

MINUTES OF THE MEETING OF THE FRANKLIN MUNICIPAL PLANNING COMMISSION FEBRUARY 28, 2013

The Franklin Municipal Planning Commission held a regular meeting on Thursday, February 28, 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
 Jonathan Langley, 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
 Paul Holzen, Engineering Department
 Katie Rubush, Engineering Department
 Molly Pike, Building and Neighborhood Services
 Shauna Billingsley, Law Department
 Eric Stuckey, Administration

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

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

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

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

1. CALL TO ORDER

2. MINUTES

- 1/24/13 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. Generals Retreat PUD Subdivision, site plan; extend the performance agreement for drainage/detention improvements.

8. Westhaven PUD Subdivision, site plan, section 25, lots 4202-4204 (Harris Teeter); release the maintenance agreement for drainage/detention and sidewalks improvements.

REZONINGS AND DEVELOPMENT PLANS

9. **ORDINANCE 2013-08, TO BE ENTITLED: "AN ORDINANCE TO REZONE ±10.03 ACRES FROM AGRICULTURAL DISTRICT (AG) TO ESTATE RESIDENTIAL DISTRICT (ER) FOR THE PROPERTY LOCATED AT 252 SPENCER CREEK ROAD."**

Project Number: 2653
 Applicant: Mike Holmes, H & H Land Surveying
 Staff Recommends: Favorable Recommendation to the BOMA
 Consent Status: Nonconsent

10. **ORDINANCE 2013-09, TO BE ENTITLED: "AN ORDINANCE TO REZONE ±25.10 ACRES FROM GENERAL OFFICE DISTRICT (GO) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTIES LOCATED EAST OF MACK HATCHER PARKWAY AND SOUTH ROYAL OAKS BOULEVARD."**

Project Number: 2650
 Applicant: Gary Vogrin, Kiser + Vogrin Design
 Staff Recommends: Favorable Recommendation to the BOMA
 Consent Status: Nonconsent

11. **RESOLUTION 2013-09, TO BE ENTITLED: "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR RACHEL SPRINGS PUD SUBDIVISION, LOCATED AT THE NORTHEAST CORNER OF SOUTH ROYAL OAKS AND MACK HATCHER, BY THE CITY OF FRANKLIN, TENNESSEE."**

Project Number: 2649
 Applicant: Gary Vogrin, Kiser + Vogrin Design
 Staff Recommends: Favorable Recommendation to the BOMA
 Consent Status: Nonconsent

PRELIMINARY PLATS, FINAL PLATS, AND SITE PLANS

12. Brownstones at First and Church PUD Subdivision, site plan, revision 1, a proposed fence on 2.25 acres, located along First Avenue between Emily Court and Church Street.

Project Number: 2596
 Applicant: Preston Quirk, Quirk and Associates
 Staff Recommends: Approval, with conditions
 Consent Status: Consent

13. Cool Springs West Subdivision, Section 5, Lot 2 (Chick-fil-A Addition), a 588 square foot addition to an existing restaurant, located at 3063 Mallory Lane.

Project Number: 2652
 Applicant: Brett Bokath, Atkins-Atlanta
 Staff Recommends: Approval, with conditions
 Consent Status: Consent

14. Dallas Downs PUD Subdivision, final plat, section 3, revision 1, 28 lots on 17.23 acres, located at the northwest corner of Dallas Boulevard and McCain Drive.

Project Number: 2642
 Applicant: Berkeley Nance, Century Construction
 Staff Recommends: Approval, with conditions
 Consent Status: Consent

15. Downs Boulevard Properties Subdivision, site plan, lot 15, a 16,009 square foot commercial structure and associated parking on 1.58 acres, located at 454 Downs Boulevard.

Project Number: 2636
 Applicant: Greg Gamble, Gamble Design Collaborative
 Staff Recommends: Deferral to the March 28, 2013 FMPC Meeting
 Consent Status: Nonconsent

16. Downs Boulevard Properties Subdivision, final plat, revision 9, lots 4 and 15, 2 lots on 2.81 acres, located at 454 and 472 Downs Boulevard.

Project Number: 2635
 Applicant: Greg Gamble, Gamble Design Collaborative
 Staff Recommends: Deferral to the March 28, 2013 FMPC Meeting
 Consent Status: Nonconsent

17. Franklin Park PUD Subdivision, site plan (Apartments), 329 dwelling units on 14.07 acres, located at the northwest corner of East McEwen and Carothers.

Project Number: 2641
 Applicant: Brad Slayden, Ragan Smith
 Staff Recommends: Deferral to the March 28, 2013 FMPC Meeting
 Consent Status: Nonconsent

18. Ledgelawn Subdivision, final plat, 7 residential lots and 1 open space lot on 2.53 acres, located at 1009 West Main Street.

Project Number: 2637
 Applicant: Sean DeCoster, Civil Site Design Group, PLLC
 Staff Recommends: Deferral to the March 28, 2013 FMPC Meeting
 Consent Status: Nonconsent

19. Stream Valley PUD Subdivision, design standards modification, a request for modification of design standards to allow garage doors that exceed nine feet in width, located south of Goose Creek Bypass, west of Interstate 65, and east of Lewisburg Road.

Project Number: 2640
 Applicant: John Haas, EDGE
 Staff Recommends: No recommendation
 Consent Status: Nonconsent

20. Breezeway Subdivision, site plan (Sidewalk Relocation at Herbert House).
Project Number: 2619
Applicant: George Welch, Ragan Smith Associates
Consent Status: Consent

SUBDIVISION REGULATIONS AMENDMENT

- 21. PUBLIC HEARING:** Amend Chapter 6 Certifications of the *Subdivision Regulations of Franklin, Tennessee*.
Applicant/Rep: Catherine Powers, Planning Director
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 January 24, 2013, minutes as presented, Vice Chair Lindsey seconded the motion, and it passed unanimously (8-0).

3. CITIZEN COMMENTS

No one came forward.

4. ANNOUNCEMENTS

Ms. Powers stated that a Joint Conceptual Workshop would be held on Monday, March 4, 4:00 p.m., in the board room, to discuss the Carothers/McEwen integrated road plan. This will be an important meeting for all citizens to participate in and will deal with the future of this corridor.

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 Consent Agenda would be items 7, 12, 13, 14, 15 as a deferral to the March 28th Planning Commission meeting, 16 as a deferral to the March 28th Planning Commission meeting, 17 as approval with revised conditions (Copies are at the Planning Commissioners' desks), 18 as a deferral to the March 28th Planning Commission meeting, and item 20. No one else wished to pull any others items.

Vice Chair Lindsey moved to approve the Consent Agenda, Mr. Harrison seconded the motion, and it passed unanimously (8-0).

Chair Hathaway recused himself from item 8 and turned the chair over to Vice Chair Lindsey.

Vice Chair Lindsey stated that item 8 was on the Secondary Consent Agenda. Ms. Allen moved to approve the Secondary Consent Agenda, Mr. Harrison seconded the motion, and it passed unanimously (8-0).

7. GENERALS RETREAT PUD SUBDIVISION, SITE PLAN

Perf agreement: **Drainage/detention \$5,000**
 Established: February 23, 2006
 Previous Action: 6/27/06 PA posted
 4/13/07 Approved extension to 4/24/08
 8/23/07 Reduce from \$10,000; extend to 8/28/08
 8/15/08 Approved extension to 2/20/09
 2/20/09 Release denied; extend to 2/19/10
 2/19/10 Extend to 2/18/11
 2/24/11 Extend to 2/23/12
 2/23/12 Approved extension to 2/15/13
 Recommendation: Extend to February 27, 2014. A portion of this site is still under construction.

8. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 25, LOTS 4202-4204 (HARRIS TEETER)

Maint agreement: **Drainage/detention \$20,800**
 Established: February 23, 2012
 Previous Action: 11/20/08 PA posted
 11/13/09 Extend to 5/21/10
 2/19/10 Release denied; reduce 75% from \$208,000; extend to 2/18/11
 2/18/11 Approved extension to 8/19/11
 8/19/11 Approved extension to 2/17/12
 2/23/12 Release PA, establish MA for \$20,800
 Recommendation: Release the maintenance agreement.

Maint agreement: **Sidewalks \$2,500**
 Established: February 23, 2012
 Previous Action: 11/20/08 PA posted
 11/13/09 Extend to 5/21/10
 2/19/10 Release denied; extend to 2/18/11
 2/18/11 Release denied; extend to 2/17/12
 2/23/12 Release PA, establish MA for \$2,500
 Recommendation: Release the maintenance agreement.

PRELIMINARY PLATS, FINAL PLATS, AND SITE PLANS

12. Brownstones at First and Church PUD Subdivision, site plan, revision 1, a proposed fence on 2.25 acres, located along First Avenue between Emily Court and Church Street.
(See Attachment for Conditions of Approval - Staff Report - Item 12)

13. Cool Springs West Subdivision, Section 5, Lot 2 (Chick-fil-A Addition), a 588 square foot addition to an existing restaurant, located at 3063 Mallory Lane.
(See Attachment for Conditions of Approval - Staff Report - Item 13)

14. Dallas Downs PUD Subdivision, final plat, section 3, revision 1, 28 lots on 17.23 acres, located at the northwest corner of Dallas Boulevard and McCain Drive.
(See Attachment for Conditions of Approval - Staff Report - Item 14)

15. **Downs Boulevard Properties Subdivision, site plan, lot 15, a 16,009 square foot commercial structure and associated parking on 1.58 acres, located at 454 Downs Boulevard.**
Item 15 was deferred to the March 28, 2013, Planning Commission Meeting at the applicant's request.

16. **Downs Boulevard Properties Subdivision, final plat, revision 9, lots 4 and 15, 2 lots on 2.81 acres, located at 454 and 472 Downs Boulevard.**
Item 16 was deferred to the March 28, 2013, Planning Commission Meeting at the applicant's request

17. **Franklin Park PUD Subdivision, site plan (Apartments), 329 dwelling units on 14.07 acres, located at the northwest corner of East McEwen and Carothers.**
Item 17 was approved with Revised Conditions.
(See Attachment for Conditions of Approval - Staff Report - Item 17)

18. **Ledgelawn Subdivision, final plat, 7 residential lots and 1 open space lot on 2.53 acres, located at 1009 West Main Street.**
Item 18 was deferred to the March 28, 2013, Planning Commission Meeting at the applicant's request.

20. Breezeway Subdivision, site plan (Sidewalk Relocation at Herbert House).
(See Attachment for Conditions of Approval - Staff Report - Item 20)

This completed the consent agenda.

REZONINGS AND DEVELOPMENT PLANS

9. **ORDINANCE 2013-08, TO BE ENTITLED: "AN ORDINANCE TO REZONE ±10.03 ACRES FROM AGRICULTURAL DISTRICT (AG) TO ESTATE RESIDENTIAL DISTRICT (ER) FOR THE PROPERTY LOCATED AT 252 SPENCER CREEK ROAD."**

Mr. Langley presented Ordinance 2013-08 and stated that this related to two properties off Spencer Creek Road that were currently zoned Agricultural District (AG). The request was to rezone to

Estate Residential District (ER). Mr. Langley stated that the last page of the Planning Commissioner's packets included a map, and he had included the hillside overlay on the map. As was shown on the map, approximately 50 percent of the area within the two parcels was within the Hillside/Hillcrest Overlay (HHO) District and restricted development to use as outlined in the Zoning Ordinance, Section 3.4.8. While all properties on the north side of Spencer Creek Road are zoned AG, if the parcels were rezoned to ER and later subdivided, the density would remain compatible with existing lots in Deerfield and Echo Estates Subdivisions and would remain under one unit per acre, as recommended in the Land Use Plan. Therefore, staff feels that a rezoning to ER is appropriate, given the constraint of the HHO on the properties and the character of the adjacent areas.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Mort Stein represented the applicant and stated that the owners wanted to subdivide parcel 2104 so they could build another house on it. It would be approximately 2.5 acres, which is within the ER zoning district. The applicants agreed with all of the conditions and requested approval.

Mr. Orr move moved to recommend a favorable recommendation of Ordinance 2013-08 to the Board of Mayor and Aldermen, Ms. McLemore seconded the motion, and it passed unanimously (8-0).

(See Attachment for Conditions of Approval - Staff Report - Item 9)

10. ORDINANCE 2013-09, TO BE ENTITLED: "AN ORDINANCE TO REZONE ±25.10 ACRES FROM GENERAL OFFICE DISTRICT (GO) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTIES LOCATED EAST OF MACK HATCHER PARKWAY AND SOUTH ROYAL OAKS BOULEVARD."

Ms. Powers presented Ordinance 2013-09 and stated that this was a request to rezone from General Office District (GO) to Residential Variety District (RX) in support of a three-story, 228-unit, attached development. Staff was recommending approval of the rezoning with a favorable recommendation to the Board of Mayor and Aldermen (BOMA). The Land Use Plan does indicate that the southwest corner of Special Area 5 is appropriate for a mixture of uses, including attached and detached, but not until the intersection of South Royal Oakes and Mack Hatcher Parkway is improved. However, staff has funds from a previous development for the improvement of that area. She introduced Mr. Dan Allen, Assistant Director of Engineering.

Mr. Allen stated that many citizens would be talking about the traffic in this area. He wanted to provide some information so that everyone would have all of the facts regarding traffic so they could take this information into consideration while the development was being discussed.

Mr. Allen continued to say that On February 23, 2006, an office project was proposed for this site. As part of the evaluation of that traffic study and plan, it was determined that a \$50,000 lump sum

payment would be made to the City to be contributed toward specific lane and capacity improvements for the intersection of Royal Oaks and Mack Hatcher. The money that was turned over to the City on March 17 is in an escrow account and is available to be used on this project.

In light of reviewing this latest project to go from GO to RX, staff has looked at the traffic study and based on the new zoning requested, it is less intensive than the previous project that was proposed for GO. Based on that information, the Engineering Staff has determined that the \$50,000 lump sum contribution is more than adequate to offset the impacts from the traffic study identified for this development and the rezoning that is being proposed at this meeting.

Chair Hathaway stated that he would set some rules for this meeting, which was for the citizens' benefit. He asked that the citizens refrain from any laughing and outbursts. He asked that the citizens maintain a two minute limit on their comments, to try and not repeat anything that had been previously stated, and to state their name and address before speaking.

Chair Hathaway asked for citizen comments.

Alderman Mike Skinner, of 258 Sontag and the 3rd Ward Alderman for the City of Franklin, stated that he had never had the number of responses from citizens as he had with this item. He discussed the widening of Mack Hatcher, the traffic study and stated that he was against Ordinance 2013-09 and the PUD for Rachel Springs.

Mr. Hank Brockman, of 1407 Old Hillsboro Road, stated that about five years ago, he and a number of investors did a study for this property to use it as commercial use. The topography would be extremely challenging for commercial use. His studies concluded that this project would not be economically viable for commercial use, and the best use of the land would be for multi-family. He was in favor of Ordinance 2013-09.

Mr. Douglas Buttrey, of 529 Forrest Park Circle, stated that although he knew he could not hold onto the history, charm and natural beauty of Franklin, he was determined to hold onto what he could. As a Forrest Crossing Board Member, he was charged with doing everything in his power to protect the interest of the home owners, which included protecting the market value of their property. He stated that he was against Ordinance 2013-09.

Mr. Tim Leidig, of 430 Forrest Park Circle, stated that he, too, was a Board Member of the Forrest Crossing Homeowners Association (HOA). He discussed the many reasons that he was against Ordinance 2013-09.

Dr. Marc Oliver, of 311 South Royal Oaks Boulevard, stated that his practice, Franklin Spine and Nerve Clinic, was located across from the proposed project. He discussed the traffic, gave reasons why he was against this project, and stated that, if passed, this rezoning would put him out of business. He was against Ordinance 2013-09.

Mr. Nelson Williams, of 556 St. John Place, stated that his problem was infrastructure as far as South Royal Oak transitioning into Mack Hatcher. He was against Ordinance 2013-09.

Ms. Chris Matthews, 524 Forrest Park Circle, stated that she and her husband had just moved to Franklin in October 2012. She had worked very hard to get where she was, and she had a concern with the value of her property if this project passed. She was against Ordinance 2013-09.

Mr. Mike Long, of 1017 Culpepper Lane, Forrest Crossing Subdivision, stated that he had lived in Forrest Crossing for 20 years. He thought this was spot zoning and that the rezoning was not appropriate. He was against Ordinance 2013-09.

Mr. Doug Langston, of 708 Sugartree Lane, Maplewood Subdivision, stated that his subdivision, along with others, would be negatively impacted if the rezoning was approved. He stated that traffic was a concern, and from Maplewood Subdivision's point of view there would be environmental issues and visual issues. He was against Ordinance 2013-09.

Ms. Jane Bryan, of 1251 Adams Street, stated that she and her husband were looking to downsize, and she hoped the developers would be allowed to rezone. They were looking for something more upscale and closer to the interstate. She was in favor of Ordinance 2013-09.

Ms. Chris Elrod, of 808 West Main Street, stated that she did not feel that this rezoning would decrease the property value of the citizens' homes. She gave examples of the many apartment complexes in Cool Springs, which had not decreased the value of the homes in that area. She was in favor of Ordinance 2013-09.

Mr. David Kessler, of 624 Watson Branch Drive, Maplewood Subdivision, stated that he felt confident in accurately reflecting that the overwhelming majority of his neighbors were opposed to Ordinance 2013-09. He believed that it was appropriate to balance the needs of property owners, but he thought it should be balanced with the implications of traffic and the quality of life considerations for the citizens who chose to move to this area. He was against Ordinance 2013-09.

Mr. George Oxnam, of 406 Chatsworth Court in The Reserve at Forrest Crossings, stated that his HOA had asked that he come speak for a unanimous opposition to Ordinance 2013-09. He thought the traffic study did not go far enough, and he thought spot zoning should only be approved for the public good. He was against Ordinance 2013-09.

Ms. Carol Sartain, of 677 Watson Branch Drive, Maplewood Subdivision, stated that from a standpoint of privacy, light pollution, and noise pollution, she was against Ordinance 2013-09.

Ms. Christine Cuomo, of 415 Maplegrove Drive, Maplewood Subdivision, stated that she did not understand the traffic that was going on between Highway 96 and Mack Hatcher. She questioned adding to the insanity of adding to the traffic, and she stated that she was against Ordinance 2013-09.

Mr. Jason Potts, of 615 Watson Branch Drive, Maplewood Subdivision, stated that he was the President of the Maplewood Subdivision HOA. He stated that Maplewood was currently in partnership with The Reserve at Forrest Crossings and Forrest Crossings, which represented over 1,000 single-family residential homes and over 2,000 registered voters. His greatest concern was the proximity of this complex. The apartment complex would back-up against the end properties,

so he had a concern about privacy. He wanted to go on record to state that he had personally done business with the investor, David Kemp. He had respect for the gentleman, but at the same time he also had respect for all of the individuals that he represented at this meeting. When he, his spouse, and children were looking for a home, they would not have bought in Maplewood had the apartment complex existed. He asked the citizens who were present to stand if they were opposed to Ordinance 2013-09, and many individuals stood. He stated that many citizens were on the outside of the Board Room trying to get in to show that they were opposed. He was against Ordinance 2013-09.

Ms. Jean Morgan, of 414 Royal Crossing, stated that as a member of that community, she thought that one important thing that had not been pointed out was that when the traffic was backed up, she had always been able to get home by cutting through different streets. She thought with the increase in traffic, many individuals would be taking this same cut through, and with the many children living along this route, it really concerned her that the children would be exposed to the additional traffic. She was against Ordinance 2013-09.

Ms. Ginger Roelle, of 284 Rivermont Circle, Forrest Crossings, dittoed much of what had been said in opposition to the rezoning; however, she wanted to state that the Board of Zoning Appeals had established three standards that must be met in order for a zoning variance to be granted. Having guidelines, such as these, is very important for any type of government entity to run effectively and consistently. She discussed the three standards and stated that the developers and property owners had failed in their efforts to meet the three standards. She was against Ordinance 2013-09.

Mr. John Reynolds, of 623 Band Drive, stated that he was President of the Henley HOA. He stated that his father-in-law, John Pinkerton, was a leader in Franklin when he was alive. Franklin is his home, he married a native, and he planned on always living in Franklin. He stated that he sold commercial real estate for a living and had done thousands upon thousands of rezonings. In his opinion there was no way that, given the current development of the infrastructure, it would support a development, such as this, without having a negative impact on the traffic. He was against Ordinance 2013-09.

Mr. Paul Souza, of 617 Watson Branch Drive, in Maplewood Subdivision, stated that that the cars coming into this complex would be coming into an underground parking area, and their headlights would be scanning the backs of the properties because the property would be on the crest of a hill. There would be more of a security risk to the area because the complex was apartments, and people come and go from apartments. Finally, police and fire access would have to combat whatever was happening in this area if they had to get to someone. He was against Ordinance 2013-09.

Mr. J.B. Smith, of 932 Riverview Drive, Forrest Crossing Subdivision, stated that he was glad to know that the City had the money to solve the traffic problem that had been in this area for the ten years that he had lived here. He discussed the traffic and stated that he was against Ordinance 2013-09.

This ended citizen comments.

Chair Hathaway asked if there was an applicant.

Mr. Dwight Kiser, of Kiser + Vogrin Design, represented Ordinance 2013-09, stated that they were seeking approval of Ordinance 2013-09 and of the Planned Unit Development (PUD) Plan. Franklin is recognized nationwide for its comprehensive and tough development standards. He was proud to say that this team coordinated the design process working with the City's Planning staff and addressed every technical issue that arose throughout and to achieve their recommendation was truly something for which they were thankful. The site is 25.1 acres in size and roughly 13.5 acres is located north of Watson Branch, which cuts laterally through the site and divides it north, south. A plat and a unified development plan for the office park were approved back in 2006. It included 12 parcels ranging in size from 1 to 1.5 acres. The plan indicated roughly 12 two story office buildings and was estimated at about 120 to 130 square feet. A three story product is acceptable within this zoning classification, although a two story was what was proposed on the unified development plan. A Phase One suburban office building containing 11,500 square feet was constructed at the time, and since its opening the project had struggled at best. It fell on very hard times in 2008 due to the economic crisis, and the property went into foreclosure in 2011. His understanding was that the suburban office building that was built was bought up primarily by investors, and most of those spaces had been leased out. As had been stated by some of the citizens, the site was very difficult. He and Mr. Vogrin had studied this site over the past 15 years for several individuals. The physical constraints and the challenge in the topography did not reveal a conventional building approach in any manner. Office development was always the target, and that was based on the current zoning, but its required parking ratio of 4 per 1,000 square feet was just very difficult to execute. The Phase One building that had been tried sat there on its own and tells the story that suburban office in this particular location is very difficult.

In 2012, Mr. Brett Campbell approached Kiser + Vogrin talking about a multi-family development. They knew that a traditional three-story approach would not work because of the site. They zeroed in on the idea of a podium-style development. Podium style was parking underneath at ground level with three stories of apartments built on top. It is an expensive approach, but it does minimize the footprint, the site grading and things of this nature. Given this particular site, it certainly worked. The layout was all in the creation of what the applicants feel is a nice streetscape that will enhance this end to South Royal Oaks. It created the opportunity to provide a secure parking situation so that individuals have direct elevator access up to the living units from underneath. They were able to achieve a one to one parking ratio of covered garage space to actual dwelling units for the entire development, and they were only three units short. They believed this would appeal to a more mature tenant, and that would be the target market for this project.

Mr. Kiser stated that traffic would be an issue, and this proposed a development with reduced traffic impacts when compared to what it was currently zoned. Based on the applicants' calculation and using roughly 148,000 square feet of office space, it is anticipated to generate daily traffic counts of about 1,804 vehicle trips. With 228 dwelling units, they were anticipating roughly 1,506 vehicle trips, which were nearly 300 trips less. He discussed the traffic further.

Mr. Kiser stated that the Land Use Plan did support this type of development. This rezoning request was not the first to come to this area. In 2001, this body and the City rezoned a tract of land from GO to Planned Residential Community. Today that tract of land is called The Reserve at Forrest Crossing. The applicants have met, in most cases have exceeded staff's requirements, have met every code that is required by the City, and request approval of Ordinance 2013-09.

Alderman Peterson moved to recommend disapproval of Ordinance 2013-09 to the Board of Mayor and Aldermen, Ms. Allen seconded the motion, and it passed unanimously (8-0).

11. RESOLUTION 2013-09, TO BE ENTITLED: "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR RACHEL SPRINGS PUD SUBDIVISION, LOCATED AT THE NORTHEAST CORNER OF SOUTH ROYAL OAKS AND MACK HATCHER, BY THE CITY OF FRANKLIN, TENNESSEE."

Ms. Hunter presented Resolution 2013-09 and stated that staff had recommended approval of the development plan with conditions. The applicant is proposing 228 multi-family dwelling units on the 25 acre site. The stormwater variance, to vary the stream buffer requirements on this site, had been granted by the Stormwater Appeals Board at a previous meeting. Two Modification of Standards have been requested by the applicant with this development plan. The first is a Modification of Standards for parking. The applicant has requested to modify the ratio from 2.21 spaces per unit to 1.82 spaces per unit. That equates to a City required parking of 504 spaces, and the applicant is proposing to build 415 parking spaces. Staff has recently performed a local Parking Study for existing attached residential developments. Based on that study, staff has been planning to bring forward a text amendment for the parking requirements to the Planning Commission and the Board of Mayor and Aldermen. Since staff does have that study at hand, they evaluated this plan with the criteria that staff gathered from the study. Based on staff findings, this proposed parking ratio of 1.82 parking spaces per unit does seem to be adequate per staff study. Therefore, staff is recommending approval of the Modification of Standards for parking.

The second Modification of Standards requested is regarding retaining wall height. The residential maximum for a retaining wall is 6 feet in height. Recently, staff has had several Modification of Standards granted for multi-family residential developments to go by the non-residential retaining wall standards. As staff has in the past, they are recommending that the Modification of Standards be approved. That would change the maximum retaining wall height from 6 feet up to 10 feet for a single wall or two 8 foot staggered walls. Staff is recommending approval of the Modification of Standards for retaining wall height.

Chair Hathaway asked for citizen comments. He stated that he thought the Planning Commission had heard most of the comments, but he would still open it up to comments someone would have on this item and he reminded the citizens not to clap.

Mr. Paul Souza, of 617 Watson Branch Drive, in Maplewood Subdivision, stated that he wanted to rebut the two points that had been made. When the applicant was proposing how little impact the development was going to make, it was pitched at a certain number of vehicles and immediately following they came up with a greater number of vehicles. At first the applicants were saying that the impact would be minimized because they were only going to so many vehicles per this development. Now, by changing the ratio, they increased the impact. Secondly, the citizens were told about how little impact this development would make on the environment. They were now talking about an 8 foot or 10 foot retaining wall, which in essence was a cliff. He discussed erosion at the base of the wall and water run-off. He stated that he was against Resolution 2013-09.

Mr. Mike Long, of 1017 Culpepper Lane, Forrest Crossing Subdivision, stated that one of the topics that came up at this meeting was the likelihood that the plan could change even if it were

approved at this meeting. He only referenced those comments because when the applicant spoke he referred to The Reserve at Forrest Crossing, which is a very nice condo development. However he had lived in Forrest Cross Subdivision for 20 years and the development was presented to the citizens at that time as stand-alone individual homes. He did not know when that changed, but that was not what happened. He did not recall that the citizens were notified, and that is why the citizens were at this meeting. He stated that he was against Resolution 2013-09.

Dr. Marc Oliver, of 311 South Royal Oaks Boulevard, stated that he had forgotten to mention something when he previously spoke. He referred to the site plan on the wall, showed the location of his practice and discussed a small access road that would go all the way to Mack Hatcher. He stated that the developers were proposing that all of the citizens take this access road if they wished to go to the subdivision. This would create a huge traffic jam, and this would most likely effect Dr. Oliver's practice. He stated that he was against Resolution 2013-09.

Mr. Jason Potts, of 615 Watson Branch Drive, President of the Maplewood Subdivision HOA, wanted to make sure that the site plan was showing the correct height for the retaining walls. He stated that he was against Resolution 2013-09.

Chair Hathaway asked if there was an applicant.

Mr. Brent Campbell, of 404 Whistler Cove, discussed the application and stated that they were interested in building a very senior-friendly community, although not age-restricted. When they did their traffic analysis, the glaring feature was that they used the right-hand lane of South Royal Oaks for home-bound traffic. Quite frankly, there was substantially less of a stacking issue on this lane. He had made several dozen loops around at various times of the day, and getting access had not been an issue. However, he heard the citizens' voices loud and clear. He wished to defer this proposal, go back to the drawing board, look at the concept that they had come up with, look at the unit counts that they had, try to sit down with the community, find some common ground on what could be done with the property and bring it back before the Planning Commission at a different date.

Discussion was had on the amount of months that Mr. Campbell would need to defer.

Ms. Allen stated that if she were going to propose the motion, she would offer to defer this item for six months to give staff, the developer, and the citizens' ample time to sit down and come up with an alternative, and Mr. Harrison seconded the motion.

Ms. McLemore asked how Resolution 2013-09 would be affected by deferring since Ordinance 2013-09 had been recommended for disapproval to the Board of Mayor and Aldermen.

Alderman Petersen stated that if a rezoning request was recommended for approval, it would automatically go to the Board of Mayor and Aldermen. If the request was recommended for disapproval, the applicant would have the choice.

Mr. Franks stated that he knew the applicant had spent quite a bit of money preparing this project. The money should be used to go back and study the current use and allow the applicant to reallocate

those funds to the current use as opposed to if the Planning Commission disapproved. He thought for the benefit of the research and the money spent that the applicant should get together with the neighbors and figure out what was in the best interest as far as businesses and what the current zoning allowed and the sensitivity to the neighbors and in particular to the Maplewood Subdivision. He thought it would be good for a compromise to defer the project for six months and let the applicant re-apply.

Mr. Campbell stated that they had already been looking when they got wind of the opposition to the project. He came to the meeting expecting to ask for deferral for the zoning request and the PUD Subdivision as well. They had some options in the topography of this property and how they worked with it. They had looked at doing a considerable reduction in the unit count and coming in with a condominium product versus an apartment rental. The impact of the unit count would be far less than what the applicant was seeking at this meeting.

With the motion having been made and seconded to defer Resolution 2013-09 for six months (August 22, 2013), the motion passed unanimously (8-0).

19. Stream Valley PUD Subdivision, design standards modification, a request for modification of design standards to allow garage doors that exceed nine feet in width, located south of Goose Creek Bypass, west of Interstate 65, and east of Lewisburg Road.

Mr. Anthony presented item 19 and stated that Mr. John Haas, representing the Stream Valley PUD Subdivision, requested a waiver from Section 5.3.5(2)(d)(i)(A) of the Zoning Ordinance, which limits garage door width to nine feet on all facades. The applicant requested a modification of design standards to allow wider garage doors on the side and rear facades of single-family houses in Stream Valley. The applicant argues that: 1) the rule regarding garage door width was not in place at the time the concept plan was approved; 2) wider garage doors have been approved and built on the already-existing portion of the Stream Valley development; and 3) employing the newer standard will result in the enlargement of lots, thus reducing the amount of open space.

The Planning Department agrees that the rule was not in place at the time the concept plan was approved. Stream Valley was approved in 2005, and the current standard went into effect in 2010. Staff would note, however, that on matters of design that do not affect standard entitlements such as unit count, ingress/egress, and road networks, staff generally applies the current standards to all projects, regardless of approval date.

The Planning Department also agrees that several existing houses at Stream Valley include double-width garage doors. However, at least one other development in Franklin—McKay's Mill—includes a mixture of garage door widths.

With regard to the effects on open space, staff is uncertain whether limiting garage door width would lead to a reduction in the development's designated open space. Staff would note that the amount of open space designated in the concept plan exceeds the minimum requirement outlined in the Zoning Ordinance. Additionally, minor alterations to open space may be

approved administratively. Thus, staff contends that Stream Valley does have some flexibility should adjustments to open space become necessary.

Staff does not necessarily disagree with the applicant's arguments. Further, staff is not opposed to the request. Staff has opted to present this request without a recommendation because this issue affects multiple projects, and staff is uncertain whether the will of the Commission is to consider these projects on an individual basis or to reconsider this particular aspect of the Zoning Ordinance.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Bryan Echols, of Dickinson Wright PLLC, represented the applicant and, stated that they did not want staff to apply this rule to the entire City of Franklin. They wanted the Planning Commission to look at Stream Valley itself. Stream Valley was very well designed with a high standard of design. They had a prohibition on double garage doors in the front at any setback at any time. The pattern book; however, did not address double doors on the rear and the side because it was not prohibited at the time. The applicant was not asking for any relief from the pattern book. They were asking that the design of the Stream Valley Subdivision continue to follow through the way it was intended. The applicant's desire was to not have a sea of double doors when driving down the street by making that a dominant architectural feature. With respect to double doors on the rear and the side, an entirely different esthetic was involved. There are many high caliber developments in Franklin that have double-doors in the rear. The applicant was requesting that the Planning Commission permit the developer to have the Modification of Standards to go back to where Stream Valley was before, which was a high caliber, high quality subdivision, but one that continues the design element that it originally had, and he requested approval of item 19.

Mr. Harrison moved to approve item 19, and Ms. McLemore seconded the motion.

Ms. Petersen stated that the Design Standard for no double doors was completed before 2007 when she came on the Board of Mayor and Aldermen, so it had been in existence for a number of years.

Mr. Echols stated that he thought the element of change to which staff alluded to was the absolute prohibition of anything more than nine foot doors anywhere in a development.

Alderman Petersen stated that she thought that there was a reason for it. The part that she was concerned about was that it was not strictly an entitlement on the key parts, such as the density, ingress, egress, and the road networks. All of those things she thought would follow with those things that did not expire; however, she thought the general rule had been if it was not one of the entitlements, then developments were expected to follow the rules that were in existence whenever the development was approved. Therefore, she could not support item

19 for that reason. She thought there were certain entitlements that do continue with a development approval as long as the approval was not one that expired; otherwise, she thought the City would run into many problems. She was thinking of things much more serious than the size of a garage door, but she did not want to go down that path that the City was saying that any project could be required to follow the rules that were in place whenever they were originally approved.

Chair Hathaway asked if the larger than 9 foot request was purely for side doors and rear garage doors. It was not front-loaded.

Mr. Anthony stated that he was correct, that the applicant had submitted two pages of their pattern book, and they had made a note of it, which specifically addressed only side and rear garage doors, and not the front.

Chair Hathaway stated that most of the past concerns regarding the garage discussions as to why the 9 foot was created were because it was a visual issue, which could be seen from the street. He was surprised that it was in the regulations that it was side and rear garage doors.

Alderman Petersen stated that it was very specific in the Zoning Ordinance.

Chair Hathaway stated that slippery slopes concerned him, however, he would support item 19, but he understood Alderman Petersen's perspective.

Ms. McLemore stated that she would support the Modification of Standards as well. This discussion was for side and rear garages. In past discussions, most of the time the Planning Commission had discussed front-loading garages. The side and rear garages were already in the development and had been there from the beginning. This was a nice development, and it made sense to allow the developer to have the side and rear garages throughout the remainder of the development.

Ms. Allen stated that common sense said that if the side and rear garages made sense in this development, why would the Planning Commission not consider them in other developments. Since the problem with front-loading garages seemed to be visual, side and rear garages could not be seen from the front, so why could this not be considered. She thought this was something that might need to be reviewed so the Planning Commission would not be granting Modification of Standards so often.

Ms. Powers stated that the Design Professional group had asked that staff look at this particular issue as well.

Ms. Hunter stated that a plan had been submitted for the April Planning Commission meeting that also had this same request.

Mr. Anthony stated that two plans were being held up because of the condition that had been placed regarding garage doors as well.

Alderman Petersen stated that if one looked back and saw what the Zoning Ordinance stated about the garage doors, it was not just the width of the garage doors but the decorative material that goes with it, which was not necessarily one of the strong points of the current Zoning Ordinance. Her concern was that this was not just talking about garage doors. It was the idea that a development that comes in with a plan that has not been approved and asks to be approved under the regulations as they existed when they were first proposed, was her real concern. She felt very strongly about this. She did not want to see the slippery slope on other things that might be much more important than garage doors.

Ms. Allen asked if the Planning Commission should vote on this item or consider making this specific change where the Planning Commission would not be going down the slippery slope and where this was then the policy that was in the current Zoning Ordinance. If it made sense to everyone, then it would not be as though the Planning Commission was going down a slippery slope, but the slope would then be rugged.

Vice Chair Lindsey asked what the limitation was on front-loading garages.

Mr. Anthony stated that it was 9 feet with a 2 foot separation. What was interesting was that the 2 foot separation was only called for on front-loading garages. The Zoning Ordinance was not specific on side and rear garages as to how much space there should be between individual doors.

With the motion having been made and seconded to approve item 19, it passed six to two (6-2) with Alderman Petersen and Ms. Allen voting no.

Ms. Allen stated that her no vote was not because of item 19, but it was because she thought the Planning Commission needed to look at items such as this. She did not want to be a party to a slippery slope; she wanted to make the slope rugged.

Alderman Petersen thanked Ms. Allen for her comment.

(See Attachment for Conditions of Approval - Staff Report - Item 19)

SUBDIVISION REGULATIONS AMENDMENT

21. PUBLIC HEARING: Amend Chapter 6 Certifications of the *Subdivision Regulations of Franklin, Tennessee*.

Chair Hathaway stated that the Public Hearing was open, and he asked citizens to come forward if they had comments.

No one came forward.

Chair Hathaway stated that the Public Hearing was closed.

Mr. Wood stated that staff would need Planning Commission approval of Chapter 6 of the Subdivision Regulations of Franklin, Tennessee.

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Ms. Powers stated that the Subdivision Regulations were basically house-keeping issues. Staff had changed the titles to reflect the current titles of individuals who were signing Subdivision Regulations and Subdivision Plats. The word "performance" had been changed to "agreement and sureties." Staff was just bringing this up-to-date with the years that they were currently using.

Alderman Petersen moved to amend the Subdivision Regulations of Franklin, Tennessee, Vice Chair Lindsey seconded the motion, and it passed unanimously (8-0).

Mr. Franks requested that the Planning Commission get iPADS to replace the packages that they were currently being given.

Although Alderman Petersen could appreciate Mr. Franks' comment, she suggested that it would be difficult to look at site plans on an iPad.

There being no further business, the meeting adjourned at 8:45 p.m.



Chair, Mike Hathaway

FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

NAME OF PROJECT: Ordinance 2013-08, An Ordinance to Rezone +/- 10.03 Acres from Agricultural District (AG) to Estate Residential (ER)

LOCATION: 252 and 256 Spencer Creek Road

APPLICANT: Mike Holmes, H & H Land Surveying

OWNER: Ronald Marston, Cathy Marston, Ryan Simpson, Heather Simpson

PROJECT STAFF: Jonathan Langley

TYPE OF REVIEW: Rezoning

RECOMMENDATION: Favorable recommendation to the BOMA

PROJECT INFORMATION	
Existing Land Use	Vacant / Detached Residential
Proposed Land Use	Detached Residential
Existing Zoning	AG
Proposed Zoning	ER
Acreage	10.03 acres
Development Standard	Either
Character Area Overlay	BCCO-1
Other Applicable Overlays	HHO
Minimum Landscape Surface Ratio	.60 in ER

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Detached Residential	County
<i>South</i>	Detached Residential	R-1
<i>East</i>	Detached Residential	County
<i>West</i>	Vacant	AG

LAND USE PLAN RECOMMENDATIONS

The Berrys Chapel Character Area comprises approximately 3,900 acres in the north-central portion of the UGB. The northern boundary of the area is the UGB, Sims Lane and Lynwood Way. Mack Hatcher Parkway is the southern boundary, and the Harpeth River is the primary west edge of the area. It is bound to the east by the McEwen Character Area. The primary existing land use in the area is single-family residential, with pockets of civic and retail uses along Franklin and Hillsboro Roads. In the northeast section of the area there are over 900 multifamily units that provide a variety of housing options.

Additionally, the following provisions apply specifically to Special Area 1:

1. Development fronting on Berrys Chapel Road shall be on lot sizes comparable to those that currently exist along the road.
2. Development in the remainder of this area shall be Rural with a Conservation Subdivision District.
3. Open space shall be oriented towards preserving hillsides and hilltops.
4. New development shall have a maximum gross density based upon the prevailing density of the developed subdivisions of Deerfield, Echo Estates and Echo Glenn Subdivisions.
5. This maximum density requires one or more acres per dwelling unit.
6. Smaller lots should not be located on the exterior of a proposed development adjacent to, or across the street from, larger lots of an existing development. However, if the applicant proposes an alternative, and if potential conflicts will be created, the applicant shall give justification as to how they will be mitigated or avoided.
7. Detached Residential is the singular appropriate residential land use for Special Area 1.

PROJECT BACKGROUND: This rezoning request is submitted in order to rezone the properties at 252 and 256 Spencer Creek Road from AG to ER.

PROJECT REVIEW

STAFF RECOMMENDATION: Favorable recommendation to the BOMA;

COMMENTS: As shown on the map attached to this staff report, approximately 50 percent of the area within these two parcels is within the HHO Overlay, and restricts development to uses outlined in Section 3.4.8 of the Franklin Zoning Ordinance. Additionally, while all properties along the north side of Spencer Creek Road are zoned AG, if these parcels

are rezoned to ER and later subdivided, the density would be compatible with existing lots in Deerfield and Echo Estates and would remain under 1 unit per acre (ER density is .5 unit/acre) as recommended by the Franklin Land Use Plan. Therefore, staff feels that a rezoning to ER is appropriate given the constraint of the HHO and the character of adjacent areas.

PROCEDURAL REQUIREMENTS:

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

***PROJECT CONSIDERATIONS:**

1. None;

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

FRANKLIN MUNICIPAL PLANNING COMMISSION (FMPC) PROCESS AND PROCEDURES

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2-28-13 FMPC Meeting

10. ORDINANCE 2013-09, TO BE ENTITLED: "AN ORDINANCE TO REZONE ±25.10 ACRES FROM GENERAL OFFICE DISTRICT (GO) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTIES LOCATED EAST OF MACK HATCHER PARKWAY AND SOUTH ROYAL OAKS BOULEVARD."

The motion to recommend disapproval of Ordinance 2013-09 to the Board of Mayor and Aldermen passed unanimously (8-0).

11. RESOLUTION 2013-09, TO BE ENTITLED: "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR RACHEL SPRINGS PUD SUBDIVISION, LOCATED AT THE NORTHEAST CORNER OF SOUTH ROYAL OAKS AND MACK HATCHER, BY THE CITY OF FRANKLIN, TENNESSEE."

The motion to defer Resolution 2013-09 for six months (August 22, 2013) passed unanimously (8-0).

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FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

NAME OF PROJECT: Brownstones at First and Church PUD Subdivision, site plan, revision 1

LOCATION: Along First Avenue between Emily Court and Church Street

PROJECT DESCRIPTION: Site plan for fence and gate on 2.25 acres

APPLICANT: Preston Quirk, Quirk Design
(615) 269-9248, quirkdesigns@comcast.net

OWNER: Brownstones at First and Church Townhomes (Attn: Nancy Smith)
(615) 479-6280, nancysmith.flittner@gmail.com

PROJECT STAFF: Donald Anthony

TYPE OF REVIEW: Site plan

RECOMMENDATION: Approval, with conditions

PROJECT INFORMATION	
Existing Land Use	Residential (attached, detached, single-family)
Proposed Land Use	N/A
Existing Zoning	RX Residential Variety
Proposed Zoning	N/A
Acreage	2.25 acres
Proposed Number of Lots	N/A
Proposed Dwelling Units	N/A
Proposed Nonresidential Square Footage	N/A
Proposed Open Space	Formal Open Space: N/A Informal Open Space: N/A Total Open Space: N/A
Physical Characteristics	Site is fully built-out
Development Standard	Traditional
Character Area Overlay	CFCO-2 Central Franklin Character Area Overlay
Other Applicable Overlays	HPO Historic Preservation Overlay
Water Utility District	City of Franklin
Proposed Building Height	7 feet (fence)
Minimum Landscape Surface Ratio	0.10

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
North	Office, institutional	CC
South	Residential, office	CC, OR
East	Vacant	CC
West	Retail, institutional	CC, CI

PROJECT BACKGROUND: The Historic Zoning Commission approved a Certificate of Appropriateness for this project on November 12, 2012.

PROJECT REVIEW

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: The applicant proposes a fence, approximately seven feet in height, along the First Avenue boundary of the development. The fence will shield ground-mounted mechanical equipment from public view.

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

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." A response letter addressing each condition of approval shall be included with the .pdf upload and the set of corrected plans.
2. Once the corrected site plan has been approved, one (1) full-size and one (1) half-size copy of the final approved landscape plans shall be submitted to the Department of Building and Neighborhood Services for future landscape inspection purposes.
3. Once all conditions of approval related to engineering and tree preservation concerns have been met, the applicant shall submit one (1) half-size copy and four (4) full-size copies of the corrected grading/drainage and seven (7) full-size copies of the corrected water/sewer plans to the Department of Building and Neighborhood Services (Attn: Engineering Dept.) to be stamped and signed by city officials prior to the issuance of stormwater and grading permits and water/sewer approval, where applicable. It is also suggested that the applicant submit the stormwater and grading permit applications and stormwater maintenance plan and agreement in conjunction with the grading/drainage plan submittal.

4. The applicant shall submit (4) four sets of complete building plans, including the approved, revised site plans, to the Building and Neighborhood Services Department for review and approval prior to the issuance of a building permit.
5. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.
6. The city's project identification number shall be included on all correspondence with any city department relative to this project.
7. It is the applicant's responsibility to obtain permission from all utility providers who are affected by these plans. To date, the applicant has provided the Planning Department with copies of email correspondence from utility providers assenting to this project; however, the City of Franklin is not a primary party in these discussions. The City of Franklin is not responsible for any conflicts related to the fence and/or gate that may arise between the property owner and any utility provider.

***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.

FRANKLIN MUNICIPAL PLANNING COMMISSION (FMPC) PROCESS AND PROCEDURES

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CONDITIONS OF APPROVAL:

Performance Agreement and Surety
[Redacted]

- Landscape surety shall be determined at POST PC - \$

Planning
[Redacted]

- Applicant shall revise site plan to remove references to previous gate proposal; this includes dimensional notation (3'7") shown near the 2nd Avenue entrance on the neighboring church property.

[Redacted]

- Applicant shall submit accurate and properly aligned color elevations with electronic resubmittal at post-PC.

FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

NAME OF PROJECT: Cool Springs West Subdivision, Section 5, Lot 2 (Chik-fil-a Addition)

LOCATION: 3063 Mallory Lane

PROJECT DESCRIPTION: Addition to existing building and minor site modifications associated with the building expansion.

APPLICANT: Brett M. Bokath, Atkins-Atlanta
(brett.bokath@atkinglobal.com)

OWNER: Joseph Latimer, Chik-fil-a, Inc. (joseph.latimer@chik-fil-a.com)

PROJECT STAFF: Micah Wood

TYPE OF REVIEW: Site Plan

RECOMMENDATION: Approval, with conditions

PROJECT INFORMATION	
Existing Land Use	RET
Proposed Land Use	RET
Existing Zoning	GC
Proposed Zoning	GC
Acreage	1.39
Proposed Number of Lots	-
Proposed Dwelling Units	-
Proposed Nonresidential Square Footage	588 sq ft addition to existing building
Proposed Open Space	Formal Open Space: - Informal Open Space: - Total Open Space: -
Physical Characteristics	Addition to existing, developed site.
Development Standard	Conventional
Character Area Overlay	-
Other Applicable Overlays	-
Water Utility District	Mallory Valley
Proposed Building Height	23.5'
Minimum Landscape Surface Ratio	30%

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
North	RET	GC
South	RET/COM	GC
East	RET	GC
West	MNR	GC

PROJECT BACKGROUND: None;

PROJECT REVIEW

STAFF RECOMMENDATION: Approval, with conditions;

COMMENTS: None;

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

PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected 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.
2. Once the corrected site plan has been approved, one (1) full-size and one (1) half-size copy of the final approved landscape plans shall be submitted to the Department of Building and Neighborhood Services for future landscape inspection purposes.
3. Once all conditions of approval related to engineering and tree preservation concerns have been met, the applicant shall submit one (1) half-size copy and four (4) full-size copies of the corrected grading/drainage and seven (7) full-size copies of the corrected water/sewer plans to the Department of Building and Neighborhood Services (Attn: Engineering Dept.) to be stamped and signed by city officials prior to the issuance of stormwater and grading permits and water/sewer approval, where applicable. It is also suggested that the applicant submit the stormwater and grading permit applications and stormwater maintenance plan and agreement in conjunction with the grading/drainage plan submittal.
4. The applicant shall submit (4) four sets of complete building plans, including the approved, revised site plans, to the Building and Neighborhood Services Department for review and approval prior to the issuance of a building permit.

5. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.
6. The city's project identification number shall be included on all correspondence with any city department relative to this project.

***PROJECT CONSIDERATIONS:**

1. Due to the applicant's diligence in resolving most site issues with this submittal, this project is eligible for Short Track Post-PC review and submittal. **To participate in Short Track Post-PC, the applicant must submit corrected plans to the BNS Department by 5:00 PM on Thursday, March 7, 2013.** If the applicant submits for Short Track Post-PC, a full review and response on the Post-PC plans is guaranteed in five (5) business days.

* 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.

FRANKLIN MUNICIPAL PLANNING COMMISSION (FMPC) PROCESS AND PROCEDURES

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CONDITIONS OF APPROVAL:

Planning

General Comments

1. Site Data Chart

- Applicant shall update Site Data chart to reflect existing zoning (GC General Commercial District) and character area overlay (MECO-4).

2. Project planner's checklist

- The applicant shall relocate the loading zones from the required parking areas. The loading zones may be placed adjacent to the building, with a note as to the time of day when they will be used.

3. Affidavit

- Applicant shall submit notarized owner affidavit.

FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

NAME OF PROJECT: Dallas Downs PUD Subdivision, final plat, section 3, revision 1
LOCATION: Northwest corner of Dallas Boulevard and McCain Drive
PROJECT DESCRIPTION: 28 lots on 17.23 acres
APPLICANT: Berkeley Nance, Century Construction
OWNER: J.N. Franks, III and Jimmy Dyer (Heritage Church of Christ)
PROJECT STAFF: Emily Hunter
TYPE OF REVIEW: Final Plat
RECOMMENDATION: Approval

PROJECT INFORMATION	
Existing Land Use	Vacant
Proposed Land Use	Single Family Residential
Existing Zoning	R-3
Proposed Zoning	N/A
Acreage	17.23
Proposed Number of Lots	28
Development Standard	Conventional
Character Area Overlay	CNCO-2
Other Applicable Overlays	N/A
Water Utility District	City of Franklin

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Single Family Residential	R-3
<i>South</i>	Single Family Residential	R-3
<i>East</i>	Institutional	R-3
<i>West</i>	Single Family Residential	R-3

PROJECT BACKGROUND: There is an approved concept plan and an approved site plan for this project. This plat was previously approved by Planning Commission, but has since expired.

PROJECT REVIEW

STAFF RECOMMENDATION: Approval

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.

FRANKLIN MUNICIPAL PLANNING COMMISSION (FMPC) PROCESS AND PROCEDURES

If the applicant has questions about, or is in disagreement with, a condition of approval, they shall contact the project planner within the Department of Planning and Sustainability prior to the FMPC meeting. If the applicant fails to notify the Department of Planning and Sustainability of an objection to a condition of approval by one (1) day prior to the FMPC Meeting and raises their objection at the FMPC meeting, staff shall recommend deferral of the item until the next available Agenda.

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

This format has been established to facilitate a more orderly FMPC meeting. The process is intentionally designed in order for any applicant questions or disagreements about conditions of approval to be resolved prior to the meeting, rather than during the FMPC meeting. Only when disagreements about conditions of approval cannot be resolved by the applicants and staff prior to the meeting should those issues be raised during the FMPC meeting.

2-28-13 FMPC Meeting

15. Downs Boulevard Properties Subdivision, site plan, lot 15, a 16,009 square foot commercial structure and associated parking on 1.58 acres, located at 454 Downs Boulevard.

The motion to defer item 15 to the March 28, 2013, Planning Commission meeting, passed unanimously (8-0).

2-28-13 FMPC Meeting

16. Downs Boulevard Properties Subdivision, final plat, revision 9, lots 4 and 15, 2 lots on 2.81 acres, located at 454 and 472 Downs Boulevard.

The motion to defer item 16 to the March 28, 2013, Planning Commission meeting, passed unanimously (8-0).

Item 17
FMPC Mtg- 2/28/13

FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

NAME OF PROJECT: Franklin Park PUD Subdivision, site plan (Apartments)
LOCATION: Northwest corner of East McEwen and Carothers
PROJECT DESCRIPTION: 329 dwelling units on 14.07 acres
APPLICANT: Brad Slayden, Ragan Smith
OWNER: Pat Emery, Spectrum Properties/Emery
PROJECT STAFF: Emily Hunter
TYPE OF REVIEW: Site Plan
RECOMMENDATION: ~~Deferral to the March 28, 2013 FMPC Meeting~~
Approval, with conditions

STAFF REPORT REVISION

STAFF RECOMMENDATION: ~~Deferral to the March 28, 2013 FMPC Meeting~~
Approval, with conditions

COMMENTS: This staff report revision updates the staff recommendation to conditional approval and eliminates one condition of approval (Condition #16). All other conditions of approval contained in the original staff report for this item remain and should be approved with this revision.

The applicant has provided staff with additional information regarding the wetland and provided parking. In regards to the parking, the applicant has provided an exhibit to show that the parking ratio of 2.01 spaces per unit that was approved with the development plan is still being met with this site plan. The applicant is currently providing parking at a ratio of 2.02 spaces per unit. The applicant has also submitted a revised Sheet C4.2 that shows the wetland outside of the stream buffer. With this supplemental information, staff recommends conditional approval of this site plan.

CONDITIONS OF APPROVAL:

Planning

Franklin Park, Site Plan, (Multifamily) - submittal 001.pdf

~~16. Parking~~

~~The modification of standards approved with the development plan was as follows: "Approve the applicant's request to reduce the number of required parking spaces from 809 parking spaces to 703 parking spaces, with 120 of those 703 being deferred parking, per Section 5.9.11(4) of the FZO." Unless 703 parking spaces are being provided with this site plan, the applicant shall show and label the deferred parking reserve area, bring the parking area to finished grade with this site plan, and not designate the area for any other use.~~

PUD DEVELOPMENT PLAN

Required [809 reduced to 688]

Proposed [703]

350 units @ 809 spaces

BOMA Approved Reduction

688 spaces (15% Reduction)

120 surface spaces Deferred

8 surface spaces

575 Garage Spaces

Parking Ratio Required Per unit 2.31
 Parking Ratio Approved Per unit 2.01
 Parking Ratio Provided Per unit [w/ deferred] 2.01
 Parking Ratio Provided Per unit [w/o deferred] 1.67

SITE PLAN

Required [747 reduced to 635]

Proposed [665]

329 units @ 747 spaces

BOMA Approved Reduction

635 spaces (15% Reduction)

24 surface spaces

641 Garage Spaces

Parking Ratio Required Per unit 2.27
 Parking Ratio Approved Per unit 2.01
 Parking Ratio Provided Per unit 2.02

INTENT NOTE:
 WATER QUALITY:
 THE INTENT OF THIS BUFFER IS TO ESTABLISH A TREATMENT TRAIN FOR THE WETLANDS AND TO PROVIDE A BUFFER ZONE FOR SOUTH PRONG CREEK. AS REQUIRED BY THE CITY WITH THE APPROVAL OF THE WETLANDS AND WATER QUALITY DEPARTMENT, A VEGETATED BUFFER AREA ALONG SOUTH PRONG CREEK AND/OR ITS TRIBUTARIES. THE ESTABLISHMENT OF THESE WETLANDS IS INTENDED TO MEET THE REQUIREMENTS OF THE WATER QUALITY PORTION OF THE SEA APPROVAL.

TRIE CANOPY:
 PORTION OF THE BUFFERING BUFFER SHALL BE WITHIN THE BUFFER. THIS BUFFER CANOPY SHALL NOT ACT AS A VEGETATED CANOPY. THE LASS-CARE PLANS DO NOT SHOW PROPOSED PLANTINGS THAT ARE INTENDED TO COVER THE CANOPY BUFFER FOOTAGE OF THE STORMWATER ATFEAL. THE REMAINING PORTION OF THE BUFFER SHALL BE WITHIN THE BUFFER. CANOPY RESTORATION WILL BE DESIGNED AND SUBMITTED TO THE CITY UNDER SEPARATE COVER. SINCE THIS BUFFER WILL COVER MULTIPLE FRAMES OF FRANKLIN PARK, A CHART WILL BE CARRIED ON THE BUFFER PLAN (A.10) TO TRACK THE CANOPY BUFFER FOOTAGE.

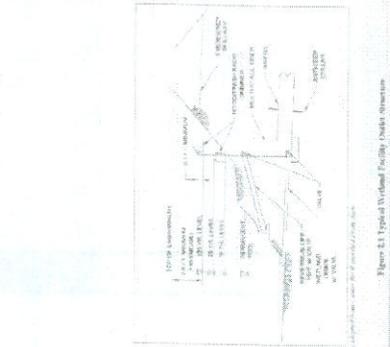
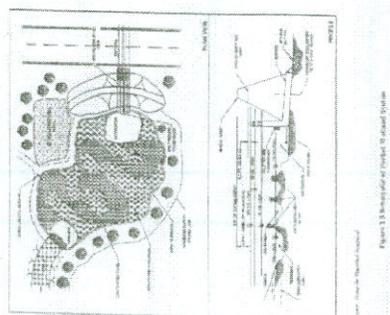
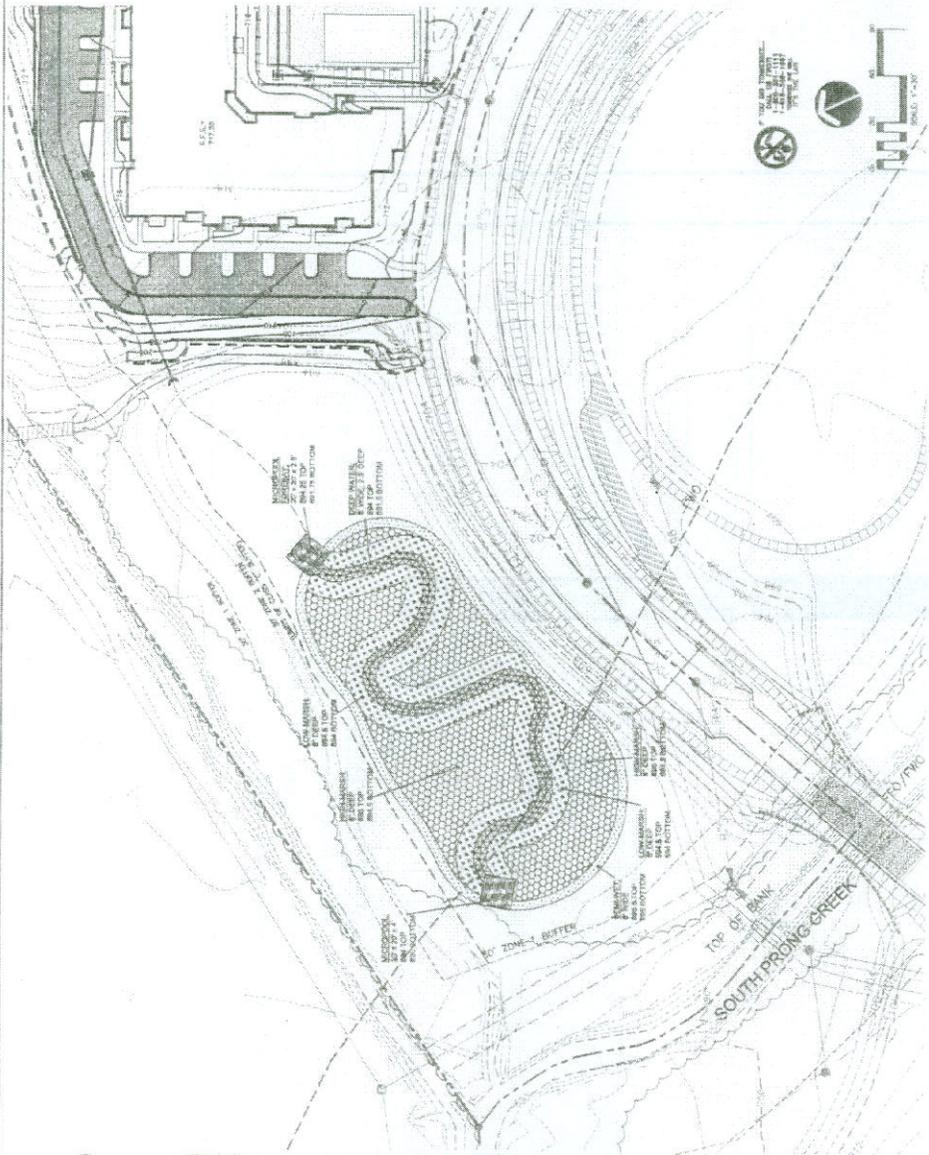
- SPECIAL NOTES:**
- THE STREAM BUFFER FOR HARVEY BRANCH SHALL BE 60 FEET WIDE AND COMPOSED OF A 30' ZONE 1 STREAM BUFFER ZONE AND A 30' ZONE 2 STORMWATER FILTRATION ZONE AS DESCRIBED IN FRANKLIN PARK AS DESCRIBED IN FRANKLIN MANORIAL CODE TITLE 20-107 (B) (1) (A) AND (B). THE BUFFER SHALL BE 60 FEET WIDE AND SHALL BE WITHIN THE BUFFER. THE BUFFER SHALL BE WITHIN THE BUFFER. THE BUFFER SHALL BE WITHIN THE BUFFER.
 - IT SHALL BE NOTED THAT THE TOP WATER AFFEAL BOARD APPROVED A VARIANCE REQUEST FOR THE BUFFERING BUFFER. THE BUFFERING BUFFER SHALL BE WITHIN THE BUFFER. THE BUFFERING BUFFER SHALL BE WITHIN THE BUFFER.
 - THE APPLICANT SHALL RESTORE A VEGETATED BUFFER AREA ALONG SOUTH PRONG CREEK AND/OR ITS TRIBUTARIES. THE BUFFERING BUFFER SHALL BE WITHIN THE BUFFER. THE BUFFERING BUFFER SHALL BE WITHIN THE BUFFER.
 - THE APPLICANT SHALL RESTORE A VEGETATED BUFFER AREA ALONG SOUTH PRONG CREEK AND/OR ITS TRIBUTARIES. THE BUFFERING BUFFER SHALL BE WITHIN THE BUFFER. THE BUFFERING BUFFER SHALL BE WITHIN THE BUFFER.
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Water Quality

Parameter	Standard	Observed	Notes
Flow	1000 cfs	1000 cfs	
Velocity	1.0 ft/s	1.0 ft/s	
Temperature	68°F	68°F	
Dissolved Oxygen	5.0 mg/L	5.0 mg/L	
pH	7.0	7.0	
Turbidity	10 NTU	10 NTU	
Total Suspended Solids	100 mg/L	100 mg/L	
Total Phosphorus	0.1 mg/L	0.1 mg/L	
Total Nitrogen	1.0 mg/L	1.0 mg/L	
Ammonia Nitrogen	0.5 mg/L	0.5 mg/L	
Orthophosphate	0.1 mg/L	0.1 mg/L	
Chlorophyll a	100 µg/L	100 µg/L	
Secchi Disk	1.0 m	1.0 m	
Water Temperature	68°F	68°F	
Water Depth	1.0 ft	1.0 ft	
Water Velocity	1.0 ft/s	1.0 ft/s	
Water Turbidity	10 NTU	10 NTU	
Water Dissolved Oxygen	5.0 mg/L	5.0 mg/L	
Water pH	7.0	7.0	
Water Turbidity	10 NTU	10 NTU	
Water Total Suspended Solids	100 mg/L	100 mg/L	
Water Total Phosphorus	0.1 mg/L	0.1 mg/L	
Water Total Nitrogen	1.0 mg/L	1.0 mg/L	
Water Ammonia Nitrogen	0.5 mg/L	0.5 mg/L	
Water Orthophosphate	0.1 mg/L	0.1 mg/L	
Water Chlorophyll a	100 µg/L	100 µg/L	
Water Secchi Disk	1.0 m	1.0 m	

Water Budget

Category	Value	Notes
Flow	1000 cfs	
Velocity	1.0 ft/s	
Temperature	68°F	
Dissolved Oxygen	5.0 mg/L	
pH	7.0	
Turbidity	10 NTU	
Total Suspended Solids	100 mg/L	
Total Phosphorus	0.1 mg/L	
Total Nitrogen	1.0 mg/L	
Ammonia Nitrogen	0.5 mg/L	
Orthophosphate	0.1 mg/L	
Chlorophyll a	100 µg/L	
Secchi Disk	1.0 m	
Water Temperature	68°F	
Water Depth	1.0 ft	
Water Velocity	1.0 ft/s	
Water Turbidity	10 NTU	
Water Dissolved Oxygen	5.0 mg/L	
Water pH	7.0	
Water Turbidity	10 NTU	
Water Total Suspended Solids	100 mg/L	
Water Total Phosphorus	0.1 mg/L	
Water Total Nitrogen	1.0 mg/L	
Water Ammonia Nitrogen	0.5 mg/L	
Water Orthophosphate	0.1 mg/L	
Water Chlorophyll a	100 µg/L	
Water Secchi Disk	1.0 m	



NOT FOR CONSTRUCTION

WETLANDS HOTELS AND DETAILS

PROJECT # 241

CITY OF FRANKLIN

FRANKLIN, TN

FRANKLIN PARK PUD SUBDIVISION, SITE PLAN (APARTMENTS)

Spectrum Properties

41

CONDITIONS OF APPROVAL:

Performance Agreement and Surety

General Comments

1. Landscape

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

2. Drainage

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

3. Sewer

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

4. Sidewalks

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

5. Streets

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

Engineering

Franklin Park PUD Subdivision, Site Plan (Apartments) - submittal 002.pdf

6. Retaining walls

- The applicant shall revise the elevations shown for T.W. & B.W. for the retaining wall at the northwest corner of the property. The current elevations (708.8 & 707.7) do not appear to match the contours.

7. Grading

- The applicant shall show sidewalk ramps where required and shall add the "Handicap Ramp and Detectable Warning" detail from the Franklin Transportation & Street Technical Standards.

Fire

Franklin Park, Site Plan, (Multifamily) - submittal 001.pdf

8. Access

- Comparing the autoturn travel/driving path of fire department apparatus (C3.2) and design elements on sheet L107, there are multiple points of conflict and potential collision with fire apparatus and property. One such point is the area of proposed stainless steel bollards at the front entry doors which appear in direct line with the travel path of the autoturn template.

Additionally, proposed trees along the entry drive and center parking area present likely collision hazards with high profile vehicles including city fire apparatus.

Furthermore, the turning movement at the rear of the building (C3.2) shows the travel path distinctly outside of the all-weather surface required by the fire code with great likelihood of damage to both fire apparatus and property.

The apparatus travel path also appears to show a collision with the retaining wall during the backing motion.

The applicant shall revise road design and/or provide adequate turning space for emergency and service delivery vehicles so as to distinctly reduce potential for collision and damage.

9. Fire Protection

- As discussed previously, the fire department cannot approve the proposed configuration with the fire hydrant served from a fire line that runs out of the building.

The applicant shall provide a fire hydrant to either be served from a public water line (MVUD to be provided the appropriate easement) or an approved private fire line with meter and backflow outside of the building.

10. Fire Sprinkler System

- The applicant shall remove landscaping materials as shown on L306 that prevent access to and visibility of the building's fire sprinkler connection (fire department connection). As shown, there appears to be at least five shrub plants that would obstruct the visibility of the FDC and delay access to fire protection equipment.

Planning

Franklin Park PUD Subdivision, Site Plan (Apartments) - submittal 002.pdf

11. Site Data Chart

- The applicant shall update the site data chart to remove the retaining wall height or revise with the full description of what is allowed, per the modification of standards. A single 16' wall shall not be permitted.

Franklin Park, Site Plan (Multifamily) - submittal 001.pdf

12. Post PC Development Plans

- The Post PC Development Plan shall be approved prior to final approval of site plans.

13. Retaining Walls

- Last sentence of the retaining wall note shall be revised to: "Retaining WALLS shall comply with the conditions of the development plan and the Franklin Zoning Ordinance."

14. Incompatible Use Buffer

- Label (as "Incompatible Use Buffer") and show (including width) the incompatible use buffer along the northern property line on the site layout.

15. Open Space

- The applicant shall delineate and label formal open space areas with acreage/square footage on the Site Layout Sheet.

16. Parking

- The modification of standards approved with the development plan was as follows: "Approve the applicant's request to reduce the number of required parking spaces from 809 parking spaces to 703 parking spaces, with 120 of those 703 being deferred parking, per Section 5.9.11(4) of the FZO." Unless 703 parking spaces are being provided with this site plan, the applicant shall show and label the deferred parking reserve area, bring the parking area to finished grade with this site plan, and not designate the area for any other use.

17. Photometrics

- The applicant shall complete all entries in the site lighting data chart, including building height, pole height, pole/fixture color, and light color. These items shall meet the requirements of Section 5.11 in the Franklin Zoning Ordinance.

18. Addressing

- The applicant shall contact Lori Jarosz for addressing prior to post PC submittal.

Planning (Landscape)

Franklin Park Site Plan (Multifamily) - submittal 003.pdf

19. Labeling of Plant Materials

- Each detailed landscape sheets shall provide the plant materials for that sheet only listed on the appropriate sheet. Then an over all schedule shall be provided for the total site.

20. Street Trees

- Schedule of street trees shall be provided that will be installed later with the widening of Carothers by the City.

21. Rain Gardens

- Rain garden areas shall be correctly delineated and plants shall be shown and labeled on landscaping sheets. Only native non-invasive species shall be planted in the rain gardens.

Stormwater

General Comments

22. Stormwater Appeals Board Requirements

- The applicant shall not disturb any portion of the Streamside Buffer Zones located along Harvey Branch and Spencer Creek with the exception of riparian zone plantings. In accordance to Exhibit 7 of Stormwater Appeals Board Variance Request 2012-001, the wetland shall be located outside of the Streamside Buffer Zones.

23. Wetland

- The applicant shall increase tree density in the high marsh zone of the wetland.

24. Wetland

- Only native non-invasive vegetation shall be planted in the wetland. Cornus mas is non-native and shall not be planted within the wetland.

25. Wetland

- Applicant shall identify grass seed mix for the deep water and low marsh areas of the wetland. This mixture shall be a water tolerant mixture that can survive frequent inundation.

26. Wetland

- Applicant shall include wetland shrub species in the wetland. A diversity of at least two species shall be chosen, while four is recommended. Native species recommendations include Calycanthus floridus, Cephalianthus occidentalis, Hydrangea quercifolia, Rosa palustris, Cornus amomum, Callicarpa americana, and Physocarpus opulifolius. Applicant should also provide more bottomland Quercus species such as Quercus bicolor, Q. nigra, and Q. michauxii.

27. Wetland

- Stream Buffer restoration shall be performed in the Zone 1 or Zone 2 Streamside Buffers only. The restoration area shall be clearly delineated, and a Buffer Management Plan shall be provided which describes the restoration, including planting lists and schedules.

Franklin Park PUD Subdivision, Site Plan (Apartments) - submittal 002.pdf

28. EPSC

- Silt fencing and tree protection shall be installed outside of the stream buffer.

29. EPSC

- Silt fencing that runs parallel to the stream buffer shall have wire backing.

30. EPSC

- Erosion/Siltation Barrier Maintenance note 4 shall be revised to state "Sediment deposits should be removed after each rainfall. They must be removed when the level of deposition reaches approximately 33% the height of the barrier.

31. Wetland

- The limits of disturbance shall be revised to include the wetland. As shown, the wetland area is located outside of the limits of disturbance.

32. Water Quality

- The applicant shall provide the correct water quality volume for the wetland. The required water quality volume is 11,518.41 cubic feet, while only 11,455.57 cubic feet has been provided.

Franklin Park, Site Plan (Multifamily) - submittal 001.pdf

33. Water Quality

- The drainage areas shall not change significantly from predeveloped conditions. As shown, it appears the majority of the runoff shall be rerouted from Harvey Branch to South Prong of Spencer Creek.

34. Details

- The applicant shall provide details of the bioretention area/ rain garden which includes the depth and type of soil amendments.

Zoning

Franklin Park, Site Plan (Multifamily) - submittal 001.pdf

35. Parking structure

- With the submittal of revised plans add brick columns to the parking garage facades to coordinate with the apartment building.

2-28-13 FMPC Meeting

18. Ledgeawn Subdivision, final plat, 7 residential lots and 1 open space lot on 2.53 acres, located at 1009 West Main Street.

The motion to defer item 18 to the March 28, 2013, Planning Commission meeting, passed unanimously (8-0).

FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

NAME OF PROJECT: Stream Valley PUD Subdivision, design standards modification (garage door width)

LOCATION: South of Goose Creek Bypass, west of Interstate 65, and east of Lewisburg Road

PROJECT DESCRIPTION: Modification of design standards request to allow garage doors that exceed nine feet in width

APPLICANT: John Haas, EDGE
(615) 250-8154, jhaas@edgela.com

OWNER: Stream Valley Franklin, LLC (Attr: Tyler Ring)
(615) 305-1033, tylerring@comcast.net

PROJECT STAFF: Donald Anthony

TYPE OF REVIEW: Design modification

RECOMMENDATION: No staff recommendation

PROJECT BACKGROUND:

The Stream Valley PUD Subdivision concept plan and pattern book were approved by the BOMA in 2005. Neither the concept plan nor the pattern book contains specifications for garage door widths. Section 5.3.5(2)(d)(i)(A) of the current version of the Franklin Zoning Ordinance includes the following standard for garage doors: "Individual garage doors intended for vehicles shall be a maximum of nine (9) feet in width." This standard applies to all garages, regardless of their location on the structure (i.e. front-loaded, rear-loaded, side-loaded). The applicant argues that this standard was not in place at the time the concept plan was approved and that the previous standards for garage doors should apply to the unbuilt sections of the development.

PROJECT REVIEW

STAFF RECOMMENDATION: No staff recommendation

COMMENTS:

Per Section 5.3.11 of the Zoning Ordinance, the FMPC may allow for modifications to the design standards outlined in Section 5.3. The applicant has provided the following information in accordance with the requirements set forth in Section 5.3.11(2)(i-iv).

1. "The requested design modification to allow double garage doors in side load and rear load units will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located."

2. "The request is based upon the unique design intent of the development as was expressed within the Concept Plan and Pattern Book that was approved in 2005. Double garage doors on side load and rear load units have already been built within previous phases of the development and the elimination of this option would cause a reduction in open space."

3. "The design modification is necessary because the design intent of the development as reflected in the 2005 approved concept plan included 44.9% of the project to be preserved in open space. If the development can no longer utilize double garage doors to the side and rear of units, then lot widths and lot depths will have to increase thus reducing the amount of open space."

4. "The requested design modification does not vary the provisions of the Franklin Land use plan."

PROCEDURAL REQUIREMENTS:

1. The applicant shall submit two (2) full copies of the Stream Valley PUD Subdivision pattern book to the Department of Planning and Development.
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 CD.

3. The applicant shall upload an electronic version of the revised pattern book in PDF format to the City's IDT online plans review system.

***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.

FRANKLIN MUNICIPAL PLANNING COMMISSION (FMPC) PROCESS AND PROCEDURES

If the applicant has questions about, or is in disagreement with, a condition of approval, they shall contact the project planner within the Department of Planning and Sustainability prior to the FMPC meeting. If the applicant fails to notify the Department of Planning and Sustainability of an objection to a condition of approval by one (1) day prior to the FMPC Meeting and raises their objection at the FMPC meeting, staff shall recommend deferral of the item until the next available Agenda.

The following is the process for an item to be heard by the FMPC during their monthly meetings:

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

This format has been established to facilitate a more orderly FMPC meeting. The process is intentionally designed in order for any applicant questions or disagreements about conditions of approval to be resolved prior to the meeting, rather than during the FMPC meeting. Only when disagreements about conditions of approval cannot be resolved by the applicants and staff prior to the meeting should those issues be raised during the FMPC meeting.



February 7, 2013

Mr. Donald Anthony
Franklin Planning Department
109 3rd Avenue South
Franklin, TN 37064

RE: Stream Valley – Concept Plan Design Modification

Dear Mr. Anthony:

Please accept the attached documents as part of our request for a Design Modification for the Stream Valley Park Concept Plan. We are specifically requesting a waiver from the garage door requirements set forth in the City of Franklin Zoning Ordinance, Section 5.3.5(2)(d)(i)(A) for side and rear load garages. Per 5.3.11(2) of the City of Franklin Zoning Ordinance, the design modification is justified based upon the following:

- (i) The requested design modification to allow double garage doors in side load and rear load units will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
- (ii) The request is based upon the unique design intent of the development as was expressed within the Concept Plan and Pattern Book that was approved in 2005. Double garage doors on side load and rear load units have already been built within previous phases of the development and the elimination of this option would cause a reduction in open space.
- (iii) The design modification is necessary because the design intent of the development as reflected in the 2005 approved concept plan included 44.9% of the project to be preserved in open space. If the development can no longer utilize double garage doors to the side and rear of units then lot widths and lot depths will have to increase thus reducing the amount of open space.
- (iv) The requested design modification does not vary the provisions of the Franklin Land use plan.

As you are aware, a pattern book was approved with this Concept Plan in 2005. However, because the 2002 City of Franklin Design Standards that were in place at the time of Concept Plan approval allowed multiple car garage doors to the side and rear of residential units, language allowing multiple car garage doors to the side and rear of residential structures was not included within the pattern book. I have attached the page from the 2002 Franklin Design Standards that were in place at the time of Concept Plan approval.

In addition, homes with multiple car garage doors to the side have already been built within this development. Most of them were permitted and built after the new development standards were approved.

Finally, because the home builder (NVR) was introducing new product lines into the Franklin market they requested a meeting with Planning Staff for a review of their intended floor plans and elevations. We met with staff on March 16th, 2012, prior to site plan submittal for Sections 4 and 5, and shared multiple versions of the elevations for all four sides of their homes. The multiple car garage doors to the side and rear were reviewed during that meeting without objection from City staff.

We feel as if we went above and beyond to ensure NVR was developing floor plans and elevations that were in conformance with the City Design Standards, the approved Stream Valley Park Concept Plan and Pattern Book. Based upon our meeting with staff, we designed and submitted site plan documents for Sections 6-12 to accommodate the homes that were determined to be in conformance with the City's Design Standards.

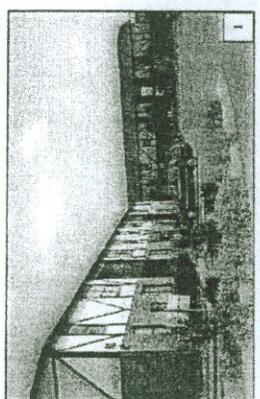
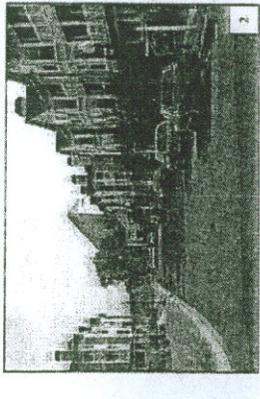
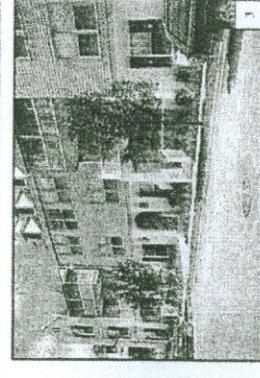
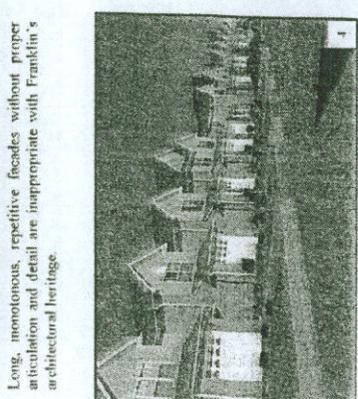
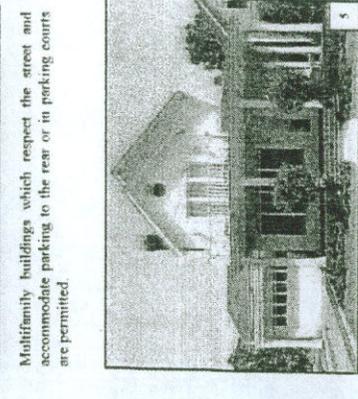
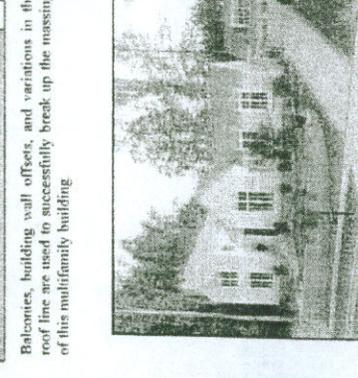
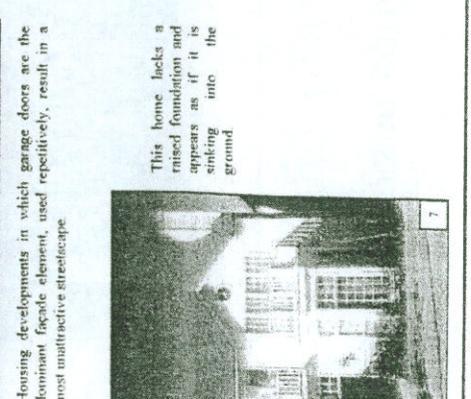
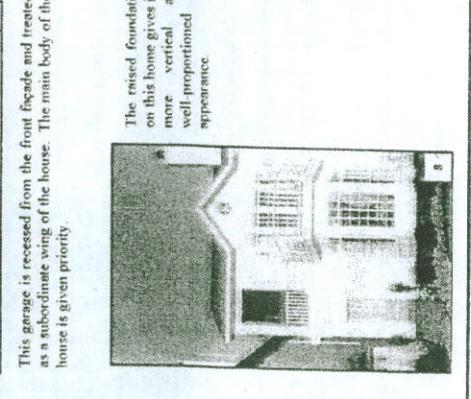
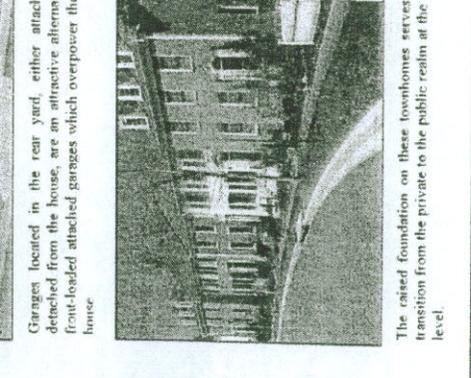
02.07.13

I thank you for your attention to this matter. If you should have any questions in regards to our request, please do not hesitate to contact me.

Sincerely,



John D. Haas, ASLA
Principal
EDGE Planning, Landscape Architecture & Graphic Design

Prohibited	Permitted	YES
 <p>1. Long, monotonous, repetitive facades without proper articulation and detail are inappropriate with Franklin's architectural heritage.</p>	 <p>2. Multifamily buildings which respect the street and accommodate parking to the rear or in parking courts are permitted.</p>	 <p>3. Balconies, building wall offsets, and variations in the roof line are used to successfully break up the massing of this multifamily building.</p>
 <p>4. Housing developments in which garage doors are the dominant facade element, used repetitively, result in a most unattractive streetscape.</p>	 <p>5. This garage is recessed from the front facade and treated as a subordinate wing of the house. The main body of the house is given priority.</p>	 <p>6. Garages located in the rear yard, either attached or detached from the house, are an attractive alternative to front-loaded attached garages which overpower the main house.</p>
 <p>7. This home lacks a raised foundation and appears as if it is sinking into the ground.</p>	 <p>8. The raised foundation on this home gives it a more vertical and well-proportioned appearance.</p>	 <p>9. The raised foundation on these townhomes serves as a transition from the private to the public realm at the street level.</p>

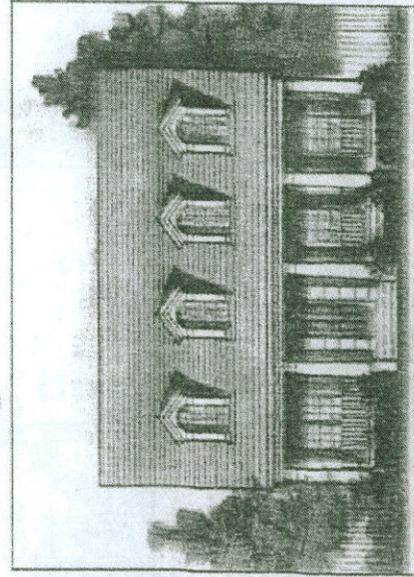
**Massing and Facades:
Residential**

1. Variation in building elevations is desirable, while excessive repetition is prohibited.
2. All dwelling units are encouraged to have garages located from the side or rear. Attached front-loading garages shall be recessed from the front facade of a dwelling a minimum of three (3) feet. For lots of fifty (50) feet or less in width, garages shall be located along alleys or towards the rear of lots and accessed by a driveway. Multiple car garages located towards the front of a dwelling shall be split into single-vehicle bays in order to avoid expansive garage doors.
3. Windows shall be vertically proportioned and vertically aligned between floors. Where used, shutters shall be proportioned to cover one-half the width of the window from each side or the total window from one side.
4. If porches are provided they shall have a minimum usable depth of at least six (6) feet.
5. Dwellings shall have a raised foundation. The finished first-floor elevation shall be a minimum of one (1.0) foot above the finished grade. Exceptions may be made for retirement developments.

PRODUCT DESIGN: COTTAGE HOMES

cottage homes

{ 30' : 45' : 57' foot product - 143 homes proposed }



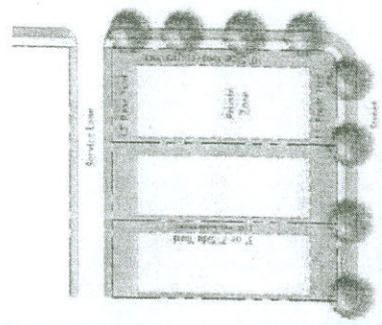
Designed to comfortably fit on 30'-45' and 57' x 120' typical lots (110' minimum), the Cottage combines architecture, landscaping and detailed amenities to create the look and feel of a warm, friendly hometown. The cottage village is unified by harmonious, traditional architectural styles in a mix of different home types. Exteriors are accented with traditional materials such as fiber cement tapered siding, wrought iron, stone and brick.

Special emphasis is placed on designing the secret gardens - private courtyards in the rear and side yards of the homes that are intended to be used as outdoor rooms. Most of the cottage home designs will include a wide front porch where neighbors can gather and talk, promoting fence-to-fence... a true hallmark of the village lifestyle. Easy access to the Cottage Home has been painstakingly designed to provide low-maintenance options. All home exteriors are constructed of low-maintenance materials with exterior yard maintenance provided by the Stream Valley HOA.

Classic proportions, traditional styling, front porches, open floor plans with loads of natural light, and individual secret gardens, all invite the homeowner to slow down, relax, and contemplate yesterday and dream of tomorrow.

- DEPTH: 110' minimum, plus 20' service lane.
- FRONT YARD SETBACK: 13' Front Yard
- SIDE YARD SETBACK: Minimum setback for all structures are 3-7'. Houses must be at least 10' apart.
- SIDE STREET SETBACK (Corner Lots): 10' Side Street Setback.
- REAR YARD SERVICE LANE SETBACK: 17' minimum.
- * GARAGES: Face of garage door shall be 22' from edge of service lane.
- PORCHES: May extend into the FRONT & SIDE YARD SETBACKS.

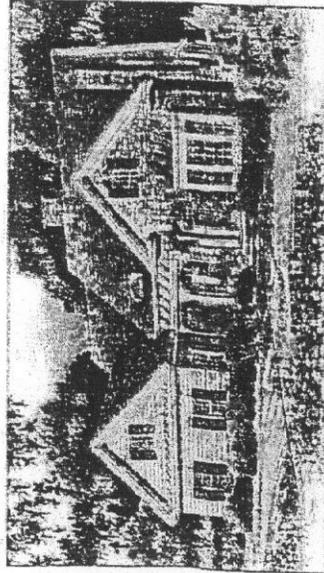
* **Design Modification Request**
 A waiver is requested from the garage door requirements set forth in the City of Franklin Zoning Ordinance, Section 5.3.5 (2)(d)(i) for side and rear loaded garages.



PRODUCT DESIGN: MANOR HOMES

manor homes

(85- 100 foot product - 110 homes proposed)



This product is the heart of conventional lots designed for those families desiring private rear yards without service line loaded garages. Each home will have reminiscent architectural themes including elements found in Georgian, Colonial Revival, Federal and French styles. The majority of these homes back up to amenity areas including lakes, streams or open space. All homes will be required to have tide entry garages and exterior materials of either brick, stone, hardie plank or shiplap. ARB committee approval will be required and there will be no vinyl siding or front entry garages. Homebases will average range from 85' to 100' in width, and have a depth greater than 120'.

DEPTH: 100' minimum - no service line.

FRONT YARD SETBACK: 25' - 40' Front Yard.

SIDE YARD SETBACK: Minimum setback for all structures are 5' - 10'. Houses must be at least 15' apart.

SIDE STREET SETBACK (Corner Lots): 10' Side Street Setback.

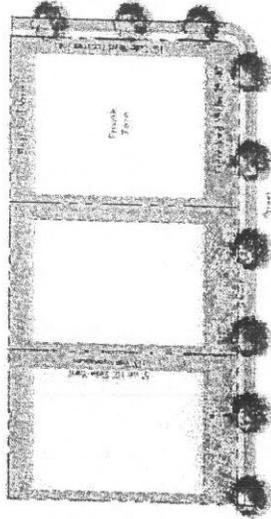
REAR YARD SETBACK (No Service Lane): 5' or less.

PORCHES: May extend into the FRONT & SIDE YARD SETBACKS.

*GARAGE: Shall be side loaded. No garage doors shall face private streets.

***Design Modification Request**

A waiver is requested from the garage door requirements set forth in the City of Franklin Zoning Ordinance, Section 5.3.5 (2)(d)(iv) for side and rear loaded garages.



FRANKLIN MUNICIPAL PLANNING COMMISSION REPORT

Name of Project: Breezeway - Sidewalk Relocation at Herbert House
Location: 3rd Ave S
Project Description: Relocation of sidewalk
Applicant: Dustin Scruggs
Owner: John Waits
Project Staff: Catherine Powers
Type of Review: Site Plan
Recommendation: Approval, with conditions

PROJECT INFORMATION

Existing Land Use: N/A
Proposed Land Use: N/A
Existing Zoning: R-1 Low Residential District
Proposed Zoning: R-1 Low Residential District
Acreage: 0.05
Proposed Number of Lots: 0
Proposed Dwelling Units: 0
Proposed Nonresidential Square Footage: 0
Proposed Open Space: Formal Open Space: 0
 Informal Open Space: 0
 Total Open Space: 0
Physical Characteristics: 0
Character Area Overlay / Development Standard: SWCO Seward Hall Character Area Overlay District
 Conventional
Other Applicable Overlays: HPO
Proposed Building Height: 0
Minimum Landscape Surface Ratio: 0

SURROUNDING ZONING AND LAND USE

Location	Land Use	Zoning
North	Residential	R-1
South	Residential	R-1
East	Residential	R-1
West	Residential	R-1

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INFRASTRUCTURE AVAILABILITY

Water: Milcroton Utility District
Sewer: Available from City of Franklin
Reclaimed Water: Not Available

TRANSPORTATION

Site Access: 0
Trip Generation: 0
Project Meets Franklin's
Land Use Plan: YES
Greenway/Open Space Plan: YES
Historic District Guidelines: YES
Project Background:

PROJECT REVIEW

Staff Recommendation: Approval, with conditions
Comments: None

Engineering

General Comments

Tom Ingram

Any fill placed in an area of detention or fill placed in an area used for water quality management must be shown on a plan. The plan must also show the area that will compensate for the loss of detention and/or water quality. The plan must be submitted for review by the City of Franklin Engineering Department and the Stormwater Coordinator. Construction will not be permitted prior to approval of the reviewed plan.

This pertains to the option to allow for grading a shallow, 5 foot wide safety strip along the proposed new sidewalk location.

Streets

Breezeway - Sidewalk Relocation at Herbert House - submittal 002.pdf [16 redlines]

Doug Pratt

Remove new proposed handicap ramp on north side of Herbert Drive @ Federal Street. This will allow pedestrains to use the handicap ramps at Herbert Drive and Federal Street. Need to repalce handicap ramp on southeast side of Federal Street at Herbert Drive, does not meet ADA standards. Must install a handicap ramp at Breezeway Lane. No need to install handicap ramp at Herbert Drive @ Service Lane 2, pedestrians can use handicap ramp at Victorian Circle and Herbert Drive.

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." A response letter addressing each condition of approval shall be included with the .pdf upload and the set of corrected plans.
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 two (2) full-size copies of the corrected grading/drainage and five (5) full-size copies of the corrected water/sewer plans (two separate plan submittals) to the Department of Building and Neighborhood Services to be stamped and signed by city officials prior to the issuance of a grading permit and water/sewer approval, where applicable.
4. The applicant shall submit (4) four sets of complete building plans, including the approved, revised site plans, to the Building and Neighborhood Services Department for review and approval prior to the issuance of a building permit.
5. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.
6. The city's project identification number shall be included on all correspondence with any city department relative to this project.

***PROJECT CONSIDERATIONS:**

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.

FRANKLIN MUNICIPAL PLANNING COMMISSION (FMPC) PROCESS AND PROCEDURES

If the applicant has questions about, or is in disagreement with, a condition of approval, they shall contact the project planner within the Department of Planning and Sustainability prior to the FMPC meeting. If the applicant fails to notify the Department of Planning and Sustainability of an objection to a condition of approval by one (1) day prior to the FMPC Meeting and raises their objection at the FMPC meeting, staff shall recommend deferral of the item until the next available Agenda. The following is the process for an item to be heard by the FMPC during their monthly meetings:

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

This format has been established to facilitate a more orderly FMPC meeting. The process is intentionally designed in order for any applicant questions or disagreements about conditions of approval to be resolved prior to the meeting, rather than during the FMPC meeting. Only when disagreements about conditions of approval cannot be resolved by the applicants and staff prior to the meeting should those issues be raised during the FMPC meeting.