

## **MINUTES OF THE MEETING OF THE FRANKLIN MUNICIPAL PLANNING COMMISSION JUNE 27, 2013**

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

Members absent:     None

Staff present:         Donald Anthony, Planning and Sustainability Department  
                              Emily Hunter, Planning and Sustainability Department  
                              Paula Kortas, Planning and Sustainability Department  
                              Catherine Powers, Planning and Sustainability Department  
                              Micah Wood, Planning and Sustainability Department  
                              Brenda Woods, Planning and Sustainability Department  
                              Dan Allen, Engineering Department  
                              Carl Baughman, Engineering Department  
                              Katie Rubush, Engineering 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**

- 5/23/13 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. ANNOUNCEMENTS**

**5. 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.

**6. 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**

7. Aspen Grove Subdivision, site plan, section T5, revision 4, lot 127 (Aspen Corporate Center 300 and 400); release the maintenance agreement for landscaping (Building 400) improvements.
8. Avalon PUD Subdivision, site plan, section 4, revision 1; release the maintenance agreement for landscaping improvements.
9. Avalon PUD Subdivision, site plan, section 7, revision 1; release the maintenance agreement for landscaping improvements.

10. Dallas Downs PUD Subdivision, site plan, section 2A, lot 28 (Heritage Church of Christ); accept the sidewalks improvements, release the performance agreement and establish a maintenance agreement for one year; extend the performance agreement for streets improvements for six months.
11. Franklin Crest PUD Subdivision, site plan, (Circle at Cool Springs Apartments); release the maintenance agreement for landscaping Phase 1 (Resource Parkway) improvements.
12. Gardner Estates Subdivision, site plan, revision 1, lot 1 (Harpeth Community Church); extend the performance agreement for landscaping Phase 2 improvements for one year.
13. Gateway Village PUD Subdivision, site plan, section 2; release the maintenance agreement for landscaping Phase 1 improvements; accept the landscaping Phase 2 improvements, release the performance agreement and establish a maintenance agreement for one year.
14. Gateway Village PUD Subdivision, site plan, section 3, lot 133 (Camden Commons); release the maintenance agreement for landscaping improvements.
15. Gateway Village PUD Subdivision, site plan, section 6; accept the landscaping and landscaping (perimeter) improvements, release the performance agreement and establish a maintenance agreement for one year.
16. Jamison Station PUD Subdivision, site plan, section 1; release the maintenance agreement for landscaping (Phase 1) improvements.
17. McKays Mill PUD Subdivision, site plan, section 32 (Hadden Hall Area); extend the performance agreement for landscaping improvements for one year.
18. McKays Mill PUD Subdivision, site plan, section 37; reduce and extend the performance agreement for landscaping improvements for one year.
19. Seward Hall Subdivision, site plan, lot 1 (Bethel Community Church); release the maintenance agreement for landscaping Phase 1 and landscaping Phase 2 improvements.
20. Stream Valley PUD Subdivision, site plan, section 1; release the maintenance agreement for landscaping, landscaping tree replacement 1 (north buffer) and landscaping tree replacement 2 (median and south buffer) improvements.
21. Stream Valley PUD Subdivision, site plan, section 2; release the maintenance agreement for landscaping improvements.
22. Stream Valley PUD Subdivision, site plan, section 3; extend the performance agreement for landscaping improvements for seven months.

- 23. Westhaven PUD Subdivision, site plan, section 20, lots 848, 1158 and 1159 (Golf Clubhouse); accept the drainage/detention improvements, release the performance agreement and establish a maintenance agreement for one year.
- 24. Westhaven PUD Subdivision, site plan, section 26; extend the performance agreement for landscaping (Phase 1) and landscaping (Phase 2) improvements.

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

- 25. Berry Farms Town Center PUD Subdivision, final plat, surety revision, section 1, revision 2, resubdivision of lots 65 and 107.

Project Number: 2662  
 Applicant: Brandon Lambert, Littlejohn Engineering Associates  
 Staff Recommends: Approval  
 Consent Status: Consent

- 26. The Carothers Development Property Subdivision, final plat, 2 lots on 16.89 acres, located south of Liberty Pike, just east of Carothers Parkway and south of Knoll Top Lane.

Project Number: 2756  
 Applicant: Christie Willoughby, Cherry Land Surveying  
 Staff Recommends: Approval, with conditions  
 Consent Status: Consent

- 27. Crossroads South Business Park Subdivision, Site Plan, Section 2, Revision 1, Lot 14A, a 1,114 square foot building expansion and additional parking spaces on 1.2 acres, located at 320 Southgate Court.

Project Number: 2752  
 Applicant: Brett Creasman, Littlejohn Engineering Associates  
 Staff Recommends: Approval, with conditions  
 Consent Status: Consent

- 28. Downs Boulevard Properties Subdivision, final plat, surety revision, revision 9, lots 4 and 15, revision to access easement across 2 lots on 2.81 acres, located at 454 and 472 Downs Boulevard.

Project Number: 2635  
 Applicant: Greg Gamble, Gamble Design Collaborative  
 Staff Recommends: Approval  
 Consent Status: Consent

- 29. **The Highlands at Ladd Park PUD Subdivision, pattern book, revision 1, clarification of landscaping standards and modification of design standards request for garage doors, located north of Long Lane, south of Harpeth River, and east of Interstate 65.**

Project Number: 2744  
 Applicant: Greg Gamble, Gamble Design Collaborative  
 Staff Recommends: Approval, with conditions  
 Consent Status: Nonconsent

30. Robert Carver Bone Subdivision, final plat, revision 4, 2 lots on 5.01 acres, located at 252 Spencer Creek Road.

Project Number: 2754  
Applicant: Jeff Kimbro, H & H Land Surveying  
Staff Recommends: Approval, with conditions  
Consent Status: Consent

31. Spencer Creek Place Subdivision, final plat, revision 5, 2 lots on 3.743 acres, located at 1107 Gray Fox Lane.

Project Number: 2755  
Applicant: Roger Harrah, Harrah & Associates  
Staff Recommends: Approval, with conditions  
Consent Status: Consent

32. Through the Green PUD Subdivision, final plat, section 2, lots 9-51 (Shadow Green Townhomes), 34 residential lots and 8 open space lots on 9.91 acres, located along Shadow Green Drive and Vintage Green Lane.

Project Number: 2745  
Applicant: Michael Garrigan, Dale and Associates  
Staff Recommends: Approval, with conditions  
Consent Status: Consent

33. Westhaven PUD Subdivision, final plat, section 38, 41 residential lots on 7.16 acres, located along Jewell Avenue, Porter Street, and Howland Street.

Project Number: 2747  
Applicant: Robert Burke, Jr., Wilson & Associates PC  
Staff Recommends: Approval, with conditions  
Consent Status: Consent

#### **ZONING ORDINANCE TEXT AMENDMENTS**

**34. ORDINANCE 2013-34, TO BE ENTITLED: "AN ORDINANCE TO AMEND SECTION 5.3.4 OF THE CITY OF FRANKLIN ZONING ORDINANCE TO REVISE STANDARDS RELATED TO TRANSITIONAL FEATURES."**

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

#### **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**

Mr. Harrison moved to approve the May 23, 2013, Planning Commission minutes as presented, Mr. Orr seconded the motion, and it passed unanimously (8-0).

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

No one came forward.

**4. ANNOUNCEMENTS**

Alderman Petersen asked if it would be possible for the Planning Commission to get a list of the projects that had been given site plan approval extensions by the Planning Commission and/or staff. Over the last few years there have been a number of extensions given beyond one year.

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

No one came forward.

**6. CONSENT AGENDA**

Chair Hathaway stated that the Consent items were those items that were considered to be non-controversial and would be voted on as a group. The items on the Initial Consent Agenda would be items 7 through 22, 25, 28, and 30 through 32. Alderman Petersen requested to have item 26 pulled from the Consent Agenda. The applicant for item 27 had requested that it be withdrawn.

Mr. Harrison moved to approve the Consent Agenda items, as amended, Ms. Allen seconded the motion, and it passed unanimously (8-0).

Chair Hathaway recused himself from Secondary Consent items 23, 24, and 33.

Vice-Chair Lindsey stated that the Secondary Consent items would be items 23, 24, and 33.

Mr. Harrison moved to approve the Secondary Consent Agenda, Ms. McLemore seconded the motion, and it passed unanimously (8-0).

**7. ASPEN GROVE SUBDIVISION, SITE PLAN, SECTION T5, REVISION 4, LOT 127 (ASPEN CORPORATE CENTER 300 AND 400)**

Maint agreement: **Landscaping (Building 400) \$12,000**

Established: April 26, 2012

Previous Action: 7/3/06 PA posted

4/13/07 Approved extension to 4/24/08; still under construction

3/27/08 Blanket drought extension to 4/23/09

10/17/08 Reduction denied; extend to 10/16/09

10/22/09 Reduce from \$48,000; extend to 10/28/10

10/28/10 Extend to 10/27/11  
 10/27/11 Extend to 4/26/12; last extension  
 4/26/12 Release PA, establish MA for \$12,000  
 5/16/12 MA posted  
 4/25/13 Extend to 4/24/14

Recommendation: Release the maintenance agreement.

**8. AVALON PUD SUBDIVISION, SITE PLAN, SECTION 4, REVISION 1**

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

Established: May 24, 2012

Previous Action: 2/23/05 PA posted  
 4/13/06 Approved extension to 4/26/07; still under construction  
 4/26/07 Reduce from \$207,000; extend to 4/24/08; still under construction  
 3/27/08 Blanket drought extension 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 11/17/11  
 11/17/11 Extend to 5/24/12; final extension  
 5/24/12 Release PA, establish MA for \$52,000.  
 6/5/12 MA posted  
 5/23/13 Extend to 5/22/14

Recommendation: Release the maintenance agreement.

**9. AVALON PUD SUBDIVISION, SITE PLAN, SECTION 7, REVISION 1**

Maint agreement: **Landscaping \$27,000**

Established: May 24, 2012

Previous Action: 8/2/04 split into sections; section 4, revision 1, section 6, revision 1, & section 7, revision 1.  
 4/11/07 PA posted  
 3/27/08 Blanket drought extension to 4/10/09  
 5/9/08 Extend to 5/28/09  
 5/15/09 Approved extension to 5/21/10  
 5/27/10 Extend to 5/26/11  
 5/26/11 Extend to 11/17/11  
 11/17/11 Extend to 5/24/12; few lots still not built, final extension.  
 5/24/12 Release PA, establish MA for \$27,000  
 6/5/12 MA posted  
 5/23/13 Extend to 5/22/14

Recommendation: Release the maintenance agreement.

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

Perf agreement: **Sidewalks \$7,900**

Established: September 25, 2008  
 Previous Action: FMPC granted 6 month 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  
 6/17/11 Release denied; extend to 6/15/12  
 6/15/12 Release denied; extend to 6/21/13; install sidewalk along McCain Drive  
 Recommendation: Accept the sidewalks improvements, release the performance agreement and establish a maintenance agreement in the amount of \$2,500 for one year.

Perf agreement: **Streets \$20,000**  
 Established: September 25, 2008  
 Previous Action: FMPC granted 6 month 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  
 6/17/11 Reduce 75%+ from \$62,000; extend to 6/15/12  
 6/15/12 Approved extension to 6/21/13  
 Recommendation: Approved extension to December 19, 2013.

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

Maint agreement: **Landscaping Phase 1 (Resource Parkway) \$15,000**  
 Established: January 20, 2012  
 Previous Action: 2/28/09 FMPC granted 6 month extension to 8/28/09.  
 7/23/09 FMPC granted 2nd 6 month extension to 2/28/10.  
 1/19/10 PA posted  
 11/12/10 Approved extension to 11/11/11  
 NEW APPLICANT 12/10/10  
 11/11/11 Approved extension to 11/9/12  
 11/15/11 Split into Phase 1 & Phase 2; this is Phase 1 (Resource Parkway), new original amount \$58,000.  
 1/20/12 Release PA, establish MA for \$15,000  
 2/6/12 MA posted  
 1/18/13 Extend to 1/17/14  
 Recommendation: Release the maintenance agreement.

**12. GARDNER ESTATES SUBDIVISION, SITE PLAN, REVISION 1, LOT 1 (HARPETH COMMUNITY CHURCH)**

Perf agreement: **Landscaping Phase 2 \$20,000**  
 Established: June 25, 2009  
 Previous Action: 6/25/09 FMPC split into phase 1 and phase 2; this is phase 2.  
 6/18/10 Extend to 6/17/11  
 6/23/11 Extend to 6/28/12  
 6/28/12 Approved extension to 6/27/13

Recommendation: Approved extension to June 26, 2014. Building 3 is not built yet.

**13. GATEWAY VILLAGE PUD SUBDIVISION, SITE PLAN, SECTION 2**

Perf agreement: **Landscaping Phase 2 \$24,000**

Established: March 24, 2005

Previous Action: 6/28/12 Split into Phase 1 & Phase 2; this is Phase 2, new original amount of \$24,000; extend to 6/27/13.

Recommendation: Accept the landscaping Phase 2 improvements, release the performance agreement and establish a maintenance agreement in the amount of \$6,000 for one year.

Maint agreement: **Landscaping Phase 1 \$18,000**

Established: June 28, 2012

Previous Action: 2/7/06 PA posted  
 11/10/06 Approved extension to 11/15/07  
 9/27/07 Blanket landscaping extension to 11/20/08  
 11/14/08 Approved extension to 11/13/09  
 11/19/09 Approved extension to 11/18/10  
 11/18/10 Approved extension to 11/17/11  
 11/17/11 Approved extension to 11/15/12; still under construction  
 6/28/12 Split into Phase 1 & Phase 2; this is Phase 1, new original amount \$70,000; Release PA, establish MA for \$18,000.  
 7/20/12 MA posted

Recommendation: Extend to June 26, 2014.

Reason/Deficiency: The two missing street trees, between lots 34 and 54, and lots 77 and 98, shall be installed. The missing Cypress in the detention area near the roundabout shall be installed. The dead Cypress at the detention area near Mohr and Davenport shall be replaced. Utility boxes are improperly screened, and shall be screened with evergreen material of a height sufficient to visually screen the objects.

**14. GATEWAY VILLAGE PUD SUBDIVISION, SITE PLAN, SECTION 3, LOT 133 (CAMDEN COMMONS)**

Maint agreement: **Landscaping \$9,000**

Established: June 23, 2011

Previous Action: 5/28/08 PA posted  
 5/15/09 Approved extension to 5/21/10  
 5/21/10 Extend to 5/20/11; still under construction  
 5/20/11 Approved extension to 5/18/12  
 6/23/11 Release PA, establish MA for \$9,000  
 7/1/11 MA posted  
 6/28/12 Extend to 6/27/13

Recommendation: Extend to June 26, 2014.

Reason/Deficiency: The dead Redbud in the detention area along Franklin Road shall be replaced.

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

Perf agreement: **Landscaping \$7,000**  
 Established: July 27, 2006  
 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 6/27/13; still under construction, not all material installed.  
 Recommendation: Accept the landscaping improvements, release the performance agreement and establish a maintenance agreement in the amount of \$3,000 for one year.

Perf agreement: **Landscaping (perimeter) \$4,000**  
 Established: July 27, 2006  
 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 6/27/13; still under construction, not all material installed.  
 Recommendation: Release the performance agreement with no maintenance agreement required. This screening material is now provided for with the site plan associated with the adjacent Apartment project.

**16. JAMISON STATION PUD SUBDIVISION, SITE PLAN, SECTION 1**

Maint agreement: **Landscaping (Phase 1) \$5,000**  
 Established: October 16, 2009  
 Previous Action: 2/28/07 PA posted  
 11/15/07 Blanket landscaping extension to 1/22/09  
 1/16/09 Approved extension to 1/15/10  
 10/16/09 Split landscaping into Phase1 (\$20,000) and Phase 2 (\$9,000). This is Phase 1. Release PA, establish MA for \$5,000.  
 11/6/09 MA posted  
 10/28/10 Extend to 10/27/11  
 10/27/11 Extend to 10/25/12  
 10/25/12 Extend to 10/24/13  
 Recommendation: Release the maintenance agreement.

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

Perf agreement: **Landscaping \$51,000**  
 Established: August 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  
 Recommendation: Approved extension to June 26, 2014.

**18. MCKAYS MILL PUD SUBDIVISION, SITE PLAN, SECTION 37**

Perf agreement: **Landscaping \$134,000**  
 Established: November 15, 2007  
 Previous Action: 9/21/07 PA posted  
 FMPC extended approval 6 months on 11/15/07 to 8/22/08.  
 10/17/08 Approved extension to 10/16/09; still under construction  
 10/16/09 Approved extension to 10/15/10; still under construction  
 10/28/10 Approved extension to 10/27/11; still under construction  
 10/27/11 Approved extension to 10/25/12; still under construction  
 10/25/12 Approved extension to 10/24/13; still under construction  
 Recommendation: Landscaping improvements shall be split into Phase 1 (street trees), the completed portion, and Phase 2 (Lot 1517), as follows:  
 Phase 1 (street trees): New original amount of \$65,000; accept the landscaping Phase 1 (street trees) improvements, release the performance agreement and establish a maintenance agreement in the amount of \$17,000 for one year.  
 Phase 2 (Lot 1517): New original amount of \$69,000; extend the performance agreement to June 26, 2014.

**19. SEWARD HALL SUBDIVISION, SITE PLAN, LOT 1 (BETHEL COMMUNITY CHURCH)**

Maint agreement: **Landscaping Phase 1 \$9,000**  
 Established: June 24, 2010  
 Previous Action: 9/22/05 Approval extended to 4/18/06.  
 3/30/06 PA posted  
 1/12/07 Approved extension to 1/24/08; still under construction  
 1/24/08 Reduce from \$40,500; extend to 1/22/09  
 11/19/09 FMPC approved for landscaping to be phased; Phase 1 shall be the new buffer; Phase 1 buffer shall be installed and ready for June 2010 FMPC agenda.

1/28/10 Extend to 6/24/10--as required at the 11/19/09 FMPC meeting--this site will be split and Phase 1 buffer shall be installed by June 2010 FMPC meeting.

6/24/10 Release PA, establish MA for \$9,000

7/14/10 MA posted

6/23/11 Extend to 6/28/12

6/28/12 Extend to 6/27/13

Recommendation: Release the maintenance agreement.

Maint agreement: **Landscaping Phase 2 \$24,000**

Established: June 24, 2010

Previous Action: 9/22/05 Approval extended to 4/18/06.

3/30/06 PA posted

1/12/07 Approved extension to 1/24/08; still under construction

1/24/08 Reduce from \$116,000; extend to 1/22/09

11/19/09 FMPC approved for landscaping to be phased

1/28/10 Extend to 6/24/10

1/29/10 This site split into 3 phases; this is Phase 2—revised original amount \$95,500, reduced to \$78,000; extend to 1/21/11.

6/24/10 Release PA, establish MA for \$24,000

7/14/10 MA posted

6/23/11 Extend to 6/28/12

6/28/12 Extend to 6/27/13

Recommendation: Release the maintenance agreement.

**20. STREAM VALLEY PUD SUBDIVISION, SITE PLAN, SECTION 1**

Maint agreement: **Landscaping \$51,000**

Established: June 28, 2012

Previous Action: 12/28/06 PA posted

9/27/07 Blanket landscaping extension to 11/20/08

11/14/08 Reduce from \$204,000; extend to 11/13/09

11/13/09 Approved extension to 11/12/10

11/18/10 Extend to 11/17/11

11/17/11 Extend to 11/15/12

6/28/12 Release PA, establish MA for \$51,000

7/19/12 MA posted

Recommendation: Release the maintenance agreement.

Maint agreement: **Landscaping tree replacement 1 (north buffer) \$21,000**

Established: June 28, 2012

Previous Action: 12/3/08 PA posted

11/13/09 Reduce from \$84,000; extend to 11/12/10

11/18/10 Extend to 11/17/11

11/17/11 Extend to 11/15/12

6/28/12 Release PA, establish MA for \$21,000

7/19/12 MA posted  
 Recommendation: Extend to June 26, 2014.  
 Reason/Deficiency: The two dead trees in the northern buffer detention area shall be replaced. The dead tree behind Lots 15, 17, 18 and 19 shall be replaced. The dead tree between Lots 22 and 23 shall be replaced. There are several stressed trees on this site that shall be replaced if they do not survive.

Maint agreement: **Landscaping tree replacement 2 (median/south buffer) \$3,000**

Established: June 28, 2012

Previous Action: 12/3/08 PA posted  
 11/13/09 Reduce from \$7,500; extend to 11/12/10  
 11/18/10 Extend to 11/17/11  
 11/17/11 Extend to 11/15/12  
 6/28/12 Release PA, establish MA for \$3,000  
 7/19/12 MA posted

Recommendation: Extend to June 26, 2014.

Reason/Deficiency: The dead Pine in the south buffer at the entrance shall be replaced. The dead tree in the buffer shall be replaced.

**21. STREAM VALLEY PUD SUBDIVISION, SITE PLAN, SECTION 2**

Maint agreement: **Landscaping \$30,000**

Established: June 28, 2012

Previous Action: 3/19/08 PA posted  
 4/17/09 Reduce from \$117,000; extend 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  
 6/28/12 Release PA, establish MA for \$30,000  
 7/19/12 MA posted

Recommendation: Extend to June 26, 2014.

Reason/Deficiency: The missing street tree along Stream Side Lane shall be installed. The two street trees with the leaders missing shall be replaced. Several street trees along Stream Side Lane are dead and shall be replaced. The dead material in the buffer shall be replaced.

**22. STREAM VALLEY PUD SUBDIVISION, SITE PLAN, SECTION 3**

Perf agreement: **Landscaping \$158,000**

Established: June 28, 2007

Previous Action: 7/23/08 PA posted  
 6/19/09 Approved extension to 6/24/10  
 6/18/10 Extend to 6/17/11  
 6/17/11 Extend to 6/15/12; still under construction  
 6/28/12 Approved extension to 6/27/13; still under construction

Recommendation: Approved extension to June 26, 2014.

**23. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 20, LOTS 848, 1158 AND 1159 (GOLF CLUBHOUSE)**

Perf agreement: **Drainage/detention \$167,500**

Established: April 24, 2008

Previous Action: 5/18/09 PA posted  
 5/15/09 Reduce from \$335,000; extend to 5/21/10  
 5/21/10 Denied 75% reduction; extend to 5/20/11  
 5/20/11 Approved extension to 11/11/11  
 11/11/11 Approved extension to 5/18/12  
 5/18/12 Approved extension to 11/15/12  
 11/15/12 Approved extension to 11/21/13

Recommendation: Accept the drainage/detention improvements, release the performance agreement and establish a maintenance agreement in the amount of \$33,500 for one year.

**24. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 26**

Perf agreement: **Landscaping (Phase 1) \$77,000**

Established: April 26, 2007

Previous Action: 9/8/09 PA posted  
 6/18/10 Extend to 6/17/11  
 6/17/11 Extend to 6/15/12  
 6/15/12 Approved extension to 6/21/13

Recommendation: Extend to June 26, 2014. This site is not built yet.

Perf agreement: **Landscaping (Phase 2) \$19,000**

Established: April 26, 2007

Previous Action: 9/8/09 PA posted  
 6/18/10 Extend to 6/17/11  
 6/17/11 Extend to 6/15/12  
 6/15/12 Approved extension to 6/21/13

Recommendation: Extend to June 26, 2014. This site is not built yet.

**25. Berry Farms Town Center PUD Subdivision, final plat, surety revision, section 1, revision 2, resubdivision of lots 65 and 107.**

STAFF RECOMMENDATION: Approval.

COMMENTS: This item will add surety amounts for sewer, streets, sidewalks, drainage, and water to the Berry Farms Town Center PUD Subdivision, section 1, final plat (COF# 2662). All other conditions of approval from the March 28, 2013, FMPC Meeting remain with this project.

Performance Agreement and Surety to be added to COF 2662:

Water	\$	207,000
Sewer	\$	404,000
Streets	\$	544,000
Sidewalks	\$	90,000
Drainage	\$	171,000
<b>Total</b>	<b>\$</b>	<b>1,416,000</b>

\*The performance agreement(s) and sureties must be posted prior to the issuance of a building permit.

27. Crossroads South Business Park Subdivision, Site Plan, Section 2, Revision 1, Lot 14A, a 1,114 square foot building expansion and additional parking spaces on 1.2 acres, located at 320 Southgate Court.

STAFF RECOMMENDATION: Approval, with conditions;

COMMENTS: The applicant is requesting three (3) design modifications with this site plan.

MODIFICATION OF STANDARDS:

The existing building does not meet current design standards since it was built prior to the creation of these standards. The existing west and southwest facades are composed of brick, which runs from grade up to an existing faux mansard roof. The proposed design would remove the roof element, keep the existing brick in place, and extend new brick up to a parapet which would then be capped. The Zoning Ordinance requires a distinct building base. However, on the front façade, the existing brick would be painted to avoid a visual break in materials. In order to reuse the existing brick, the proposed design does not add a base to these facades.

The proposed southwest façade is the main entry into the building and the most visible façade from Southgate Court. The primary architectural elements on this façade are a horizontal metal lattice set approximately 1'-6" in front of the existing façade and trespa panels (wood appearance) to accentuate the building's entry and provide relief to the existing industrial brick façade. The metal lattice and trespa panels are not explicitly permitted or prohibited in the Zoning Ordinance. Therefore, the applicant is requesting a design modification for use of each material.

Staff recommends approval of the design modifications including the use of (1) aluminum slats, (2) trespa wood panels, and (3) painting over the existing brick instead of creating a distinct building base. Staff supports the improvements because of the light industrial context, the appearance of the existing building, and the use as a music studio.

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, May 24, 2013. Staff response on the Post-PC plans is guaranteed in 5 business days. If a Short-Track Post-PC item is not submitted by the deadline or is an 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." A response letter addressing each condition of approval shall be included with the .pdf upload and the set of corrected plans.

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 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.

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:**

Planning

General Comments

1. Architecture

Applicant shall remove all signage (including street address) from the architectural elevations. Signage requires a separate approval through BNS. This is a new comment that was overlooked at initial submittal.

2. Modification of Standards

Design Modification: Approve the applicant's request to use metal lattice and trespa wood panels as accent materials and to eliminate the distinct building base requirement for the front elevation where the applicant is proposing to paint the existing brick.

28. Downs Boulevard Properties Subdivision, final plat, surety revision, revision 9, lots 4 and 15, revision to access easement across 2 lots on 2.81 acres, located at 454 and 472 Downs Boulevard.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: This item adds surety amounts for street access, sidewalks, and water to the Downs Boulevard Subdivision, final plat, revision 9, lots 4 and 15 (COF# 2635). All other conditions from the March 28, 2013, FMPC meeting remain with this project.

Performance Agreement and Surety to be added to COF 2635:

Sewer	\$	TBD
Streets	\$	TBD
Sidewalks	\$	12,000
Drainage	\$	TBD
Landscaping	\$	TBD
Street Access	\$	3,500
Water	\$	5,000
<b>Total</b>	<b>\$</b>	<b>TBD</b>

\* The performance agreement(s) and sureties must be posted prior to the issuance of a building permit.

30. Robert Carver Bone Subdivision, final plat, revision 4, 2 lots on 5.01 acres, located at 252 Spencer Creek Road.

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.

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

1. Addressing

Applicant shall add addresses to final plat. Lot 5 is 250 Spencer Creek Road and lot 7 is 252 Spencer Creek Road.

31. Spencer Creek Place Subdivision, final plat, revision 5, 2 lots on 3.743 acres, located at 1107 Gray Fox Lane.

**STAFF RECOMMENDATION:** Approval, with conditions;

**COMMENT** 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.

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

General Comments

1. Utility Services

Now that it is known the sewer is an 8" line, the sewer line must be placed in a separate easement that is 20 feet wide. The sewer line must be located 10 feet away from the public utility and drainage easement.

Planning

General Comments

2. R.O.W.

Applicant shall revise the plat to show the continuation of R.O.W. past the cul-de-sac, as recorded with the Carolina Close Subdivision.

3. Photometrics

The applicant shall add note #41 from the Planning Checklist regarding street lights.

32. Through the Green PUD Subdivision, final plat, section 2, lots 9-51 (Shadow Green Townhomes), 34 residential lots and 8 open space lots on 9.91 acres, located along Shadow Green Drive and Vintage Green Lane.

**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.

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 (overall)

Engineering sureties TBD at post-PC.

BNS

2. Setbacks

Rear yard setback should be revised to read 5 Feet instead of 0. This is a new comment intended to provide clarification during the building plan review process and is recommended. Any wall that is setback less than 5 feet from an adjacent property line would be required to be a fire rated construction.

33. Westhaven PUD Subdivision, final plat, section 38, 41 residential lots on 7.16 acres, located along Jewell Avenue, Porter Street, and Howland Street.

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.

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 (overall)

Engineering sureties TBD at post-PC.

Planning

2. Addressing

Applicant shall make the address orientation on lots 1451-1455 consistent with the other lots.

This completed the consent agenda.

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26. The Carothers Development Property Subdivision, final plat, 2 lots on 16.89 acres, located south of Liberty Pike, just east of Carothers Parkway and south of Knoll Top Lane.

Ms. Hunter stated that staff recommended approval with conditions for item 26.

Alderman Petersen stated that she moved for approval, but she just had some comments to make. Ms. Alley seconded the motion.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Adam Crunk, of Littlejohn Engineering, stated that he represented the applicant, and he requested approval of item 26.

Alderman Petersen stated that she noticed that Lot 1 of this project had received administrative approval. Lot 2 was the lot that backed up to a number of homes in Breckenridge. At an earlier time when the Planning Commission looked at this, there was a great deal of concern about the people in Breckenridge. She did not specifically remember if their concern was about the buffer, but she wanted to make the people aware that Lot 1 was fine; however, Lot 2 had some constraints because it backed up to all of the residential

acreage. Also, there was something about the topography, and she did not remember if it was up or down from these homes. The people are not inside the city limits of Franklin, but a number of them did come to Planning Commission and speak when this came up previously.

With the motion having been made and seconded to approve item 26, it passed unanimously (8-0).

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.

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 (overall)

Engineering sureties TBD at post-PC.

Engineering

General Comments

2. Easements

Initial comment was not addressed. Provide an access easement across Lot 2 from the eastern boundary to the western boundary. Applicant shall contact Tom Ingram in the Engineering Dept. regarding the location of this easement.

3. Easements

Initial comment was not addressed. Stormwater drainage easements are required across the property for any stormwater flow that enters the property. The easement must follow the flow of the stormwater to the point where the stormwater leaves the property.

4. Easements

Initial comment was not addressed. Provide a drainage easement across Lot 2 for the stormwater flowing under Liberty Pike from the property north of Liberty Pike.

5. Right-of-Way

With the ROW reference line being 40' inside the north ROW line, and the needed total ROW including reservation being 100', the reservation line is to be 60' (not 50') from the reference line.

Planning

General Comments

6. Zoning Info

The applicant shall list the character area (MECO-4) and development standard (conventional).

7. Signature Blocks

Separate signature blocks shall be provided for water and sewer since water is provided by Milcrofton and sewer is provided by the City.

8. Sidewalks

Applicant shall show existing/proposed sidewalks for Lot 1.

9. Addressing

Addresses shall be shown on the final plat. Applicant shall contact Lori Jarosz at lori.jarosz@franklintn.gov to receive addresses.

Stormwater

10. Drainage

Drainage easements shall correspond with the proposed site plan. The Applicant shall provide a drainage easement for permeable pavers. This comment was not addressed after first review.

**29. The Highlands at Ladd Park PUD Subdivision, pattern book, revision 1, clarification of landscaping standards and modification of design standards request for garage doors, located north of Long Lane, south of Harpeth River, and east of Interstate 65.**

Mr. Anthony presented item 29 and stated that staff requested approval of the pattern book revision, which included a modification of design standards which allowed garages to be consistent between the newer sections and the previously designed sections.

Chair Hathaway asked for citizen comments.

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, Trillium Farms, LLC. When Ladd Park was originally approved, it was under the old Franklin Zoning Ordinance. In 2009, the Zoning Ordinance made quite a few changes. He appreciated staff working with them. They had been looking at the old landscape requirements and comparing them to the new Ordinance and looking at what was different. The landscape portion was to clarify and inform the developers and builders who are already at Ladd Park to bring it up to speed under the new Zoning Ordinance. He was happy to provide any clarification on the listed items.

Regarding Carothers Parkway, these are additional requirements. They had seen an additional opportunity to provide landscape onto Carothers Parkway, and they wanted to make sure that some direction was given as to how that landscape would be planted along Carothers.

The second part of this request was regarding garage standards. There are builders who have been building at Ladd Park for some time who have homes that do not necessarily meet the same garage standards that the Ordinance currently requires. Those are for homes that have side-loaded garages, those garages not facing a public right-of-way or public street, rear-facing garages, alley-access garages, and detached garages that are in the rear of the lot. He requested that the maximum garage door width be increased to 16 feet as opposed to 9 feet, and he requested approval of item 29.

Ms. Allen moved to recommend approval of item 29 and Ms. McLemore seconded the motion.

Ms. Allen moved to amend the Modification of Standards to allow side-loaded and rear-loaded garage doors to exceed 9 feet in width, and Ms. McLemore seconded the motion.

Alderman Petersen stated that she did appreciate the situation at Ladd Park regarding the Modification of Standards for the garage doors. She asked; however, if the width of the double garage doors was 16 feet.

Mr. Anthony stated that he did not remember what the width was on the garage doors.

Chair Hathaway stated that 16 feet was not an unusual width for double garage doors.

Alderman Petersen stated that she realized; however, she thought that when the Planning Commission agreed to the Modification of Standards for double garage doors before, it was 18 feet.

Mr. Orr asked if a vehicle could be pulled inside a garage with that width and be able to open the doors.

Mr. Gamble stated that the applicants were fine with 18 feet if that was consistent with the Modification of Standards that had been approved in the past.

Mr. Orr asked if doors put in between would solve the problem.

Mr. Gamble stated that they would and that it was about the additional width required for the garages that would change many of the floor plans being sold today.

Alderman Petersen stated that the Zoning Ordinance said that it should be 2 feet in between each separate garage door, so that would have to be a Modification of Standards also.

Mr. Gamble stated that the implications of that had to do with the lots, the setbacks, and the widths. For those lots that had been platted, it was just encumbering.

Chair Hathaway wanted to make sure that if the Planning Commission approved a side-loaded garage that faced a street, such as a corner lot, the front facing requirement of two 9 foot doors would still apply.

Mr. Anthony stated that Chair Hathaway was correct.

Alderman Petersen stated that this would apply to a house facing any street, not just a corner lot.

Chair Hathaway asked if a free-standing garage that had a 10 foot setback from the street would mean that it could have a 16 or 18 foot wide door.

Mr. Wood stated that it would fall under accessory structure requirements more so than the standard garage requirements. That was a separate review process and would go to Building and Neighborhood Services to be reviewed.

Chair Hathaway asked if one's desire was to have two 9 foot doors on a front-facing garage could one float the garage and get by without doing that.

Mr. Wood stated that he believed (since Building and Neighborhood Services would review, and the Planning Department would not be reviewing) that if it was visible from the street, the intent would still be to provide the spacing but if it was still hidden by the main structure, they would have the 16 or 18 foot wide door.

Mr. Gamble stated that it was not the applicant's intention to have garages facing the street with a 16 foot wide garage door.

Alderman Petersen asked if the applicant had any homes that had a detached garage.

Mr. Gamble stated that at the present time Ladd Park did not have any, but they were anticipating in future sections that builders might bring that product in, so they wanted to make sure they allowed for that.

Alderman Petersen stated that maybe it should be worded, "Garages that are facing any street shall have a maximum width of 9 foot garage doors with 1 foot separation. All other garages have a maximum width of 18 feet."

Mr. Orr stated that it should be "minimum" and not "maximum."

Alderman Petersen moved to amend the amendment for the Modification of Standards to state that, "Garages facing any street shall have a minimum width of 9 foot doors with a 1 foot separation. All other garages, side-loaded garages, rear-facing garages, alley access garages and detached street-facing garages, located behind the residence, shall have a minimum width of 18 feet."

Mr. Gamble stated that what was meant by the detached street-facing garages was that the garage was detached at the back of the house and would have a driveway that would go along the side of the house. The garage actually faces toward the street, but it was at the back of the lot behind the primary unit.

Alderman Petersen stated that it was facing the street.

Mr. Gamble stated that it was facing the street, but it was at the back of the lot.

Alderman Petersen stated that this was the reason she had asked if the applicant was planning for this.

Mr. Gamble stated that this was not a plan that they had now, but some builders had approached his client with this.

Chair Hathaway stated that the wording needed to be clarified that it had to be behind the main unit.

Alderman Petersen discussed the language "All other garages, side-loaded garages, rear-facing garages, alley access garages," and at this point, Mr. Franks raised the issue of "alley-access garages."

Mr. Franks stated that it should not be alley-access garages if the applicants had alley-access in the future because he thought the Planning Commission had allowed 16 feet because of the narrow alleys to be able to pull in.

Alderman Petersen stated that she believed that was why the Planning Commission was saying 18 feet, and she thought that was what had been done in the past.

Mr. Anthony stated that looking back on Stream Valley, there was not a width listed as far as he could tell. If the "maximum" wording was removed from the Conditions of Approval, there was a possible scenario that if the garage was an inch or two less than that Building and Neighborhood Services may require the applicant to change building plans just to get that. This is the reason staff includes the "maximum" and leaves it to the builder to determine what is appropriate.

Alderman Petersen asked if one could have a single car garage that would not have a 9 foot door.

Ms. Powers stated in situations where they were not street-facing, one could have up to an 18 foot door.

Alderman Petersen stated that she was asking if a one car garage (single door) had to be 9 feet.

Ms. Powers stated that staff had not gotten into the actual garage measurements, but most of them would be, at least, 9 feet if they were to be usable.

Mr. Gamble stated that the standard garage door was 8 feet wide.

Alderman Petersen moved to amend the amendment for the Modification of Standards to state that, "Garages facing any street shall have a maximum width of 9 foot doors with a 1 foot separation. All other garages, side-loaded garages, rear-facing garages, alley access garages and detached street-facing garages, located behind the residence, shall have a maximum width of 18 feet." Ms. Allen seconded the motion, and it passed unanimously (8-0).

With the main motion to recommend approval of item 29 and the amendment having been made and seconded, it passed unanimously (8-0) with the following:

**STAFF RECOMMENDATION:** Approval, with conditions

**COMMENTS:** Staff recommends approval of the pattern book revision, including the modification of design standards requested by the applicant.

**PROCEDURAL REQUIREMENTS:**

1. The applicant shall submit two (2) full-size copies of The Highlands at Ladd Park PUD Subdivision pattern book to the Department of Planning and Development. The

pattern book must include the revised page(s).

2. The applicant shall provide an electronic version of the revised pattern book in PDF format to the Department of Planning and Development via email or electronic upload to the City's IDT site.

**\*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. Pattern book

Applicant shall submit 2 paper copies and 1 digital copy of the entire pattern book (with revision) at post-PC.

2. MOS request

Applicant's modification of design standards request shall be approved. Garages facing any street shall have a maximum width of 9 foot doors with a 1 foot separation. All other garages, side-loaded garages, rear-facing garages, alley access garages and detached street-facing garages, located behind the residence, shall have a maximum width of 18 feet. ~~Front-facing garage doors on garages attached to the principal structure shall have a maximum width of 9 feet with a minimum 1-foot separation between doors. All other garage doors shall have a maximum width of 16 feet.~~

**ZONING ORDINANCE TEXT AMENDMENTS**

**34.ORDINANCE 2013-34, TO BE ENTITLED: "AN ORDINANCE TO AMEND SECTION 5.3.4 OF THE CITY OF FRANKLIN ZONING ORDINANCE TO REVISE STANDARDS RELATED TO TRANSITIONAL FEATURES."**

Ms. Powers presented Ordinance 2013-34 and stated that this was a text amendment that looked at transitional features where there are different kinds of uses or where there may be single family up against multi-family. It is codifying some of the things that staff has already done such as looking at how to transition from various neighborhoods in terms of massing and bulk. Ms. Hunter has spent quite a bit of time working with this ordinance, and Ms. Powers turned the presentation over to Ms. Hunter.

Ms. Hunter stated that this amendment had two purposes. The first purpose was to change the applicability section to not just include traditional development areas, which are primarily the downtown area, but to also apply the transitional features to conventional areas. Presently, in conventional areas, landscape buffers are sometimes required if the lot sizes are 75 percent different from the existing lot sizes. However, there are no transitional

features, which are actually required. This would allow for staff to recommend these transitional standards to be used in all of those cases as well, if staff sees that they are necessary. That does not mean that the standards would be applied in every case, but it does allow staff to make those recommendations. It also sets up an appeals process similar to the design modifications and the slope standards whereby if applicants disagree with staff interpretation or a staff decision regarding the transitional features, they can appeal that decision to the Planning Commission as part of their site plan.

The other purpose of this is to clarify some of the standards to be a little more specific. The standards include setbacks and how they relate to the structures adjacent and across the street, as well as the facade width and height. It discusses non-residential areas adjacent to residential areas. It discusses off street parking and loading service areas and things of this nature. It gives a little more guidance on how to locate those items. Staff recommends approval of Ordinance 2013-34.

Chair Hathaway asked for citizen comments.

No one came forward.

Mr. Harrison moved to favorably recommend approval of Ordinance 2013-34, and Mr. Orr seconded the motion.

Alderman Petersen stated that she really appreciated the changes for the most part, but she did have a concern with a part of 1) "Allow setbacks that are within 25% of the average setbacks for the existing uses on a block face, even when they are closer to the right-of-way." In some areas that could work, but in other places, she did not want to see that as a permission whenever they are closer to the right-of-way. She referred to numbered page 4 and stated that, "Use setbacks that are within 25 percent of the average setbacks for existing uses on the same block face provided no new use is closer to the right of way than any existing use." She thought the idea was supposed to be that it was not closer to the right-of-way than the closest existing use. Otherwise, it would have to be back behind every one of them. She did not want to do away with the fact that it might say, "No new uses closer to the right-of-way than the existing use closest to the right-of-way."

Ms. Hunter presented an example of one place where this might apply on Eddy Lane. This would work the way Alderman Petersen phrased it as long as it was not as close as a particular use next to it. She showed and discussed a stretch on Liberty Pike between Eddy Lane and Ralston Lane. When the whole block face is taken and an average is done, the minimum front setback is more than half-way back. She stated that if 25 percent of that was taken, it is actually about 30 feet closer. However, provided that no building is set back more than the next closet building, then it would actually be permitted to be about 80 feet back. This would make it adjacent to the AT&T building. She thought that as long as the wording was changed to make it "no closer than the closest building," it would work fine.

Alderman Petersen moved to amend Ordinance 2013-34 by adding the following language at (3) (a), "the closest principal structure." Ms. Allen seconded the motion, and it passed unanimously (8-0).

Alderman Petersen stated that she did not necessarily disagree with (2), but she noticed that it said, "Allow facades on a new structure to exceed façades of adjacent structures and structures on the opposing side of the street by more than 25 percent. . . ." She had a question about, "This can be accomplished through strategic building design that makes a larger building appear to be a series of smaller buildings." She wanted to see some examples.

Mr. Franks asked how this would apply to the waterlines that provide service other than the City of Franklin. Milcrofton requires that the applicants have 15 feet outside of the right-of-way. Would this affect any of the modification of standards?

Mr. Wood stated that all of the other structures would have to abide by the same easement width so it really would not wind up applying to Ordinance 2013-34 because all of the neighbors would be pushed back also.

Ms. Powers stated that also staff was saying that it is allowed, not that it had to be. It allowed for the possibility.

Ms. Hunter showed and discussed some PowerPoint examples. She stated that it could be really limiting to be within only the 25 percent of the actual width and height. She did not know that many of the buildings coming into the Cool Springs area would comply with that.

Ms. McLemore stated that the established setbacks at Jamison Station were probably further back. She asked if that was required as part of the development plan approval.

Ms. Hunter stated that it was part of the Planned Unit Development (PUD) process approval. In those cases, staff might encourage those types of transitional features. Ultimately with a PUD, it goes before the Planning Commission and the Board of Mayor and Aldermen to make the modifications. They had the flexibility to do some different things other than what staff might require with a preliminary plat or a site plan.

Alderman Petersen stated that since those items have been approved, she has become much more aware of the potential of widening of roads. She would have a much harder time now thinking about the idea that whenever this ordinance was formulated, things should be brought up to the street. She had already seen that if things were brought up to the streets, some of the roads that should be widened would not be widened. She had a concern about what she thought was an idea when the ordinance was written, but she did not want to encourage this.

Ms. McLemore stated that she goes by the Bell Apartments every day, and she does not see a difference in the traffic. The way the apartments are built up to the street, one sees less of

what is going on by everything being so close to the street. She has not seen any increase in traffic.

With the amended motion having been made and seconded to favorably recommend approval of Ordinance 2013-34, it passed unanimously (8-0).

Ms. McLemore asked when Mack Hatcher would be completed.

Mr. Baughman stated that the TDOT project managers had approached the City about expediting the reconstruction of Mack Hatcher and Liberty Pike. The critical issue is the vertical issue difference. In discussing among staff with the TDOT project managers, the City has identified that by doing a total intersection closure for a short two-day period, primarily during the weekend, it can minimize much congestion and complications that would last for several months longer if it were done piece meal. That was the plan for Liberty Pike and Mack Hatcher. Publication and detours will be publicized.

Ms. Powers stated that staff has heard back from the people who will be doing the presentations. They will be in Franklin during the week of September 16, 2013. Everyone will be invited to join the discussion. There will be a number of focus groups, and the Planning Commission will be one of those focus groups. They will be discussing the future of the FFO around Fifth Avenue and the downtown area. They will be looking at a number of different options. A historian will be coming in, along with an economic development person, an expert in the floodway fringe area development, and an overall flood manager. All of these individuals will be in Franklin for about one week, and hopefully the City will have a report at the end of that week. Staff will send everyone invitations and correspondence as the time gets closer.

There being no further business, the meeting adjourned at 7:43 p.m.

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Chair, Mike Hathaway