivision, site plan, section 32 (Hadden Hall Area); reduce and extend the performance agreement for landscaping improvements for one year.
18. McKays Mill PUD Subdivision, site plan, section 34 (Park Run Area); accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year.
19. McKays Mill PUD Subdivision, site plan, section 37; accept the landscaping Phase 2 (Lot 1517) improvements, release the performance agreement and establish a maintenance agreement for one year.
20. Morningside PUD Subdivision, site plan, section 9, lot 21; extend the performance agreement for landscaping and landscaping (retaining wall) improvements for six months.
21. Reid Hill Commons Subdivision, site plan, section 1, lot 2 (Mapco Express); release the maintenance agreement for landscaping and drainage/detention improvements.
22. South Park Subdivision, site plan, section 1, revision 2, lot 7 (Keystone Center); extend the performance agreement for access and sidewalks improvements.
23. Spring Creek Subdivision, site plan, section 1, revision 4 (Spring Creek Center); accept the drainage improvements, release the performance agreement and establish a maintenance agreement for one year.

24. Village of Clovercroft PUD Subdivision, site plan, sections 1 and 2; accept the landscaping Phase 8 improvements, release the performance agreement and establish a maintenance agreement for one year.
25. Westhaven PUD Subdivision, site plan, section 10; extend the performance agreement for landscaping (Phase 2) improvements.
26. Westhaven PUD Subdivision, site plan, section 17, revision 2; extend the performance agreement for landscaping Phase 2 (north of Oleander) improvements.
27. Westhaven PUD Subdivision, site plan, section 19; extend the performance agreement for landscaping Phase 2 (open space) improvements.
28. Westhaven PUD Subdivision, site plan, section 24; extend the performance agreement for landscaping improvements.
29. Westhaven PUD Subdivision, site plan, section 29, revision 1; release the maintenance agreement for landscaping improvements.
30. Willow Springs PUD Subdivision, site plan, section 5; release the maintenance agreement for landscaping improvements.

REZONINGS AND DEVELOPMENT PLANS

31. ORDINANCE 2014-04, TO BE ENTITLED “A ORDINANCE TO REZONE +/- 7.64 ACRES FROM LOW RESIDENTIAL (R1) DISTRICT TO AGRICULTURAL (AG) DISTRICT FOR THE PROPERTY LOCATED AT 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

32. RESOLUTION 2014-36, TO BE ENTITLED “A RESOLUTION APPROVING A DEVELOPMENT PLAN REVISION FOR THE 7007 MOORES LANE PUD SUBDIVISION, LOCATED AT 7007 MOORES LANE, BY THE CITY OF FRANKLIN, TENNESSEE.”

Project Number: 4518
 Applicant: Greg Gamble, Gamble Design Collaborative
 Staff Recommends: Favorable Recommendation to BOMA
 Consent Status: Nonconsent

33. RESOLUTION 2014-20, “A RESOLUTION APPROVING THE RENAMING OF “NICHOLS BEND” PUD SUBDIVISION TO “LOCKWOOD GLEN” PUD SUBDIVISION, LOCATED AT CAROTHERS PARKWAY, BY THE CITY OF FRANKLIN, TENNESSEE.”

Project Number: 4528
 Applicant: John Haas, Edge
 Staff Recommends: Favorable Recommendation to BOMA

Consent Status: Consent

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

34. 249 Fourth Avenue North, site plan, 1 commercial structure on 0.72 acres, located at 249 Fourth Avenue North.

Project Number: 2957
Applicant: Gerald Bucy, Consulting Engineer
Staff Recommends: Approval, with conditions
Consent Status: Consent

35. Benelli Park Subdivision, site plan, 11 residential units and 2 open space lots on 5.06 acres, located at 425 Boyd Mill Avenue.

Project Number: 4521
Applicant: Greg Gamble, Gamble Design Collaborative
Staff Recommends: Approval, with conditions
Consent Status: Consent

36. Lockwood Glen PUD Subdivision, final plat, section 1, 46 residential units on 9.85 acres, located along Cobert Lane and Swanson Lane near Carothers Parkway to rename the subdivision from Nichols Bend to Lockwood Glen.

Project Number: 4525
Applicant: John Haas, Edge
Staff Recommends: Approval, with conditions
Consent Status: Consent

37. Lockwood Glen PUD Subdivision, final plat, section 2, 13 residential units on 2.98 acres, located along Rafferty Court near Carothers Parkway, to rename the subdivision from Nichols Bend to Lockwood Glen.

Project Number: 4526
Applicant: John Haas, Edge
Staff Recommends: Approval, with conditions
Consent Status: Consent

38. Lockwood Glen PUD Subdivision, final plat, section 3, 38 residential units on 7.27 acres, located along McAvoy Court and Cobert Lane near Carothers Parkway, to rename the subdivision from Nichols Bend to Lockwood Glen.

Project Number: 4527
Applicant: John Haas, Edge
Staff Recommends: Approval, with conditions
Consent Status: Consent

39. Silver Grace PUD Subdivision, site plan, section 2, 9,548 square foot memory care addition and 10 villas on 14.88 acres, located along Murfreesboro Road, east of Chester Stephens Road.

Project Number: 4523
Applicant: Gary Keckley, Goodworks Unlimited, LLC

Staff Recommends: Approval, with conditions
Consent Status: Consent

40. The Preserve at Echo Estates PUD Subdivision, final plat, section 1, 18 residential lots and 1 open space lot on 23.96 acres, located along Echo Lane.

Project Number: 4520
Applicant: Michael Ray, Energy Land & Infrastructure, LLC
Staff Recommends: Approval, with conditions
Consent Status: Consent

NON-AGENDA ITEMS

ANY OTHER BUSINESS

ADJOURN

1. CALL TO ORDER

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

2. MINUTES

Vice Chair Lindsey moved to approve the March 27, 2014, Planning Commission minutes as presented, Ms. Allen seconded the motion, and it passed unanimously (8-0).

3. CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

No one came forward.

4. ANNOUNCEMENTS

Ms. Powers stated that the review of the Housing Commission plan prepared by BBC would be Tuesday, April 29, at 5:00 p.m., in the Board Room at City Hall. This would be the Planning Commission's opportunity to have a discussion with the consultants regarding the housing plan.

Ms. Powers also stated that Donald Anthony and Emily Hunter were the Planning Department's new supervisors. The Department was thrilled about their promotions and that they beat out the national competition. She, also, introduced Amy Diaz-Barriga who is currently acting as an interim Senior Planning.

5. VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

No one came forward.

6. 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 stated that there would be an Initial Consent Agenda and a Secondary Consent Agenda at this meeting. He asked if anyone wanted to pull any items from the Initial

Consent Agenda. Alderman Petersen stated that she wanted to pull item 34. Chair Hathaway stated that items 8 through 15, 17 through 24, 30, 35, 39, and 40 would be on the Initial Consent Agenda. Item 33 was also added to the Initial Consent Agenda.

Mr. Harrison moved to approve the Initial Consent Agenda, and Mr. Orr seconded the motion.

Ms. McLemore asked if the final plats (items 36, 37, and 38, which tie into item 33) were being approved without the renaming of the subdivision and was this actually official.

Ms. Billingsley stated that it was just a name change, and the only reason this had to be done was because it was harder to approve name changes once the plats were approved. It would be fine to go ahead and approve Resolution 2014-20.

With the motion to approve the Initial Consent Agenda having been made and seconded, it passed unanimously (8-0).

Chair Hathaway recused himself from items 16, and 25 through 29.

Mr. Orr recused himself from items 36, 37, and 38.

Vice Chair Lindsey stated that items 16, 25 through 29, and 36 through 38 were on the Secondary Consent Agenda.

Mr. Harrison moved to approve the Secondary Consent Agenda, Ms. McLemore seconded the motion, and it passed unanimously (6-0).

8. ALEXANDER PLAZA SUBDIVISION, SITE PLAN, (ZAXBY'S)

Perf agreement: **Landscaping \$24,000**

Established: October 14, 2009

Previous Action: 2/18/10 PA posted

4/15/11 Reduce from \$31,700; extend to 4/20/12

4/20/12 Extend to 4/19/13

4/25/13 Extend to 4/24/14

Recommendation: Accept the landscaping improvements, release the performance agreement and establish a maintenance agreement in the amount of \$8,000 for one year.

9. COOL SPRINGS EAST SUBDIVISION, SITE PLAN, SECTION 24, LOTS 11 AND 703 (HILTON GARDEN INN)

Perf agreement: **Landscaping screening lot 703 \$3,800**

Established: October 25, 2007

Previous Action: 5/21/08 PA posted

4/17/09 Approved extension to 4/16/10

4/16/10 Release denied; extend to 4/15/11

4/15/11 Approved extension to 4/20/12

4/26/12 Approved extension to 4/25/13; must be installed by next inspection since adjacent lot is not built.

4/25/13 Approved extension to 4/24/14; adjacent site under construction.

Recommendation: Release the performance agreement with no maintenance agreement required. This improvement is now secured with another site plan.

10. COOL SPRINGS EAST SUBDIVISION, SITE PLAN, SECTION 24, LOTS 11 AND 703 (HILTON GARDEN INN/MEDICAL OFFICE BUILDING)

Perf agreement: **Landscaping lot 703 \$34,000**

Established: March 26, 2009

Previous Action: 4/8/09 PA posted

4/16/10 Approved extension to 4/15/11

4/15/11 Extend to 4/20/12

4/26/12 Approved extension to 4/25/13; not built yet.

4/25/13 Approved extension to 4/24/14

Recommendation: Reduce to \$26,000 and extend to April 23, 2015.

Reason/Deficiency: Several leaning trees shall be up righted. The four Allee Elms on the north side of the parking area do not meet the minimum size requirement of 2.5 caliper inches. Remove the shrubs from the front of the utility box at the northeast corner near the dumpster.

11. COOL SPRINGS EAST SUBDIVISION, SITE PLAN, SECTION 34, LOTS 358-360 (COMMUNITY FIRST BANK AND TRUST UNIFIED DEVELOPMENT)

Perf agreement: **Landscaping Phase 2 \$6,000**

Established: January 27, 2005

Previous Action: 7/14/09 Split landscaping into Phase 1 & Phase 2 – this is Phase 2.

4/22/10 Approved extension to 4/28/11

4/28/11 Approved extension to 4/26/12

4/26/12 Approved extension to 4/25/13

4/25/13 Approved extension to 4/24/14

Recommendation: Release the performance agreement with no maintenance agreement required. This improvement is now secured under another site plan.

12. DALLAS DOWNS PUD SUBDIVISION, SITE PLAN, SECTION 2A, LOT 28 (HERITAGE CHURCH OF CHRIST)

Maint agreement: **Landscaping \$46,000**

Established: January 18, 2013

Previous Action: FMPC granted 6-month approval extension on 8/27/09 to 3/25/10.

2/16/10 PA posted

1/21/11 Extend to 1/20/12; still under construction

1/20/12 Approved extension to 1/18/13

1/18/13 Release PA, establish MA for \$46,000

2/5/13 MA posted

1/23/14 Extend to 1/22/15
Recommendation: Release the maintenance agreement.

13. FRANKLIN CREST PUD SUBDIVISION, SITE PLAN, (CIRCLE AT COOL SPRINGS APARTMENTS)

Maint agreement: **Landscaping Phase 2 \$125,000**
Established: April 25, 2013
Previous Action: 11/15/11 Split into Phase 1 & Phase 2; this is Phase 2; new original amount \$497,000.
11/9/12 Reduce from \$497,000; extend to 11/8/13
4/25/13 Release PA, establish MA for \$125,000
5/8/13 MA posted
Recommendation: Extend to April 23, 2015.
Reason/Deficiency: The leaning tree along the parking lot facing McEwen Drive shall be uprighted. The utility box in the same area shall be screened with evergreen material of a height sufficient to visually screen the object.

14. HARDISON HILLS PUD SUBDIVISION, SITE PLAN, SECTION 3

Perf agreement: **Landscaping (section 6) \$12,000**
Established: April 17, 2003
Previous Action: 8/10/06 PA posted
6/8/07 Approved extension to 6/28/08; still under construction
4/24/08 FMPC split site plan into sections; this is landscaping (section 6); extend to 4/23/09.
4/23/09 Approved extension to 4/22/10
4/22/10 Extend to 4/28/11
4/28/11 Extend to 4/26/12; still under construction
4/26/12 Extend to 4/25/13; still under construction.
4/25/13 Extend to 4/24/14
Recommendation: Extend to April 23, 2015.
Reason/Deficiency: The diseased Cherry tree shall be replaced. The improperly planted Cherry trees shall be reinstalled. The severely undersized tree on the left side of the entry drive shall be replaced with a 4 caliper inch tree to match the tree on the right side on the entrance.

15. HIGHLANDS AT LADD PARK PUD SUBDIVISION, SITE PLAN, SECTION 5 (NEIGHBORHOODS H AND F)

Perf agreement: **Landscaping Phase 1 \$85,000**
Established: June 26, 2006
Previous Action: 3/20/08 PA posted
4/17/09 Approved extension to 4/16/10
3/3/10 Split into Phase 1 & Phase 2. This is Phase 1.
4/16/10 Approved extension to 4/15/11
4/28/11 Extend to 4/26/12
4/26/12 Extend to 4/25/13

4/25/13 Extend to 4/24/14
Recommendation: Extend to April 23, 2015. This site is still under construction.

16. MCEWEN PLACE PUD SUBDIVISION, SITE PLAN, LOTS 145, 146, 147 AND 157 (PARKING REVISION)

Maint agreement: **Landscaping Lot 146 \$6,000**
Established: April 20, 2012
Previous Action: 3/28/11 PA posted
4/20/12 Release PA, establish MA for \$6,000
5/3/12 MA posted
4/19/13 Extend to 4/18/14
Recommendation: Release the maintenance agreement.

Perf agreement: **Landscaping Lot 145 \$28,000**
Established: November 18, 2010
Previous Action: 3/28/11 PA posted
4/20/12 Approved extension to 4/19/13
4/19/13 Extend to 4/18/14
Recommendation: Extend to April 23, 2015.

17. MCKAYS MILL PUD SUBDIVISION, SITE PLAN, SECTION 32 (HADDEN HALL AREA)

Perf agreement: **Landscaping \$51,000**
Established: April 19, 2004
Previous Action: 6/4/08 PA posted
6/19/09 Approved extension to 6/24/10
6/18/10 Approved extension to 6/17/11
6/23/11 Approved extension to 6/28/12
6/28/12 Approved extension to 6/27/13
6/27/13 Approved extension to 6/26/14
Recommendation: Reduce to \$39,000 and extend to April 23, 2015.

18. MCKAYS MILL PUD SUBDIVISION, SITE PLAN, SECTION 34 (PARK RUN AREA)

Perf agreement: **Landscaping \$94,000**
Established: January 27, 2005
Previous Action: 9/26/06 PA posted
9/27/07 Blanket landscaping extension to 10/23/08
10/17/08 Approved extension to 10/16/09; still under construction
10/16/09 Approved extension to 10/15/10; still under construction
5/27/10 Reduce from \$125,000; extend to 5/26/11
5/26/11 Approved extension to 5/24/12; still under construction
5/24/12 Approved extension to 5/23/13; still under construction
5/23/13 Approved extension to 5/22/14; still under construction
Recommendation: Extend to April 23, 2015.

Reason/Deficiency: Replacement plant material was still being installed at the time of the inspection.

19. MCKAYS MILL PUD SUBDIVISION, SITE PLAN, SECTION 37

Perf agreement: **Landscaping Phase 2 (Lot 1517) \$69,000**

Established: June 27, 2013

Previous Action: 6/27/13 Split into Phase 1 (street trees) & Phase 2 (Lot 1517). This is Phase 2 (Lot 1517); new original amount \$69,000; Extend to 6/26/14.

Recommendation: Accept the landscaping Phase 2 (Lot 1517) improvements, release the performance agreement and establish a maintenance agreement in the amount of \$18,000 for one year.

20. MORNINGSIDE PUD SUBDIVISION, SITE PLAN, SECTION 9, LOT 21

Perf agreement: **Landscaping \$34,000**

Established: December 18, 2008

Previous Action: 4/30/09 PA posted
4/16/10 Approved extension to 4/15/11
4/15/11 Extend to 4/20/12
4/20/12 Approved extension to 4/19/13
4/25/13 Approved extension to 4/24/14

Recommendation: Extend to April 23, 2015. This site is still under construction.

Perf agreement: **Landscaping (retaining wall) \$7,000**

Established: December 18, 2008

Previous Action: 4/30/09 PA posted
4/16/10 Approved extension to 4/15/11
4/15/11 Extend to 4/20/12
4/20/12 Approved extension to 4/19/13
4/25/13 Approved extension to 4/24/14

Recommendation: Extend to April 23, 2015. This site is still under construction.

21. REID HILL COMMONS SUBDIVISION, SITE PLAN, SECTION 1, LOT 2 (MAPCO EXPRESS)

Maint agreement: **Landscaping \$14,000**

Established: April 25, 2013

Previous Action: 6/8/07 PA posted
9/27/07 FMPC granted 6 month approval extension to 3/28/08
6/13/08 Extend to 6/19/09
10/17/08 Extend to 10/16/09
10/16/09 Approved extension to 10/15/10
10/28/10 Extend to 10/27/11; landscape as-built required prior to performance release.
10/27/11 Extend to 10/25/12; need landscape as-built; final extension.
10/25/12 Extend to 4/25/13

4/25/13 Release PA, establish MA for \$14,000
5/7/13 MA posted
Recommendation: Release the maintenance agreement.

Maint agreement: **Drainage/detention \$9,000**
Established: April 25, 2013
Previous Action: 6/8/07 PA posted
9/27/07 FMPC granted 6 month approval extension to 3/28/08
4/11/08 Reduction denied; extend to 4/23/09
4/17/09 Extend to 4/16/10
4/16/10 Extend to 10/15/10
10/28/10 Extend to 10/27/11
10/27/11 Extend to 4/26/12
4/26/12 Extend to 4/25/13; final extension; submit as-builts.
4/25/13 Release PA, establish MA for \$9,000
5/7/13 MA posted
Recommendation: Release the maintenance agreement.

22. SOUTH PARK SUBDIVISION, SITE PLAN, SECTION 1, REVISION 2, LOT 7 (KEYSTONE CENTER)

Perf agreement: **Access \$5,000**
Established: October 27, 2005
Previous Action: 1/13/06 PA posted
1/12/07 Extend to 10/25/07
10/25/07 Reduce from \$10,000; extend to 10/23/08
10/17/08 Approved extension to 4/17/09
4/17/09 Approved extension to 4/16/10
New applicant 10/1/09
4/22/10 Extend to 4/28/11
4/28/11 Approved extension to 4/26/12
4/26/12 Extend to 4/25/13
4/25/13 Extend to 4/24/14
Recommendation: Extend to October 17, 2014. Construction has not commenced on Building B yet.

Perf agreement: **Sidewalks \$3,000**
Established: October 27, 2005
Previous Action: 1/13/06 PA posted
1/12/07 Extend to 10/25/07
10/25/07 Reduce from \$6,000; extend to 10/23/08
10/17/08 Approved extension to 4/17/09
4/17/09 Approved extension to 4/16/10
New applicant 10/1/09
4/22/10 Extend to 4/28/11
4/28/11 Approved extension to 4/26/12
4/26/12 Extend to 4/25/13

4/25/13 Extend to 4/24/14
Recommendation: Extend to October 17, 2014. Construction has not commenced on Building B yet.

23. SPRING CREEK SUBDIVISION, SITE PLAN, SECTION 1, REVISION 4 (SPRING CREEK CENTER)

Perf agreement: **Drainage \$57,000**
Established: April 22, 2010
Previous Action: 4/22/10 Reapproved by FMPC
8/18/10 PA posted
11/12/10 Reduce 75% from \$228,000; extend to 11/11/11
11/11/11 Extend to 11/9/12
11/9/12 Approved extension to 5/17/13
5/17/13 Extend to 11/8/13
11/26/13 Approved extension to 5/22/14
Recommendation: Extend to April 23, 2015.
Reason/Deficiency: Contact the inspector to schedule a meeting in the field to discuss the punchlist. Revise and resubmit as-builts following completion of the punchlist items.

24. VILLAGE OF CLOVERCROFT PUD SUBDIVISION, SITE PLAN, SECTIONS 1 AND 2

Perf agreement: **Landscaping Phase 8 \$27,000**
Established: November 17, 2005
Previous Action: 10/1/10 Split into Phases 1-8; this is Phase 8, new original amount is \$27,000.
4/15/11 Approved extension to 4/20/12
4/26/12 Approved extension to 4/25/13
4/25/13 Approved extension to 4/24/14
1/23/14 Release denied; extend to 1/22/15
Recommendation: Accept the landscaping Phase 8 improvements, release the performance agreement and establish a maintenance agreement in the amount of \$7,000 for one year.

25. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 10

Perf agreement: **Landscaping (Phase 2) \$3,000**
Established: April 15, 2004
Previous Action: 5/3/04 PA posted
4/8/05 Approved extension to 4/27/06; still under construction
4/27/06 Extend to 4/26/07; still under construction
4/26/07 Approved extension to 4/24/08; still under construction
3/27/08 Blanket drought extension to 4/23/09
4/23/09 FMPC split landscaping into two phases to allow built portion to go to MA. This is Phase 2.
4/22/10 Approved extension to 4/28/11; still under construction.
4/28/11 Extend to 4/26/12
4/26/12 Approved extension to 4/25/13

4/25/13 Extend to 4/24/14; still under construction
Recommendation: Extend to April 23, 2015.

26. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 17, REVISION 2

Perf agreement: **Landscaping Phase 2 (north of Oleander) \$6,000**

Established: June 28, 2007

Previous Action: 4/26/12 FMPC split into Phase 1 (south of Oleander) & Phase 2 (north of Oleander). This is Phase 2, new original amount of \$6,000; Extend to 4/25/13.

4/25/13 Extend to 4/24/14

Recommendation: Extend to April 23, 2015.

27. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 19

Perf agreement: **Landscaping Phase 2 (open space) \$10,000**

Established: February 23, 2006

Previous Action: 4/26/12 FMPC split into Phase 1 (street trees), & Phase 2 (open space). This is Phase 2, new original amount of \$10,000; Extend to 4/25/13.

4/25/13 Approved extension to 4/24/14

Recommendation: Extend to April 23, 2015.

28. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 24

Perf agreement: **Landscaping \$104,000**

Established: October 26, 2006

Previous Action: 3/28/08 PA posted

4/17/09 Approved extension to 4/16/10

4/16/10 Approved extension to 4/15/11

4/28/11 Extend to 4/26/12

4/26/12 Approved extension to 4/25/13

4/25/13 Extend to 4/24/14

Recommendation: Extend to April 23, 2015.

29. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 29, REVISION 1

Maint agreement: **Landscaping \$19,000**

Established: April 20, 2012

Previous Action: 6/15/10 PA posted

Six-month approval extension granted on 4/20/11 to 10/14/11.

5/20/11 Extend to 5/18/12

4/20/12 Release PA, establish MA for \$19,000

5/8/12 MA posted

4/19/13 Extend to 4/18/14

Recommendation: Extend to April 23, 2015.

Reason/Deficiency: The two missing Sugar Maple trees on Elliott near Lot 1204 shall be installed. The two missing Black Gum trees at Lot 1212 on Tilby Street shall be installed. The two missing trees at Lot 1249 on Jewell Street shall be installed.

30. WILLOW SPRINGS PUD SUBDIVISION, SITE PLAN, SECTION 5

Maint agreement: **Landscaping \$52,000**

Established: May 26, 2011

Previous Action: 10/31/05 PA posted
10/13/06 Reduce from \$207,000; extend to 10/25/07; still under construction
9/27/07 Blanket landscaping extension to 10/23/08
10/17/08 Approved extension to 10/22/09; still under construction
10/22/09 Approved extension to 10/28/10; still under construction
10/28/10 Approved extension to 10/27/11; still under construction
5/26/11 Release PA, establish MA for \$52,000
6/7/11 MA posted
5/24/12 Extend to 11/15/12
11/15/12 Extend to 11/21/13; applicant shall walk site with inspector within 6 months, then be complete by next inspection.
11/21/13 Extend to 5/22/14; this is the final extension.

Recommendation: Release the maintenance agreement.

33. RESOLUTION 2014-20, "A RESOLUTION APPROVING THE RENAMING OF "NICHOLS BEND" PUD SUBDIVISION TO "LOCKWOOD GLEN" PUD SUBDIVISION, LOCATED AT CAROTHERS PARKWAY, BY THE CITY OF FRANKLIN, TENNESSEE."

COMMENTS: The purpose of this request is to provide the FMPC with information regarding a resolution to approve the renaming of Nichols Bend to Lockwood Glen. No other changes are proposed to their approved plans, just the renaming. Please see the attached request from the applicant to change the name of the previously approved "Nichols Bend" PUD Subdivision to "Lockwood Glen" PUD Subdivision.

The Nichols Bend Concept Plan and Rezoning was recommended for approval by the Franklin Municipal Planning Commission (FMPC) on March 27, 2008 and approved by BOMA on May 27, 2008.

The City's Addressing Manual states BOMA must authorize subdivision name changes. Per state law, FMPC must reapprove plats showing the new subdivision name.

CONDITIONS OF APPROVAL:

Configuration

General Comments

1. Street and lot revisions

Update the development plan to reflect the revision to remove Caledonian Court and the associated lot revisions.

Planning

General Comments

2. BOMA Approval

The name change will officially occur upon BOMA's approval.

3. Project number

Please use the new project number, 4528, but also note the old project number in parenthesis stating that it is the previous project number.

35. Benelli Park Subdivision, site plan, 11 residential units and 2 open space lots on 5.06 acres, located at 425 Boyd Mill Avenue.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None.

SURETIES:

1. Surety amounts shall be determined during the Post-FMPC review.

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 upload complete building plans, including the approved, revised site plans, to the City's IDT site for Building and Neighborhood Services Department 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. 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:

Performance Agreement and Surety

General Comments

1. Landscape

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

Engineering

BENELLI-SITE PLAN 3.10.2014.pdf

2. Grading

Applicant shall show proposed stormwater management for lots 3-6 on grading plan.

Fire

BENELLI-SITE PLAN 3.10.2014.pdf

3. Access

Applicant shall provide adequate turning radius to prevent collision with curb and anticipated mailbox locations. The provided autotur indicates multiple points of conflict/collision.

Planning

General Comments

4. Preliminary plat

Site plan approval shall be conditional until such time that corresponding preliminary plat (COF# 2958) is fully approved.

5. Front setbacks

Lots 3, 4, 5, 6, 11, and 12 appear to show a double or transposed front property / right-of-way line. Setbacks appear to be measured from the line closest to the street centerline. At post-PC, applicant shall remove the second line or explain its purpose.

6. Existing structures

Site layout sheet shows a structure crossing the property boundary between lots 7 and 8 and another structure crossing the property boundary between lots 2 and 3. Applicant shall revise site layout to show that accessory structures will not cross property lines.

7. HZC review

Individual structures within this subdivision are subject to Historic Zoning Commission (HZC) review for issuance of Certificates of Appropriateness. The HZC--in conjunction with the City's Preservation Planner--may recommend or require alterations to the elevations shown in this site plan submittal. Such alterations may affect setbacks, heights, finished floor elevations, garage placement, and other aspects of each individual lot and structure. The applicant shall adhere to all requirements set forth by the HZC and its designees. Applicant shall contact

Project Planner following HZC review/approval to determine whether preliminary plat or site plan revisions are necessary.

Preservation/HZC

General Comments

8. HZC Review/Approval

Individual structures within this subdivision are subject to Historic Zoning Commission (HZC) review for issuance of Certificates of Appropriateness. The HZC--in conjunction with the City's Preservation Planner--may recommend or require alterations to the elevations shown in this site plan submittal. Such alterations may affect setbacks, heights, finished floor elevations, garage placement, and other aspects of each individual lot and structure. The applicant shall adhere to all requirements set forth by the HZC and its designees. Applicant shall contact Project Planner following HZC review/approval to determine whether preliminary plat or site plan revisions are necessary.

Stormwater

General Comments

9. Water Quality

If TRM method is being claimed for water quality calculations, the applicant shall provide documentation of hardship as to why the RRM method is not being implemented. The City's stormwater ordinance requires RRM method to be used unless a hardship can be stated.

10. Long Term Maintenance Plan

Revise title of Water Quality and Floodplain Management Narrative to Long Term Maintenance Plan. This can serve as the LTMP for the site. It shall be stated that yearly inspection reports are to be submitted to the City of Franklin's Engineering Dept. by July 1st of each year.

11. Stream Buffer

Per FMC 23-107, the Streamside Buffer shall be enhanced. Enhancement shall include removal of invasive species and the reestablishment of native species which provides a mix of Canopy Trees, understory, shrubs, and a native seed mix of forbes/grasses/sedges/rushes suitable for a moist shaded understory.

12. Stream Buffer

Stream buffer shall be clearly labeled and identified on all grading, epsc, landscaping and stormwater sheets.

13. Stream Buffer

Stream is incorrectly labeled on sheet C1A as Cotton Springs Branch. Please revise to Sharps Branch.

14. Stormwater Management Plan

Show stormwater features on a separate sheet in plans as a stormwater management plan sheet. These features shall be clearly called out and labeled.

15. EPSC

Show concrete wash out area on erosion control sheet and appropriate detail.

16. EPSC

Show 2 sheets for EPSC's, initial and final.

17. EPSC

Show velocity dissipation at outlet headwall.

Water/Sewer

General Comments

18. Water

The existing water line along Boyd Mill Ave. is an 8" line. Applicant shall update the existing main size for construction purposes.

19. Wastewater

A manhole shall be added to the sewer line where the sewer line is shown capped 2' from property line. This comment has been added due to the change in submittal.

36. Lockwood Glen PUD Subdivision, final plat, section 1, 46 residential units on 9.85 acres, located along Cobert Lane and Swanson Lane near Carothers Parkway to rename the subdivision from Nichols Bend to Lockwood Glen.

STAFF RECOMMENDATION: Approval, with conditions;

COMMENTS: All previous conditions of approval apply and carry over to the new name.

SURETIES:

1. Surety amounts shall be determined prior to final staff approval/sign-off of this plat.

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. Project number

Please use the new project number 4525 but also list the old one in parenthesis stating that it is the previously approved project number.

2. Sureties

All remaining, previously established sureties for Nichols Bend Final Plat Section 1, Project #2787 shall carryover to this new final plat, and shall be posted prior to release of the currently established sureties.

3. Addressing

Applicant shall correct the street name Raferty Court to be consistent with the site plan COF# 2603 shows Ardsley Court. This shall be corrected before the recording of this plat.

37. Lockwood Glen PUD Subdivision, final plat, section 2, 13 residential units on 2.98 acres, located along Rafferty Court near Carothers Parkway, to rename the subdivision from Nichols Bend to Lockwood Glen.

STAFF RECOMMENDATION: Approval, with conditions;

COMMENTS: All previous conditions of approval apply and carry over to the new name.

SURETIES:

1. Surety amounts shall be determined prior to final staff approval/sign-off of this plat.

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. Project number

Please use Project Number 4526 on future correspondence and also state the former project number in parenthesis.

2. Sureties

All remaining, previously established sureties for Nichols Bend Final Plat Section 2, Project #2919 shall carryover to this new final plat, and shall be posted prior to release of the currently established sureties.

3. Addressing

Applicant shall be consistent with street names (Raferty Court) the site plan COF# 2603 shows Ardsley Court

38. Lockwood Glen PUD Subdivision, final plat, section 3, 38 residential units on 7.27 acres, located along McAvoy Court and Cobert Lane near Carothers Parkway, to rename the subdivision from Nichols Bend to Lockwood Glen.

STAFF RECOMMENDATION: Approval, with conditions;

COMMENTS: All previous conditions of approval apply and carry over to the new name.

SURETIES:

1. Surety amounts shall be determined prior to final staff approval/sign-off of this plat.

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. Project number

Please use Project Number 4527 on future correspondence and also state the former project number in parenthesis.

2. Sureties

All remaining, previously established sureties for Nichols Bend Final Plat Section 3, Project #2920 shall carryover to this new final plat, and shall be posted prior to release of the currently established sureties.

39. Silver Grace PUD Subdivision, site plan, section 2, 9,548 square foot memory care addition and 10 villas on 14.88 acres, located along Murfreesboro Road, east of Chester Stephens Road.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None;

SURETIES:

1. Surety amounts shall be determined during the Post-FMPC review.

PROCEDURAL REQUIREMENTS:

1. Due to the applicant's diligence in addressing staff comments and resolving most issues prior to resubmittal, this project is eligible for the Short-Track Post-PC review process. To participate in the Short-Track Post-PC process, the applicant must submit complete and corrected plans to the Department of Building and Neighborhood Services by 3:00 PM on Friday, April 25, 2014. Staff response on the Post-PC plans is guaranteed in 5 incomplete submittal, it shall be placed on the standard Post-PC review track, which has a 30 business day review period.

2. 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.
3. 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.
4. 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.
5. The applicant shall upload complete building plans, including the approved, revised site plans, to the City's IDT site for Building and Neighborhood Services Department review and approval prior to the issuance of a building permit.
6. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.
7. 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:

Performance Agreement and Surety

General Comments

1. Landscape

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

Engineering

General Comments

2. Drainage

Provide the invert and top of casting elevations of the clean-outs for the 8" HDPE. Provide the location of the downspouts and the drainage plan. Provide the location of the perforated pipe and the non-perforated pipe of the drainage plan. Provide the elevation of the driveway at the edge and corner of the garage doors.

Zoning

FOUNTAINS SECTION 2 3-10-14 WITH RENDERINGS.pdf

3. Building Plans

Building plans are reviewed and approved by BNS after the site plan approval. These plans are not necessary for the site plan review. If these plans and details remain as part of this submittal package, approval of the site plan does not infer approval of the building plans.

40. The Preserve at Echo Estates PUD Subdivision, final plat, section 1, 18 residential lots and 1 open space lot on 23.96 acres, located along Echo Lane.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

SURETIES:

1. Surety amounts shall be determined prior to final staff approval/sign-off of this plat.

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:

Performance Agreement and Surety

General Comments

1. Sureties

The following sureties shall be posted:

Streets - \$ 299,000
Sidewalks - \$ 163,000
Drainage - \$ 815,000
Sewer - \$ 280,000
Water - \$ 149,000

Parks

General Comments

2. Parkland information

The open space lots (and associated public access easements) approved for private parks to meet the City's parkland dedication requirement shall be recorded within 2 years of the recording of this final plat. This condition shall remain open in IDT until it has been satisfied. Final plat may be recorded as long as all other conditions of approval have been met.

Zoning

3. Lot Trees

The lot tree chart has been removed from the plat. With the submittal of revised plans provide the required lot tree chart.

This completed the consent agenda.

31. ORDINANCE 2014-04, TO BE ENTITLED "A ORDINANCE TO REZONE +/- 7.64 ACRES FROM LOW RESIDENTIAL (R1) DISTRICT TO AGRICULTURAL (AG) DISTRICT FOR THE PROPERTY LOCATED AT 4114 MURFREESBORO ROAD, BY THE CITY OF FRANKLIN, TENNESSEE."

Ms. Diaz-Barriga stated that this request was being made in order to bring the property into conforming use. The property currently functions as a landscape business. This use was not permitted in the Low Residential District (R-1), but was an allowed use in the Agricultural District (AG). The landscape business was in operation on this property when the property was annexed by the City in 2008. The property had previously been zoned Suburban Estate Residential by the county, but the commercial use had been permitted under a special exemption. A condition of the special exemption was that the adjacent property, at 4108 Murfreesboro Road, was required to serve as a single-family residence, in addition to the nursery use. However, just prior to 2008, the residence was converted to an office, which resulted in a non-conforming use status with the county. Soon after, the property was annexed by the City of Franklin and zoned to R-1. The property owner has continued to work with the local governmental entities to resolve the non-conforming use status. The applicant originally applied to rezone both this property and the adjacent property, but chose to withdraw that request prior to the February 27, 2014, Planning Commission meeting. In response to neighborhood concerns, the applicant has now chosen to only request a rezoning to the commercial property, and to leave the property with the single family structure within the R-1 zoning district. Should this rezoning be ultimately approved by the Board of Mayor and Aldermen (BOMA), all aspects of the nursery business would be required to be removed from the adjacent property. Staff is recommending a favorable recommendation to the BOMA.

Chair Hathaway asked for comments from the citizens.

Attorney Angela Hoover, of 204 Fourth Avenue South, stated that she had been hired by Mr. and Mrs. Thomas Hawkins, who were the property owners at 4104 Murfreesboro Road, which is the property that is one down from the landscape business. Immediately next to the landscape business is the house that is also owned by the same property owner as the landscape business, and then Mr. and Mrs. Hawkins live next door. Their house is fairly close to the other house in proximity to each other. Mr. and Mrs. Hawkins are against the rezoning to AG because the use of the landscape business is just that it is a landscape business. It is not proper to rezone it to AG because there is no agricultural use going on in that business. At one time, the business at the property was called, "Classic Treescapes," and there was nursery business going on. At this time it was her understanding that it had been renamed to Rock Creek Landscaping LLC. There are multiple large trucks that have landscaping and mowing equipment on them. There is mowing equipment on both of the pieces of property next to Mr. and Mrs. Hawkins. They feel that rezoning it to AG would be improper because it is really a commercial business at this point and has been a commercial business since it was changed to Rock Creek Landscaping LLC. Mr. and Mrs. Hawkins are very concerned about the value of their property. They have lived in Williamson County for a very long time. They have lived at 4104 Murfreesboro Road for a very long time and have lived harmoniously with the nursery business for several years, but it is not proper, at this point, to rezone this property to AG because there is not agricultural business going on. It is a landscape business where trucks are being parked and brought in. There is equipment all over both of the properties, which would be used in a landscaping business not in a nursery or AG-type of business. Just because the business does an AG type of business does not mean that the property, which that business operates on, ought to be rezoned to agricultural. It is still a business and a commercial business. If it were going to be rezoned, it should be rezoned to commercial and not agricultural. Mr. and Mrs. Hawkins are very concerned that their property values will decrease tremendously if next to them is a piece of property that is zoned AG.

Chair Hathaway asked for if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative, stated that he was representing the owner of this property, and he had provided a couple of letters to the Planning Commission regarding the history of this property. It was through the request of a business around 2009-2010 that the story of this property began to unfold. It has taken until the initiation of this request to really figure out the pieces.

The use of this property as a landscape nursery began in the 80s. Prior to the 2013 adoption of the ordinance, Williamson County did allow for the use of suburban estate property in suburban estates to be used as a landscape nursery as long as 50 percent of the material was grown on the property. Today trees are grown on the property. The majority of the material that is brought in, and has been brought in since the 80s, is ground cover and invasive plant material. Those materials are brought in and sold. There was overlap as to what was grown on the property and what was sold directly at the property. Mulch and topsoil are sold at the property. There are some container plants that are also sold, but the use of the property has not changed. It has evolved as the market has increased. They have deliveries of 18-wheeler trucks that come in

and drop materials off. They have landscape companies that come in and purchase 14 to 16 plants at a time and need larger trucks to move those plants to a job site, but that has been consistent since this nursery started in the 80s.

There are three zoning classifications in the City of Franklin where a landscape nursery is an accepted use – General Commercial (GC), Light Industrial (LI), and AG. There are five landscape nurseries in the City of Franklin at the present time, one is conforming. All of the others are non-conforming uses within their districts. This is one of the properties that does not conform to the R-1 zoning. It was annexed in 2008, and at that time it was considered to be a non-conforming use and an accepted non-conforming use. There are several that are appropriate for the non-conforming use to be on the property. Because the house was torn down, that residential exception does not exist any longer; therefore, it is an illegal non-conforming use.

The applicant is simply asking to allow the business to continue to operate as it has. It is changing ownership to Rock Creek Landscape. To Mr. Gamble's understanding the name, Classic Treescape, is not changing.

Improvements will be made on the property to provide a restroom at the office that does not exist there today. Sewer is at the bottom of the hill, on the backside, along the creek, so the applicant will connect a restroom to the City's sewer.

Paved parking, handicap, accessible parking and sidewalks will be provided to access the materials. None of those things exist today as it is a gravel parking lot.

Before money is spent on the upgrades, the applicant wants to make sure the business license operates, and that it is a legal conforming use. Through discussions with the Planning and Sustainability Department, AG seemed to be the most acceptable use. To rezone this property to GC or LI would really not be appropriate in this setting, but to have a landscape nursery that is neighborhood-friendly and neighborhood-focused was an appropriate use in this area.

Mr. Gamble requested a favorable recommendation to the BOMA.

Mr. Harrison moved to favorably recommend approval of Ordinance 2014-04 to the Board of Mayor and Aldermen, and Ms. McLemore seconded the motion.

Ms. McLemore asked if this property was rezoned in conjunction with other properties or was it just this one particular lot.

Ms. Powers stated that the applicant was requesting to rezone this one particular lot. At one time a request was made for both of the lots, but because of a conversation with the neighbors, the applicant decided to leave the lot immediately next door to the neighbor as R-1 and just rezone this lot.

Ms. McLemore stated that her question should have been, was this property annexed in 2008 along with other properties, and if it was not annexed why was it not.

Mr. Gamble stated that, at that time, the Hurstbourne developer requested a sewer access easement and a sewer line be extended for their development, and all of the properties along Highway 96 East were annexed in as part of that sewer extension.

Ms. McLemore stated that this business existed in the 1980s and was operating as a landscaping business, and it was annexed it into the City.

Ms. Allen asked if the residence was torn down in 2002.

Mr. Gamble stated that the residence was torn down with the exception of the garage. The garage was converted to an office, and that happened around 2006-2007.

Ms. Allen stated that the City annexed it in and knew that it was non-conforming. She stated that it was illegal in 2006-2007 to tear down the house, and she asked why the letters were just now going out.

Mr. Gamble stated that there had been quite a bit of confusion through this process as to what made it an illegal non-conforming use. It had taken this time and this conversation and going back and forth with Williamson County, the City of Franklin, and the property owners, and he still did not have a good answer.

Mr. Harrison asked why it not grandfathered in if it had changed use over the time period.

Alderman Petersen asked if in the County 50 percent of the materials had to be grown on the property, and if that had changed. If that was true, that would have made it an acceptable use at the time. However, if they stopped growing the 50 percent on the property during that time, that may have made it illegal for them also.

Alderman Petersen asked what a landscape nursery was under the City's regulations.

Ms. Hunter stated that it said that, "Agricultural uses are agricultural and farming activities, including nursery and facilities for processing and selling agricultural products grown on the property."

Alderman Petersen asked if there was a definition.

Ms. Allen stated that she had an issue with the fact that this property was annexed in 2008 when it was already an illegal non-conforming use, and in 2014 the City was stating that the owner was doing something wrong.

Ms. Powers stated that this had been going back and forth between staff and the developer for quite a while, and they had come to an agreement as to how this should be handled. There had been quite a bit of conversation among the City, the County, and neighbors over a long period of time.

Mr. Orr asked if the applicant was growing anything on the site for resell.

Mr. Gamble stated that they were growing trees, which they sell. They grow plant material in containers, and they sell the plant material and the containers.

Alderman Petersen stated that she was still interested in seeing if staff had a definition of nursery.

Ms. McLemore asked how this would be separated from the other non-conforming uses in the City.

With the motion having been made and seconded to favorably recommend approval of Ordinance 2014-04 to the Board of Mayor and Aldermen, it passed seven to one (7-1) with Alderman Petersen voting no and with the following:

CONDITIONS OF APPROVAL:

Engineering

General Comments

1. Notes

The title of sheet C 2.0 is to be shown as BOUNDARY MAP.

Updated.

The correction remains to be made in the lower right main window of sheet C 2.0.

Zoning

Rezoning Request 3.10.14.pdf

2. Zoning

If this rezoning is approved by BOMA, all aspects of the nursery business shall be removed from the adjacent property to the west. This shall include the vehicular connections to this adjacent property

noted.

If this rezoning is approved by BOMA, all aspects of the nursery business shall be removed from the adjacent property to the west. This shall include the vehicular connections to this adjacent property.

32.RESOLUTION 2014-36, TO BE ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN REVISION FOR THE 7007 MOORES LANE PUD SUBDIVISION, LOCATED AT 7007 MOORES LANE, BY THE CITY OF FRANKLIN, TENNESSEE."

Ms. Diaz-Barriga stated that this development plan was originally considered by the Planning Commission at the October 27, 2007, meeting and subsequently reviewed and approved by the BOMA. With this revision, the applicant seeks to reduce the commercial square footage from 40,000 square feet to 10,000 square feet, reduce the assisted living square footage from 97,000 square feet to 67,000 square feet, and to add 5 attached independent living units, which would add 11,500 square feet to the overall plan.

With this revision, the applicant is requesting two modification of standards. The first is a request to increase the maximum permitted building length from 200 feet to 375 feet. The applicant proposes 1 building that exceeds 200 feet in length. The applicant has stated that the architecture shall be designed with additional detailing and façade variations on the Moores Lane façade, and any building façade visible from the public right-of-way shall have the same level of articulation as the Moores Lane facade. Staff recognizes that the overall building length is not on a single plane but spans two wings and a front entry, all of which face the public right-of-way. Due to the shape of the building footprint and the additional architecture detailing, staff recommends approval of this modification of standards.

The second modification of standards' request is to reduce the permitted finished floor elevation from 18 inches to 6 inches for the 5 independent living units. The applicant has stated that the reduction in the finished floor elevation is to accommodate the Americans with Disabilities Act (ADA) accessibility to each unit. Staff believes that this reduction does not compromise the integrity of the buildings and recognizes that these units will not be visible from a public right-of-way. Due to the location of the units within the Planned Unit Development, staff recommends approval of this modification of standards. Staff is recommending a favorable recommendation to the BOMA.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Greg Gamble of, Gamble Design Collaborative, stated that he represented the applicant, and he requested a favorable recommendation to the BOMA.

Mr. Harrison moved to favorably recommend approval of Resolution 2014-36 to the BOMA, and Ms. McLemore seconded the motion.

Chair Hathaway stated that the Modification of Standards would be voted on one at a time, and then the main motion would be voted.

Ms. McLemore moved to recommend to increase the maximum permitted building length from 200 feet to 375 feet for the first modification of standards, and Mr. Harrison seconded the motion.

Vice Chair Lindsey asked how the length of the building was measured.

Ms. Diaz-Barriga stated that it was the total of the façades that faced the right-of-way.

Chair Hathaway asked what the measurement would be if a plane was put up and measured end to end without the offsets.

Mr. Gamble stated that it would be just under 200 feet.

With the first modification of standards, to recommend to increase the maximum permitted building length from 200 feet to 375 feet, having been made and seconded, it passed unanimously (8-0).

For the second modification of standards' request, Mr. Harrison moved to recommend to reduce the permitted finished floor elevation from 18 inches to 6 inches for the 5 independent living units, and Mr. Franks seconded the motion.

Alderman Petersen stated that the population of Franklin will change in the next few years, and there would probably be many older adults. This would not fit Franklin's Design Standards, so it may be time to look at the other as a design standard.

Mr. Orr discussed the back retaining wall and asked if the stormwater coming off the hills would be allowed to flow over the wall and into the backyard.

Mr. Gamble stated that there was a swale, but there were also French drains that ran along the side of it.

Mr. Orr stated that his concern was that when the floor elevation was lowered, one would be inviting a flash flood to come right inside the back door.

Mr. Gamble stated that it would be kept at 6 inches above the finished grade so that it was one step up into the finished grade of the house.

Mr. Sean DeCoster, of Civil Site Design Group, stated that the finished grade outside of the building was 6 inches below the finished floor, and all of the proposed grades slop away from the building. This should alleviate any potential for flooding. They would put a swale at the top of the wall to catch any water before it flowed over the wall and divert it around the site.

Mr. Orr stated that he had not seen that on the site plan.

With the second modification of standards, to recommend to reduce the permitted finished floor elevation from 18 inches to 6 inches for the 5 independent living units, having been made and seconded, it passed unanimously (8-0).

Alderman Petersen stated that she noticed that one of the soils, Dellrose, was in the higher elevation, and she could not tell from the picture if that would be the part in the conservation.

Mr. DeCoster stated that the Dellrose soil would be in an undisturbed area.

With the main motion having been made and seconded to favorably recommend approval of Resolution 2014-36, with the two modifications of standards, to the BOMA, it passed unanimously (8-0) with the following:

CONDITIONS OF APPROVAL:

7007 Moores Lane PUD 3.10.14.pdf

Engineering

1. ROW

Applicant shall follow the "7007 Moores Lane ROW" email message uploaded in IDT for direction on the treatment of the property frontage; that message provides direction from the City of Brentwood. No additional R.O.W. is required to be dedicated at this time. Applicant shall place sidewalk within existing R.O.W, and location will be finalized at site plan.

Fire

7007 Moores Lane PUD 3.10.14.pdf

2. Access

The autoturn indicates multiple points of the apparatus shown driving over curbs. This includes the entrance divider, turns around the commercial building, and conflict/collision with parking stalls (5 at Main Building).

Please review site layout for adjustment of drive lanes to avoid fire and large service/delivery vehicles from contacting curbs of drive lanes.

3. Fire Protection

Fire flow test remains outstanding.

Planning

SEALED 7007 Moores Lane PUD 3.10.14.pdf

4. Parcel limits

The applicant shall further clarify the limits of the PUD to be both the developed area and the preservation area, as the preservation area is being used to meet minimum site requirements. On the vicinity map, the applicant shall add a thick bold line around the entire parcel, and label it "PUD limits". Further, the applicant shall update the legal description to include the limits of the entire parcel.

The applicant shall reference the correct parcel number and area in the Site Data Table, under "Open Space". This property is not parcel 36, and the Formal Open Space calculation is based upon the developed portion of parcel 55.

5. Sidewalks

The applicant shall clarify that the sidewalk extends the length of the parcel boundary (including in front of the preservation area). The applicant will coordinate with the City of Brentwood for the location of sidewalks along the preservation area.

6. FYI

The limits of the access easement are not clear. The applicant shall revise the labeling of the cross access easement on pages C2.00 and C6.00 (perhaps through the use of a cross-hatch, a different dash line and/or a heavier dash line) to clearly identify that the access easement extends to the boundary limits of lot 1, as well as to the southern limit of the drive aisle on lot 2. The applicant shall also label the existing Mallory Valley Utility District easement on pages C2.00 and C6.00.

7. Site Plan

The applicant shall place all areas of the development within the Hillside/Hillcrest Overlay District into a conservation easement, or plat this area as an open space lot, prior to the issuance of any building permit for the development.

8. Setbacks

The applicant shall dimension the distance from the Commercial (office) building to the ROW, and dimension the distance from the Assisted Living building to the ROW.

34. 249 Fourth Avenue North, site plan, 1 commercial structure on 0.72 acres, located at 249 Fourth Avenue North.

Mr. Anthony presented the staff report for item 34, and stated that staff recommended approval with conditions.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked for if there was an applicant.

Mr. Gerald Bucy, a consulting engineer, stated that they agreed with the conditions of approval and requested approval of item 34.

Mr. Franks moved to approve item 34, and Ms. McLemore seconded the motion.

Alderman Petersen stated that item 34 was in the floodplain, and this was the first time for the Planning Commission to review something that was being renovated and in the floodplain. It was definitely known to have flooded. There were some aspects of this item that made it different from the average building.

Mr. Anthony stated that the City's Floodplain Coordinator had reviewed the site plan multiple times and had made some recommendations, which Mr. Bucy has implemented. Those would include over 90 flood vents across the building and raising the finished floor elevation of the building as well. The Floodplain Coordinator was comfortable with that, and it met the standards of the City.

Mr. Bucy stated that there was actually a step-down into the building presently, and there would be four steps up into the building when the project was completed. Item 34 would actually be 1.5 to 2 feet above the 100 year floodplain when the project was completed.

Vice Chair Lindsey asked Mr. Bucy if he would frame a new floor level inside the building. Mr. Bucy stated that he would and that there would be no utilities except for drain lines underneath.

With the motion having been made and seconded to approve item 34 with the conditions of approval, it passed unanimously (8-0) with the following:

CONDITIONS OF APPROVAL:

Performance Agreement and Surety

General Comments

1. Landscape

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

Fire

249 Building - submittal 001.pdf

2. Fire Protection

Results from the fire flow test could not be found in the submittal. Please include the residual, static, and flow results so the fire department can evaluate the fire protection availability as required by the International Fire Code. The note on C-3 indicating "inadequate fire flow test results, water line upgrade or pump and tank system will be required to provide adequate sprinkler flows" does not address this comment or review.

A pump and tank does not meet requirement for minimum fire flow of 1,500 gpm (with fire sprinkler system).

Additionally, a fire-rated pump and tank are not appropriate for a single-story building, particularly if the supply to the building is insufficient.

Planning

General Comments

3. Loading zone

Loading area shall comply with all Zoning Ordinance standards.

Planning (Landscape)

General Comments

4. Nutall Oaks

The 6 Nutall Oaks shall be replaced with Columnar Canopy trees. The area where they are planted is narrow and the vehicle traffic would require constant pruning of the Oaks.

Preservation/HZC

General Comments

5. Signage

The applicant shall remove the note pertaining to site signage from page C-1 of the submittal.

Stormwater

General Comments

6. EPSC

Stormwater note 5 and grading note 4 shall be changed to 33%.

7. EPSC

Applicant shall provide proper detail for concrete washout area shown on sheet C-5.

8. Long Term Maintenance Plan

Provide a long term maintenance plan for stormwater features. This shall be as a separate document from the plan set.

Water/Sewer

General Comments

9. Water

The previous comment has not been addressed. The Water Management Department will not approve the pump and tank method. Applicant shall submit an 8" water plan and profile beginning at 5th Avenue N and ending at 4th Avenue N. P&P shall show fire hydrant at 4th Avenue connected to the proposed 8" line. Applicant shall show and label all parts and materials. Applicant shall show all details that pertain to the new waterline installation.

There being no further business, the meeting adjourned at 7:36 p.m.

Chair, Mike Hathaway