

MINUTES OF THE MEETING OF THE FRANKLIN MUNICIPAL PLANNING COMMISSION MAY 23, 2013

The Franklin Municipal Planning Commission held a regular meeting on Thursday, May 23, at 7:00 p.m. in the city hall boardroom.

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

Members absent: Roger Lindsey, Vice-Chair

Staff present: Vernon Gerth, Community and Economic Development Department
 Donald Anthony, Planning and Sustainability Department
 Paula Kortas, 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
 Shauna Billingsley, Law Department

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

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

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

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

1. CALL TO ORDER

2. MINUTES

- 4/25/13 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

Consent: Items 7 – 16

7. Aspen Grove Subdivision, site plan, section L, revision 2, lot 3 (Thoroughbred Village II – Landscape Revision); release the maintenance agreement for detention improvements.
8. Avalon PUD Subdivision, site plan, section 4, revision 1; release the maintenance agreement for landscaping improvements.

9. Avalon PUD Subdivision, site plan, section 7, revision 1; release the maintenance agreement for landscaping improvements
10. Harpeth Village Subdivision, site plan, revision 2 (Harpeth Village Unified Development); release the maintenance agreement for landscaping (Buildings A, B and F) improvements.
11. McKays Mill PUD Subdivision, site plan, section 34 (Park Run Area); extend the performance agreement for landscaping improvements for six months.
12. Parkway Commons Subdivision, site plan, lot 4 (AmSouth Bank); release the maintenance agreement for landscaping and landscaping (Columbia Avenue) improvements.
13. Reid Hill Commons Subdivision, site plan, section 1, lot 2 (Mapco Express); accept the streets improvements, release the performance agreement and establish a maintenance agreement for one year.
14. Village at Clovercroft PUD Subdivision, site plan, sections 1 and 2; release the maintenance agreement for landscaping Phase 5 and landscaping Phase 6 improvements.
15. Westhaven PUD Subdivision, site plan, section 18; reduce and extend the performance agreement for landscaping improvements for six months.
16. Westhaven PUD Subdivision, site plan, section 19; release the maintenance agreement for landscaping Phase 1 (street trees) improvements.

REZONINGS AND DEVELOPMENT PLANS

17. ORDINANCE 2013-21, AN ORDINANCE TO REZONE ±36.00 ACRES FROM LOCAL MIXED-USE DISTRICT (ML) TO CIVIC AND INSTITUTIONAL DISTRICT (CI) FOR THE PROPERTY LOCATED AT 1228 LIBERTY PIKE.

Project Number: 2734
 Applicant: Eric S. Stuckey, City Administrator
 Staff Recommends: Approval
 Consent Status: Nonconsent

18. ORDINANCE 2013-17, AN ORDINANCE TO REZONE ±1.45 ACRES FROM OFFICE RESIDENTIAL DISTRICT (OR) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTY LOCATED AT 1319 WEST MAIN STREET.

Project Number: 2573
 Applicant: Daniel Woods, The Addison Group
 Staff Recommends: Approval
 Consent Status: Nonconsent

19. RESOLUTION 2013-24, A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR THE VILLAGE AT WEST MAIN PUD SUBDIVISION, LOCATED AT 1319 WEST MAIN STREET, BY THE CITY OF FRANKLIN, TENNESSEE.

Project Number: 2570
 Applicant: Daniel Woods, The Addison Group
 Staff Recommends: Approval, with conditions
 Consent Status: Nonconsent

20. RESOLUTION 2013-29, A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR GENERALS RETREAT PUD SUBDIVISION, LOCATED ALONG GENERALS RETREAT DRIVE, BY THE CITY OF FRANKLIN, TENNESSEE.

Project Number: 2717
 Applicant: Jimmy Yates, Wamble & Associates, Inc.
 Staff Recommends: Approval, with conditions
 Consent Status: Nonconsent

PRELIMINARY PLATS, FINAL PLATS, AND SITE PLANS

21. The Brownstones at First and Church PUD Subdivision, site plan, revision 2, addition of driveway gates on 2.14 acres, located at Emily Court at First Avenue and Emily Court at Second Avenue.

Project Number: 2718
 Applicant: Preston Quirk, Quirk Designs
 Staff Recommends: Approval, with conditions
 Consent Status: Consent

22. Franklin Park PUD Subdivision, site plan (Apartments), surety revision, 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: Approval
 Consent Status: Consent

23. The Highlands at Ladd Park PUD Subdivision, final plat, section 5, revision 1, 14 residential lots and 2 open space lots on 10.81 acres, located along Snowden Street West and Princess Circle and east of the future South Carothers Parkway extension.

Project Number: 2719
 Applicant: David Reagan, HFR Design Inc.
 Staff Recommends: Approval, with conditions
 Consent Status: Consent

24. The Highlands at Ladd Park PUD Subdivision, final plat, section 16, 7 residential lots on 1.49 acres, located east of the future South Carothers Parkway extension and north of future Truman Road West.

Project Number: 2720
 Applicant: David Reagan, HFR Design Inc.
 Staff Recommends: Approval, with conditions
 Consent Status: Consent

25. Westhaven PUD Subdivision, final plat, section 25, lot 4206, 1 mixed-use lot on 0.93 acres, located along the southern side of Front Street and east of Westhaven Boulevard.

Project Number: 2723
Applicant: Robert Burke, Jr., Wilson & Associates PC
Staff Recommends: Approval, with conditions
Consent Status: Consent

26. Westhaven PUD Subdivision, final plat, section 37, 23 residential lots and 2 open space lots on 4.77 acres, located along Oleander Street, south of Front Street.

Project Number: 2724
Applicant: Robert Burke, Jr., Wilson & Associates PC
Staff Recommends: Approval, with conditions
Consent Status: Consent

27. Wild Duck Subdivision, site plan, lot 10, revision 6 (Darrell Waltrip Carwash), a 1,318 square foot commercial structure on 4.74 acres, located at 1450 Murfreesboro Road.

Project Number: 2726
Applicant: Jeff Mangas, EMH&T
Staff Recommends: Approval, with conditions
Consent Status: Consent

ZONING ORDINANCE TEXT AMENDMENTS

28. ORDINANCE 2013-05, TO BE ENTITLED: "AN ORDINANCE TO REVISE THE PARKING REQUIREMENTS FOR ATTACHED DWELLINGS IN TABLE 5-9, MINIMUM OFF-STREET PARKING STANDARDS OF THE FRANKLIN ZONING ORDINANCE"

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

NON-AGENDA ITEMS

ANY OTHER BUSINESS

ADJOURN

1. CALL TO ORDER

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

2. MINUTES

Mr. Harrison moved to approve the April 25, 2013, Planning Commission minutes as presented, Mr. Orr seconded the motion, and it passed unanimously (7-0).

3. CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

No one came forward.

4. ANNOUNCEMENTS

No Announcements

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

No one came forward.

6. CONSENT AGENDA

Chair Hathaway stated that since Vice-Chair Lindsey was absent from this meeting a new Vice-Chair would need to be elected for this meeting.

Ms. McLemore moved to nominate Alderman Petersen for this meeting, Mr. Harrison seconded the motion, and it passed unanimously (7-0).

Chair Hathaway stated that the Consent items were those items that were considered to be non-controversial and would be voted on as a group. The items on the Initial Consent Agenda would be items 7 through 14, 21 through 24, and 27.

Mr. Harrison moved to approve the Consent Agenda, as amended, Ms. Allen seconded the motion, and it passed unanimously (7-0).

Chair Hathaway recused himself from the Secondary Consent Agenda and turned the chair over to Alderman Petersen.

Alderman Petersen stated that the items on the Secondary Consent Agenda were items 15, 16, 25, and 26.

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

7. ASPEN GROVE SUBDIVISION, SITE PLAN, SECTION L, REVISION 2, LOT 3 (THOROUGHbred VILLAGE II – LANDSCAPE REVISION)

Maint agreement: **Detention \$2,500**

Established: May 24, 2012

Previous Action: 7/23/03 PA posted

1/15/04 Reapproved by FMPC

5/13/05 Approved extension to 11/17/05

11/17/05 Approved extension to 5/25/06; still under construction

5/25/06 Extend to 11/16/06

11/16/06 Extend to 5/24/07

5/24/07 Extend to 5/22/08; cannot release until Building C is constructed.

5/22/08 Extend to 5/28/09

5/28/09 Approved extension to 5/27/10

5/27/10 Extend to 5/26/11

5/26/11 Extend to 5/24/12

5/24/12 Release PA, establish MA for \$2,500
 3/26/13 MA posted
 Recommendation: Release the maintenance agreement.

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

Maint agreement: **Landscaping \$52,000**
 Established: May 24, 2012
 Previous Action: 2/23/05 PA posted
 4/13/06 Approved extension to 4/26/07; still under construction
 4/26/07 Reduce from \$207,000; extend to 4/24/08; still under construction
 3/27/08 Blanket drought extension to 4/23/09
 4/23/09 Approved extension to 4/22/10
 4/22/10 Extend to 4/28/11
 4/28/11 Extend to 11/17/11
 11/17/11 Extend to 5/24/12; final extension
 5/24/12 Release PA, establish MA for \$52,000.
 6/5/12 MA posted
 Recommendation: Extend to May 22, 2014.
 Reason/Deficiency: The two dead Shumard Oaks shall be replaced.

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

Maint agreement: **Landscaping \$27,000**
 Established: May 24, 2012
 Previous Action: 8/2/04 split into sections; section 4, revision 1, section 6, revision 1, & section 7, revision 1.
 4/11/07 PA posted
 3/27/08 Blanket drought extension to 4/10/09
 5/9/08 Extend to 5/28/09
 5/15/09 Approved extension to 5/21/10
 5/27/10 Extend to 5/26/11
 5/26/11 Extend to 11/17/11
 11/17/11 Extend to 5/24/12; few lots still not built, final extension.
 5/24/12 Release PA, establish MA for \$27,000
 6/5/12 MA posted
 Recommendation: Extend to May 22, 2014.
 Reason/Deficiency: Installation of replacement material was not complete at the time of the inspection.

10. HARPETH VILLAGE SUBDIVISION, SITE PLAN, REVISION 2 (HARPETH VILLAGE UNIFIED DEVELOPMENT)

Maint agreement: **Landscaping (Buildings A, B and F) \$14,000**
 Established: May 24, 2012
 Previous Action: 3/11/08 PA posted
 1/16/09 Approved extension to 1/15/10
 1/15/10 Extend to 1/21/11

1/21/11 Extend to 1/20/12
 1/26/12 Extend to 1/24/13; applicant working to finish; must be complete by next inspection.
 5/24/12 Release PA, establish MA for \$14,000
 Recommendation: Release the maintenance agreement.

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

Perf agreement: **Landscaping \$94,000**
 Established: January 27, 2005
 Previous Action: 9/26/06 PA posted
 9/27/07 Blanket landscaping extension to 10/23/08
 10/17/08 Approved extension to 10/16/09; still under construction
 10/16/09 Approved extension to 10/15/10; still under construction
 5/27/10 Reduce from \$125,000; extend to 5/26/11
 5/26/11 Approved extension to 5/24/12; still under construction
 5/24/12 Approved extension to 5/23/13; still under construction.
 Recommendation: Approved extension to May 22, 2014. This site is still under construction.

12. PARKWAY COMMONS SUBDIVISION, SITE PLAN, LOT 4 (AMSOUTH BANK)

Maint agreement: **Landscaping \$6,000**
 Established: May 24, 2012
 Previous Action: 5/25/07 PA posted
 3/27/08 Blanket drought extension to 4/10/09
 4/17/09 Reduce from \$23,000; extend to 4/16/10
 4/16/10 Extend to 4/15/11
 4/28/11 Extend to 4/26/12
 4/26/12 Extend to 10/25/12
 5/24/12 Release PA, establish MA for \$6,000
 8/1/12 MA posted
 Recommendation: Release the maintenance agreement.

Maint agreement: **Landscaping (Columbia Avenue) \$3,000**
 Established: May 24, 2012
 Previous Action: 5/25/07 PA posted
 3/27/08 Blanket drought extension to 4/10/09
 4/17/09 Approved extension to 4/16/10
 4/16/10 Extend to 4/15/11
 4/28/11 Extend to 4/26/12
 4/26/12 Extend to 10/25/12
 5/24/12 Release PA, establish MA for \$3,000
 8/1/12 MA posted
 Recommendation: Release the maintenance agreement.

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

Perf agreement: **Streets \$40,000**
 Established: September 27, 2007
 Previous Action: 6/8/07 PA posted
 9/27/07 FMPC granted 6 month approval extension to 3/28/08
 4/11/08 Reduction denied; extend to 4/23/09
 4/17/09 Extend to 10/16/09
 10/16/09 Approved extension to 10/15/10
 10/28/10 Extend to 10/27/11
 10/27/11 Extend to 4/26/12
 4/26/12 Extend to 4/25/13; final extension.
 4/25/13 Extend to 10/24/13; currently working to complete.
 Recommendation: Release with no maintenance agreement required.

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

Maint agreement: **Landscaping Phase 5 \$4,000**
 Established: April 26, 2012
 Previous Action: 10/1/10 Split into Phases 1-8; this is Phase 5, new original amount is \$13,500, new reduced amount is \$10,200.
 4/15/11 Approved extension to 4/20/12
 4/26/12 Release PA, establish MA for \$4,000
 5/7/12 MA posted
 4/25/13 Extend to 4/24/14
 Recommendation: Release the maintenance agreement.

Maint agreement: **Landscaping Phase 6 \$4,000**
 Established: April 26, 2012
 Previous Action: 10/1/10 Split into Phases 1-8; this is Phase 6, new original amount is \$12,500
 4/15/11 Approved extension to 4/20/12
 4/26/12 Release PA, establish MA for \$4,000
 5/7/12 MA posted
 4/25/13 Extend to 4/24/14
 Recommendation: Release the maintenance agreement.

15. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 18

Perf agreement: **Landscaping \$104,000**
 Established: January 26, 2006
 Previous Action: 3/12/07 PA posted
 4/24/08 Blanket landscaping extension to 5/8/09
 5/15/09 Approved extension to 5/21/10
 5/27/10 Reduction denied; extend to 5/26/11
 5/26/11 Extend to 5/24/12; need as-built for nature area trail.

5/24/12 Approved extension to 5/23/13; need as-built for nature trail area before release of performance.

Recommendation: Approved reduction to \$78,000 and extension to May 22, 2014.

16. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 19

Maint agreement: **Landscaping Phase 1 (street trees) \$3,000**

Established: April 26, 2012

Previous Action: 7/12/07 PA posted

4/24/08 Blanket landscaping extension to 6/25/09

6/19/09 Approved extension to 6/24/10

6/18/10 Extend to 6/17/11

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

4/26/12 FMPC split into Phase 1 (street trees), & Phase 2 (open space). This is Phase 1, new original amount of \$12,000. Release PA, establish MA for \$3,000.

5/22/12 MA posted

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

Recommendation: Release the maintenance agreement.

21. The Brownstones at First and Church PUD Subdivision, site plan, revision 2, addition of driveway gates on 2.14 acres, located at Emily Court at First Avenue and Emily Court at Second Avenue.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plan to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit one(1) complete and folded set and a .pdf file of corrected site plan to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). All revisions to the approved plans shall be "clouded." 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. None

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

CONDITIONS OF APPROVAL:

Performance Agreement and Surety

General Comments

1. Landscape

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

Engineering

General Comments

2. Traffic/Transportation

On both site plans on sheet E1, show and call out conduit runs and cabling from driveway loops to gate controllers.

Planning

General Comments

3. Project number

Applicant shall replace the project number shown on sheets L1, C1, C3, C5, C5A, C10, C11, and E1A with the correct project number (COF# 2718).

4. Second Avenue gate

An easement agreement with the neighboring church property shall be required at post-PC. The Planning Department will not give final post-PC signoff until such time that a suitable easement agreement signed by neighboring property owner is provided to the City, reviewed for compatibility with all applicable City standards, and recorded with the County.

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

STAFF RECOMMENDATION: Approval.

COMMENTS: This item will add a surety amount for access to the Franklin Park PUD Subdivision, site plan (Apartments), COF# 2641). All other conditions of approval from the February 28, 2013, FMPC Meeting remain with this project.

Performance Agreement and Surety to be added to COF 2641:

Sewer	\$	TBD
Streets	\$	TBD
Sidewalks	\$	TBD
Drainage	\$	TBD
Landscaping	\$	TBD
Access	\$	TBD
Total	\$	TBD

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

23. The Highlands at Ladd Park PUD Subdivision, final plat, section 5, revision 1, 14 residential lots and 2 open space lots on 10.81 acres, located along Snowden Street West and Princess Circle and east of the future South Carothers Parkway extension.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

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

PROCEDURAL REQUIREMENTS:

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

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

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

***PROJECT CONSIDERATIONS:**

1. None

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

CONDITIONS OF APPROVAL:

Performance Agreement and Surety

General Comments

1. Drainage

Drainage performance surety amounts will be determined post PC.

2. Sewer

Sewer performance surety amounts will be determined post PC.

3. Sidewalks

Sidewalks performance surety amounts will be determined post PC.

4. Streets

Streets performance surety amounts will be determined post PC.

Planning

Highlands of Ladd Park, Section5, Revision 1 - submittal 002.pdf

5. Addressing

Applicant shall remove the word "south" from South Carothers Parkway.

24. The Highlands at Ladd Park PUD Subdivision, final plat, section 16, 7 residential lots on 1.49 acres, located east of the future South Carothers Parkway extension and north of future Truman Road West.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

PROCEDURAL REQUIREMENTS:

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

plat being uploaded to the online plan review website (or vice versa) or the item shall be rejected as incomplete for City review.

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

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

***PROJECT CONSIDERATIONS:**

1. None

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

CONDITIONS OF APPROVAL:

Performance Agreement and Surety

General Comments

1. Drainage

Drainage performance surety amounts will be determined post PC.

2. Sewer

Sewer performance surety amounts will be determined post PC.

3. Sidewalks

Sidewalk performance surety amounts will be determined post PC.

4. Streets

Streets performance surety amounts will be determined post PC.

GIS

General Comments

5. Need Post PC CAD File

Applicant shall provide a finalized CAD file uploaded by the Post PC stage that is projected in Tennessee state plane coordinates, NAD 83, zone 4100/5301 for incorporation into the Franklin GIS database

Planning

General Comments

6. Access to lots

Plat shall not be recorded until lots have access to a public street.

HIGHLANDS OF LADD PARK SECTION 16 - submittal 002.pdf

7. Addressing

Applicant shall remove the word "South" from South Carothers Parkway.

25. Westhaven PUD Subdivision, final plat, section 25, lot 4206, 1 mixed-use lot on 0.93 acres, located along the southern side of Front Street and east of Westhaven Boulevard.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

PROCEDURAL REQUIREMENTS:

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

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

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

*PROJECT CONSIDERATIONS:

1. None

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

CONDITIONS OF APPROVAL:

Performance Agreement and Surety

General Comments

1. Sidewalks

Sidewalk performance surety to be determined post PC.

26. Westhaven PUD Subdivision, final plat, section 37, 23 residential lots and 2 open space lots on 4.77 acres, located along Oleander Street, south of Front Street.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

PROCEDURAL REQUIREMENTS:

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

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

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

***PROJECT CONSIDERATIONS:**

1. None

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

CONDITIONS OF APPROVAL:

Performance Agreement and Surety

General Comments

1. Drainage

Drainage performance surety will be determined post PC.

2. Sewer

Sewer performance surety will be determined post PC.

3. Sidewalks

Sidewalk performance surety will be determined post PC.

4. Streets

Streets performance surety will be determined post PC.

27. Wild Duck Subdivision, site plan, lot 10, revision 6 (Darrell Waltrip Carwash), a 1,318 square foot commercial structure on 4.74 acres, located at 1450 Murfreesboro Road.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

PROCEDURAL REQUIREMENTS:

1. Due to the applicant's diligence in addressing staff comments and resolving most issues prior to resubmittal, this project is eligible for the Short-Track Post-PC review process. To participate in the Short-Track Post-PC process, the applicant must submit complete and corrected plans to the Department of Building and Neighborhood Services by 3:00 PM on Friday, May 24, 2013. Staff response on the Post-PC plans is guaranteed in 5 business days. If a Short-Track Post-PC item is not submitted by the deadline or is an incomplete submittal, it shall be placed on the standard Post-PC review track, which has a 30 business day review period.

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

3. Once the corrected site plan has been approved, one (1) full-size and one (1) half size copy of the final approved landscape plans shall be submitted to the Department of Building and Neighborhood Services for future landscape inspection purposes.

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

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

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

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

***PROJECT CONSIDERATIONS:**

1. None

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

CONDITIONS OF APPROVAL:

Planning

Wild Duck Realty PUD Subdivision, Lot 10, Revision 6 - submittal 002.pdf

1. Addressing

Applicant shall use 1470 Murfreesboro Road as the address.

This completed the consent agenda.

17. ORDINANCE 2013-21, AN ORDINANCE TO REZONE ±36.00 ACRES FROM LOCAL MIXED-USE DISTRICT (ML) TO CIVIC AND INSTITUTIONAL DISTRICT (CI) FOR THE PROPERTY LOCATED AT 1228 LIBERTY PIKE.

Mr. Langley presented Ordinance 2013-21 and stated that this item would contain the future Columbia State Community College. Over the past year, the City worked with representatives from the college to prepare for eventual construction on the site. Since the site will contain an institutional use, the City is rezoning the property to the CI district to be consistent with similar uses in the City. Therefore, staff recommends approval of Ordinance 2013-21. The site is within the Hillside/Hillcrest Overlay (HHO) district. However, the State of Tennessee owns the site, and the property is not subject to the City's regulations. Staff has worked with the Design Team to mitigate the impacts of eventual construction within the HHO.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Dr. Janet Smith, President of Columbia State Community College, presented more specific information regarding the vision and plans for the site. She showed four slides. The first slide was the campus layout long range. She stated that the construction would start with three buildings. It would have an arts and science building, a math and health building, and student services and administration building. This would be the first phase of the campus. They had hoped to receive funding this year, but the funding did not come through. All evidence shows that it will get the funding next year, and they will begin construction at that time. She requested a favorable recommendation to the Board of Mayor and Aldermen.

Mr. Vernon Gerth, Assistant City Administrator for Community and Economic Development, stated that he would discuss the approval process since this item was a state owned facility. State owned facilities, such as this, are not subject to local zoning regulations. However, dating back to more than a year, the City has been engaged along the way. Going forward, they will continue to work with the City through the administrative process. Columbia State will obtain the necessary construction permits and utilize the City's local services to inspect the property along the way. The City has been involved all along the way and Columbia State is doing its best to comply with its current development standards, and

from this point forward the applicant will be moving through an administrative approval process.

Mr. Harrison moved to favorably recommend approval of Ordinance 2013-21 to the Board of Mayor and Aldermen, and Mr. Orr seconded the motion.

Alderman Petersen stated that she was giving the disclaimer she was a former employee of Columbia State, but she was no longer an employee.

With the motion having been made and seconded to favorably recommend approval of Ordinance 2013-21 to the Board of Mayor and Aldermen, it passed unanimously (7-0).

18. ORDINANCE 2013-17, AN ORDINANCE TO REZONE ±1.45 ACRES FROM OFFICE RESIDENTIAL DISTRICT (OR) TO RESIDENTIAL VARIETY DISTRICT (RX) FOR THE PROPERTY LOCATED AT 1319 WEST MAIN STREET.

Mr. Langley presented Ordinance 2013-17 and stated that this request was to rezone the property from OR (Office Residential) to RX (Office Variety) to permit attached dwellings. The Land Use Plan recognizes that the West Main area contains a mix of uses and supports attached residential units on the site. Therefore staff recommends approval of the site.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Daniel Woods, of The Addison Group, stated that they were in favor of the conditions of approval and requested approval of Ordinance 2013-17.

Mr. Franks moved to favorably recommend approval of Ordinance 2013-17 to the Board of Mayor and Aldermen, and Ms. McLemore seconded the motion.

Alderman Petersen stated that she would have discussion. She stated that this was Ordinance 2013-17, but she would have discussion because the development plan that goes along with this item had some areas of concern. The piece of property has a lot of constraints on it. It has a wet weather conveyance and also part of Sharp Branch, which has been of concern. At the last Capital Improvements meeting, there was a discussion regarding working with the people on Battle Avenue for drainage/stormwater issues. The main item on the Battle Avenue Plan really discusses basin number two, but basin number one has a problem that they did not have the proposals to improve, and it almost backs up to this piece of property. The four or five affected properties are on Battle Avenue, just behind this piece of property. The stormwater report on it does not look at anything outside of it, but from hearing other discussions and the people who came to the meeting, there is a concern about stormwater here and the drainage. This would go back to Alderman Petersen's concern, which was that this lot has many physical constraints.

It also has a problem in the works for Capital Improvements; there is also a project to widen West Main Street. If and when the West Main Street widening project occurs, it is going to be six and one-foot off the sidewalk. This is a great constraint for a property with a great deal of density. She thought it was 23 or 24 units to the acre, if the whole piece of property was being used, and that would be very different from anything even in Central Franklin overall.

Chair Hathaway stated that he appreciated Alderman Petersen's point. However, any time rezoning is completed the Planning Commission needs to consider what could happen. The land owner could go away, and the rezoning would stick with that particular property.

Ms. Allen asked how the applicant would make this property work with all of the constraints. She asked Mr. Woods if he could discuss Alderman Petersen's concerns.

Mr. Woods stated that this project was actually started last summer, even though this was the first time that it had appeared before the Planning Commission. It was started at 48 units, and parts of the property were going to impact the zone 2 buffer of the stream. The applicants had made considerable compromises to get back to what they felt was a good compromise with the City and a better environmental project as well. They were no longer proposing any impacts to the zone 1 or zone 2 buffers. They were showing no impact to the stream, which is called Sharp Branch. They were improving their post stormwater versus their pre stormwater. This has been improved, so there will be less stormwater run-off for this site after this process is done, and this has been shown in their stormwater management plan. They went from 48 units to 35 to make a project that fits appropriately. They are very happy to have gotten to the point to where the Planning and Sustainability Department has recommended approval. They have also worked with Carl Baughman in Traffic to understand how West Main Street widening would affect this project. The widening will take a section of the right-of-way on either side, approximately 15 feet. The Streetscape will take on more of a look of Columbia Avenue. He thought that was indicative of what one would see, Streetscape wise, for the future of West Main Street. It would not be an open ditch on either side but bike lanes and sidewalks. They have accommodated in the setback for the widening, and that was one of the comments from staff as well as Alderman Skinner.

Ms. Allen asked how West Main would be impacted regarding the traffic as opposed to having the current OR zoning.

Mr. Anthony stated that on item 19, the Development Plan, the applicants did provide trip generation data, so there was a chart showing the impact.

Ms. Allen asked Mr. Anthony if he was comfortable with this chart showing the trip generation data.

Mr. Anthony stated that he would defer to Mr. Dan Allen, Assistant City Engineer, but that he was comfortable.

With the motion having been made and seconded to favorably recommend approval of Ordinance 2013-17 to the Board of Mayor and Aldermen, it passed four to three (4-3) with Alderman Petersen, Ms. Allen and Ms. Gregory voting no and with the following conditions of approval:

STAFF RECOMMENDATION: Approval.

COMMENTS: None;

PROCEDURAL REQUIREMENTS:

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

2. 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.

*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.

19. RESOLUTION 2013-24, A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR THE VILLAGE AT WEST MAIN PUD SUBDIVISION, LOCATED AT 1319 WEST MAIN STREET, BY THE CITY OF FRANKLIN, TENNESSEE.

Mr. Anthony presented Resolution 2013-24 and stated that the applicant was requesting three modifications of standards for this project.

The first modification request relates to the front setback of the proposed structure. Due to design incompatibility, this project is subject to the transitional feature requirements outlined in the Zoning Ordinance. Among other things, that section requires the use of setbacks that are within 25 percent of the average setbacks for existing uses on the same block face provided no new use is closer to the right-of-way than any existing use.

Applying this particular requirement to this project would situate the building at least 200 feet from the front property line, making it difficult—if not impossible—for the applicant to follow the City's parking requirements and stream buffer requirements.

The applicant would prefer to place the building 15 to 20 feet off the property line. Staff recommends approval of the first modification of standards request.

The second modification request relates to building height. Within the Central Franklin Character Area Overlay special area #8, new structures may not exceed two stories in height. The applicant wishes to construct a three-story building.

Because of the mix of building types, heights, and setbacks in this area, it is difficult to find any consistency in mass and scale. Staff agrees that if the building is to be three stories, then a step-back approach would be appropriate.

Staff recommends approval of the second modification of standards request.

The third modification of standards request relates to parking. Per the City's current standards, this project would be required to include 70 parking spaces. The applicant wishes to provide 53 spaces, which would be a ratio of 1.5 spaces per unit with all units being 1-bedroom. This ratio is consistent with the findings and recommendations of a recent parking study conducted by the Planning staff.

Thus, staff recommends approval of the third modification of standards request.

Beyond the modification requests, staff recommends that the Planning Commission pass this item along to the Board of Mayor and Aldermen with a favorable recommendation along with the conditions set forth on the staff report.

Chair Hathaway asked for citizen comments.

Mr. Rob Bramblett, of 1318 Bostick Street, stated that his home was directly adjacent to this project. He discussed the following three different ways that his property was going to be affected by this change:

- As a property owner directly adjacent to the proposed development, he would be affected;
- As a homeowner near the development worried about the microeconomics in the housing prices and how this particular development will affect that; and
- As a taxpayer, he would like to speak a little more directly to each one of those.

As a property owner directly adjacent to the proposed development, the topography of the land is in such a way that all of the houses on Bostick Street and Everbright Avenue are about 17 feet higher than the base of the proposed development. The trees in the buffer zone are between 48 and 60 feet tall, depending on where one is in the buffer zone. Unfortunately, these trees will not hide the structures even during the summer, so everyone on Bostick and Everbright will be able to see directly onto the roofs of these three story buildings. Also during the fall and winter, since the foliage is deciduous, Bostick and Everbright homes will be able to see through the area of this project. The developer stated that evergreens would be planted in this area, and while that would be great in 10 to 15 years, it will not hide anything now.

He also discussed the socioeconomics of what is going on with this development and stated that he does not want another housing development directly behind his home.

Finally, he stated that as a taxpayer, he was curious and wondered what right the City had, at the taxpayer's expense, to subsidize housing for anyone. He did not see, as a taxpayer, why that should be the case.

Mr. Justin Essary, of 214 Battle Avenue, stated that he also owned property at 205 Everbright Avenue. His grandmother lives at 410 Battle Avenue, and she owns a preschool. Her property actually abuts up to this development. They both want to know what is going in their backyard.

Chair Hathaway asked if there was an applicant.

Mr. Stephen Murray, of 129 West Fowlkes Street, stated that he was Executive Director of Community House and Partnership of Williamson County, and they are the proposed owners of this project. They are planning to build 35 affordable rental units with an estimated rental amount of \$625.00 per month. This is the first major development project on West Main Street that will provide traditional design standards that have been wished for by the City of Franklin. The project is consistent with development plans of the Franklin Housing Authority and their redevelopment activities across the downtown neighborhood that many have heard about. The project has received endorsement by County Mayor, Rogers Anderson, Franklin Housing Authority, Franklin Housing Commission, and many other individual citizens. Public meetings have been held regarding the project, and they have seen public support from many of the owners on Main Street for these units. It should be clear that this is rental housing for Franklin's working families. This includes the City's firemen, police officers, school teachers, City of Franklin employees, and Williamson County staff. It is being developed for working individuals and families making approximately \$35,000 and up. It is not subsidized housing, there is no subsidy. It is a market driven project.

At their May 2, 2013, meeting the Franklin Housing Commission unanimously endorsed the Village at West Main Street provided it maintains affordable and workforce housing standards. Community Housing Partnership and Franklin Housing Authority have made every effort to address the concerns of the City of Franklin over the past year and the surrounding neighborhoods adjacent to the Village of West Main Street. Mr. Murray requested a favorable recommendation to the Board of Mayor and Aldermen.

Mr. Franks moved to favorably recommend approval of Resolution 2013-24 to the Board of Mayor and Aldermen, and Mr. Harrison seconded the motion.

Ms. Allen stated that although she liked affordable housing, her concern with this site was the development itself. Therefore, she voted against the rezoning also. She did not care what was being put in this area she thought there was too much density. Ms. Allen wanted to make it clear that her vote against Resolution 2013-24 did not say that she did not want affordable housing. However, she felt that she had to be responsible in giving her vote.

Alderman Petersen stated that she thought this site did not fit, and so little of it could be developed on. She hoped it would be shown what the site would look like with the widening project on it. Even with the modification, this development would be 6.5 feet from the sidewalk.

Chair Hathaway stated that the Commission would start with Modification of Standards number 1, which would address the setback.

Alderman Petersen moved to disapprove Modification of Standards #1, Building Setback, and Ms. Allen seconded the motion.

Alderman Petersen discussed that the Zoning Ordinance stated to use setbacks that are within 25 percent of the average setbacks. She did not know the distance of the average setback.

Mr. Anthony stated that he believed it was around 70 to 80 feet, which was due to the Prohealth facility to the south and the Williamson County complex across the street. The Williamson County complex has over 200 feet and the Prohealth facility has about 90 feet, so they would both be expanding that number.

Mr. Woods stated that this project was in a traditional area, and this district had been adopted by both Planning and Sustainability and the Board of Mayor and Aldermen to reflect that they be more traditional, that the buildings be closer to the street, and that no parking be allowed in front of the buildings. It is back to more of a Columbia Avenue look, that is the reason for the stark change, and this is the first redevelopment project on West Main Street in quite some time. That is the reason for the difference that is seen in Prohealth. As had previously been mentioned, Prohealth's building is not the desired setback going forward. It is zoned commercial, which allows for office and retail. The size and the scale of the building that the applicant is proposing is relatively equal to a 12,000 to 15,000 square foot office building, which would be permitted by right and would park at about the same ratio.

Chair Hathaway asked if staff could review the street widening and how it would affect this property.

Mr. Allen stated that staff went back and looked at the Major Thoroughfare Plan and looked at what would be planned at this site. Based on the typical sections that they have, Engineering figured that they needed to make a reservation of about 15 extra feet. He discussed and referred to an exhibit, which was shown on the walls. It showed that the existing building would be about 18 feet from the existing property line up to the face of the building. Mr. Allen agreed with Mr. Anthony that the Williamson County complex and the Prohealth project skewed the average setback. This project would be about 18 feet from the existing right-of-way, which is in character with the rest of this area.

Alderman Petersen stated that even if the Williamson County complex and the Prohealth project were excluded from the setbacks, from what she was seeing, the other buildings were around 25 to 30 feet. It also stated that "no new uses would be closer than existing uses." This project was very close. She did not think, other than downtown, there would be 0 setbacks. Even though this was traditional, she thought that it was a better fit for up to 25 feet. The other discussion was that the building would also be taller than anything around the area, and it was the combination. It all goes back to the fact that this piece of property does not have very much usable land on it, and that was the real difficulty.

With the motion having been made and seconded to disapprove Modification of Standards #1, Building Setback, the motion failed four to three with Alderman Petersen, Ms. Allen, and Ms. Gregory voting yes.

Mr. Harrison moved to approve Modification of Standards #1, Building Setback, Mr. Orr seconded the motion, and it passed four to three with Alderman Petersen, Ms. Allen, and Ms. Gregory voting no.

Alderman Petersen moved to disapprove Modification of Standards #2, Building Height, Ms. Allen seconded the motion, and it failed four to three with Alderman Petersen, Ms. Allen, and Ms. Gregory voting yes.

Mr. Harrison moved to approve Modification of Standards #2, Building Height, and Ms. McLemore seconded the motion.

Alderman Petersen stated that the massing of this project did not fit the Land Use Plan.

Mr. Woods stated that they were planning to set back the third floor with a series of porches, which had been mentioned in staff's recommendation for approval. It said in the Planned Unit Development (PUD) process that it did allow three stories and actually four with a transitional element, although the Land Use Plan stated two floors.

With the motion having been made and seconded to approve Modification of Standards #2, Building Height, the motion passed four to three with Alderman Petersen, Ms. Allen, and Ms. Gregory voting no.

Mr. Franks moved to approve Modification of Standards #3, Parking, and Mr. Harrison seconded the motion.

Alderman Petersen stated that this Modification of Standards did fit in with the tracking of the parking that was presently being reviewed.

With the motion having been made and seconded to approve Modification of Standards #3, Parking, it passed unanimously (7-0).

Alderman Petersen stated that there was a problem with the water in this location. She asked about the staff comment "can be filled in."

Mr. Woods stated that this would only be on the sites closer to the street where they would be away from the street buffer as well as the stream itself. However, he stated that they would not be filling anywhere near that. They are actually saving all of the existing trees within the zone as well as working with Ms. Piper, the Stormwater Coordinator, to reinforce. This will be a requirement, and they will have to meet all of the Engineering requirements through site plan process to adjacency to a stream. They were also showing pervious pavers on their site, underground stormwater connections, bio swells and best management practices.

Alderman Petersen stated that on a project that was presented to the Board of Mayor and Aldermen, the two properties on Battle Avenue that abut this project, are presently having water and drainage problems.

Mr. Woods stated that this project was the beginning of Sharp branch so the farther north it goes, it gets a larger stream. The floodplain does not occur until another 700 feet upstream. Again, by law, this project will have an improvement on the stormwater calculations, post construction.

Alderman Petersen stated that the item she was given by the engineers on May 9th showed Sharp branch as being much farther south.

Mr. Woods stated that through this process, they had surveyed in exactly where the topo bank was for this creek because there were some discrepancies on that location. He worked with Ms. Piper and found out where it was, and this was exactly to the 100th of a foot where the topo bank is.

Ms. McLemore asked if the building was proposed to be brick and hardy planks.

Mr. Woods stated that it would be a mixture.

Mr. Franks asked if the side and rear elevations would be similar to the front.

Mr. Woods stated that they would.

Mr. Franks suggested that the applicant add some of the patios on the rear, such as were seen on the front to make it not look as tall.

With the main motion having been made and seconded to favorably recommend approval of Resolution 2013-24 with the amendments to the Board of Mayor and Aldermen, it passed four to three (4-3) with Alderman Petersen, Ms. Allen, and Ms. Gregory voting no and with the following conditions of approval:

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS:

The applicant requests three modifications of standards for this project.

Modification of Standards Request #1: Building Setback

This project is subject to the terms of Section 5.3.4 (Transitional Features) of the Zoning Ordinance due to the lack of design compatibility between the proposed structure and the existing structures to the east and west of it. Among the standards required by subsection 5.3.4(3) is the following: "Use setbacks that are within 25 percent of the average setbacks for existing uses on the same block face provided no new use is closer to the right-of-way than any existing use."

The applicant notes that the transitional setback standard conflicts with the aims of traditional development. Since this property falls within a traditional area, the applicant is required to employ a minimum front setback of 0 feet and a maximum front setback of 25 feet. Front setbacks among neighboring properties vary widely. The structure to the west of this property has a front setback of more than 100 feet, while the two structures to the east are set back approximately 30 feet from West Main. The two structures on the north side of

West Main, directly across the street from the applicant's property, have front setbacks of 20 feet and 215 feet, respectively.

Staff agrees with the applicant that a balance between the existing context of West Main and the traditional design standards is most desirable. The applicant proposes a front setback of 15 feet in order to accomplish this balance. A setback of 15 to 20 feet is optimal for this project. Staff recommends approval of Modification of Standards request #1.

Modification of Standards Request #2: Building Height

The applicant seeks a modification of standards to allow the height of the proposed structure to exceed two stories. Table 3-27 of the Franklin Zoning Ordinance establishes a maximum height of three stories for structures within the RX base zone. Thus, using the base district height standards, the proposed structure would be allowed to reach three stories. However, the overlay district standards established in the Franklin Land Use Plan for Special Area 8 of the Central Franklin Character Area limit building height for this area to two stories. Notably, the most prominent structure in the area--the Williamson County office complex across the street--reaches a height of four stories.

The applicant desires to employ transitional features (Section 5.3.4 of the Zoning Ordinance) by graduating the building height from two stories at the front facade to three stories. The applicant has provided sketches showing one possible scenario for such a transition. Staff has reservations about these particular sketches and intends to require better-defined sketches at the site plan stage. Staff supports the general intent of the Modification of Standards request #2 and recommends approval. It should be clearly understood that approval of this Modification request does not equate to approval of the submitted elevations.

Modification of Standards Request #3: Parking

The applicant seeks a modification of standards to reduce the amount of required parking on the site. Section 5.9.4(2) of the Franklin Zoning Ordinance requires 2 parking spaces for the first bedroom and 0.50 spaces for each additional bedroom. The development plan indicates that all 35 dwelling units will be 1-bedroom units. Thus, under the standards set forth in the Zoning Ordinance, this project requires 70 parking spaces.

The applicant wishes to provide 53 parking spaces, a reduction of 17 spaces from the required 70 spaces. The reduction would represent a parking ratio of 1.51 spaces per dwelling unit. A recent parking study conducted by Planning staff indicated that a ratio of 1.50 spaces per dwelling unit (1-bedroom) would be an appropriate minimum. Therefore, staff recommends approval of Modification of Standards #3.

PROCEDURAL REQUIREMENTS:

1. Fifteen (15) half-size copies of the Development Plan shall be submitted to the Department of Planning and Sustainability by 9am on the Monday after the Planning Commission meeting in order to be placed on the Board of Mayor and Aldermen agenda.

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

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

***PROJECT CONSIDERATIONS:**

1. None

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

CONDITIONS OF APPROVAL:

Engineering

West Main - submittal 004.pdf

1. Traffic/Transportation

Joint property signatures as obtained for cross easement will require plat revisions on these two properties for shared access easement. Plat revisions and recordings prior to post-PC site plan approval become a condition of approval for this development.

Fire

Cross Access - Exhibit A.pdf

2. Access

Please provide an auto turn plan using City of Franklin/Franklin Fire Department Tower 2 with travel around site to illustrate sufficient movement from West Main along the primary drive lane exiting the site using the proposed cross access connection to 1325 W. Main Street. The travel path should demonstrate clear turning movements from the project site to the adjacent property without collision of fire apparatus and parked vehicles, structures, landscaping, or other objects. The cross connection was not previously shown on earlier submissions.

Parks

General Comments

3. Parkland dedication

The Applicant shall note the new unit counts and square footages for parkland dedication.

Planning

General Comments

4. Conceptual workshop notes

Applicant shall upload written summary of conceptual workshop comments and questions to the IDT site with post-PC resubmittal.

5. MOS #1

Applicant's modification of standards request for reduced front building setback shall be approved. (See above for MOS summary.) The front setback for this building shall be 15 to 20 feet from existing right-of-way.

6. MOS #2

Applicant's modification of standards request for increased building height shall be approved. (See above for MOS summary.) Building height shall be allowed to transition from 2 to 3 stories, and upper story shall be stepped-back from front of building in accordance with transitional features standards set forth in section 5.3.4 of the Zoning Ordinance. Approval of MOS #2 shall not be interpreted as approval of the draft building elevations submitted with the development plan.

7. MOS #3

Applicant's modification of standards request for reduction in required parking shall be approved. (See above for MOS summary.) Applicant shall provide 53 parking spaces for 35 dwelling units, a ratio of 1.51 spaces per unit.

8. Draft elevations (development plan)

Elevations included in this submittal are in draft version and are included for staff/FMPC review purposes only. Approval of the development plan shall not be inferred as approval of the draft elevations. Complete building elevations shall be submitted and fully evaluated for compliance with Zoning Ordinance standards at the site plan stage.

9. Addressing

Applicant shall submit an addressing plan showing how many units per floor at site plan.

20. RESOLUTION 2013-29, A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR GENERALS RETREAT PUD SUBDIVISION, LOCATED ALONG GENERALS RETREAT DRIVE, BY THE CITY OF FRANKLIN, TENNESSEE.

Mr. Anthony presented Resolution 2013-29 and stated that since this item was not going to the Board of Mayor and Aldermen, item 1, under Procedural Requirements, on page 3, would not apply. Additionally, under Procedural Requirements item 2, the word BOMA on the first line should be changed to FMPC. Staff recommends approval with the conditions set forth on the staff report.

Chair Hathaway asked for citizen comments.

Mr. Jan Leder, of Unit 149 Generals Retreat, stated that he had owned this unit at Generals Retreat for almost five years. He requested to address the following three items:

- Radon Contamination – He wanted to make the Planning Commission aware of the radon contamination that had been determined by the people who are currently dwelling

in the existing residences. The radon contamination measurements within those residences have been up in the teens (15 and 16). The environmental protection agency allows up to about four (4). Currently, at the existing first phase of Generals Retreat workers have had to put in exterior PVC piping and cut into concrete to ventilate the ground and do what is necessary to reduce the contamination. He thought the contractor, going into the second phase, should be aware of this for the quality of life and EPA concerns.

- Need for Perimeter Lighting – He had reviewed the blue prints and could see no evidence of perimeter lighting. Lighting is of paramount importance in that the only perimeter lighting that exists now is the lighting on the porches or the garage door entrances. Common areas, such as the mailboxes and dumpster areas do not have lighting. His suggestion was to consider perimeter lighting, such as the streetscape on Columbia Avenue or Downtown Franklin.
- Re-working of Water Retention Facility – The high end of the elevation is on Columbia Avenue and the low end is on Adams Street, and all of that drainage goes into the junction of Generals Retreat Road and Adams Street. When it rains, there is a backwash onto the road. That water does not drain freely into the depressed area for the water retention. From a safety standpoint and a public health standpoint, he would request that be looked at when the redevelopment is done.

Other than those three items, Mr. Leder stated that he was totally delighted with the Generals Retreat development, the blueprints, the reduction in the density for that area, and the construction materials being used on the exterior.

Chair Hathaway asked if there was an applicant.

Mr. Jason Goddard, of Design Studio, stated that he was representing the developers and they were delighted to work on the finalization of Generals Retreat with the master plan. They had worked diligently with staff during the past few months to integrate this plan into the existing context of the streets, alleys, and open space corridors that are on the plan. There will be a reduction in density on this second phase of the property. This portion is 1.3 acres of the overall 3.11 original concept plan. The 1.3 acres will have 20 units in lieu of the 24 units that are currently approved. The 20 units will be converted from the three unit condo buildings that are currently constructed to individual single attached townhome units. Some notable conditions that they had received from staff that they were in agreement with were that staff was asking for a dedicated left turn lane pursuant to the entrance on Columbia Avenue, and they are in agreement with that. There was also a condition regarding site lighting, and they will be providing site lighting with the site plan as they move forward. They are in agreement with all of the other conditions of approval, and he respectfully requested approval.

Mr. Harrison moved to recommend approval of Resolution 2013-29, and Mr. Franks seconded the motion.

Alderman Petersen stated that the drainage and detention had already been brought up, and she noticed that it said that it would have to be re-dug. This would have to work when it goes in this time. The other item she questioned was that it looked as though some of the units were built on

a slab. These need to be raised from the ground. On some of them, it looked as though the fronts of some of the buildings were cement board; however, the only stone was on the foundation. That could be a concern because she thought that most people were expecting more of a mix.

Mr. Goddard stated that Alderman Petersen was correct in that these were conceptual elevations. After the applicant obtains approval on the development plan, they would engage the architect to fully develop the final architectural plans and they would be developed in accordance with the Design Guidelines and the Zoning Ordinance.

With the motion to recommend approval of Resolution 2013-29 having been made and seconded, it passed unanimously with the following conditions of approval:

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

PROCEDURAL REQUIREMENTS:

1. ~~Fifteen (15) half-size copies of the Development Plan shall be submitted to the Department of Planning and Sustainability by 9am on the Monday after the Planning Commission meeting in order to be placed on the Board of Mayor and Aldermen agenda.~~

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

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

*PROJECT CONSIDERATIONS:

1. None

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

CONDITIONS OF APPROVAL:

Engineering

General Comments

1. Parking

The 45 degree angled parking is accepted. The sidewalk along the 45 degree parking must be 7 feet wide and the parking stall length reduced by 2'-10". This will not change the drive aisle width.

2. Traffic/Transportation

At the site plan stage, show how the stormwater runoff from the roofs will be channeled to the permeable pavers.

3. Traffic/Transportation

Site plan shall show the pavement resurfacing limits to accomplish the striping of a dedicated left turn lane on Columbia Avenue. Also include the installation of a traffic loop detector in the lane and amplifier in the control cabinet. These improvements will be bonded with TDOT.

Planning

General Comments

4. Draft elevations (development plan)

Elevations included in this submittal are in draft version and are included for staff/FMPC review purposes only. Approval of the development plan shall not be inferred as approval of the draft elevations. Complete building elevations shall be submitted and fully evaluated for compliance with Zoning Ordinance standards at the site plan stage.

5. Drainage basin

Applicant shall indicate drainage basin for this site on grading and drainage sheet.

6. Lighting plan

Applicant shall provide a note on the development layout indicating that lighting fixtures will comply with the requirements of the Zoning Ordinance. The lighting note shall indicate that the following illumination levels are required in parking lots: Minimum - 0.2 FC; Maximum - 10.0 FC. The lighting note shall indicate that the maximum illumination levels at property lines and rights-of-way is 1.0 FC. Applicant shall provide a manufacturer's cut sheet, photograph, or comparable exhibit showing the type(s)/style(s) of anticipated outdoor lighting.

7. Parking count

Applicant shall revise parking count on site data chart to show 55 spaces. (The chart currently shows 53 spaces, which does not account for 2 additional spaces near the mail center.)

8. Addressing

Applicant shall label the street as Generals Retreat Place.

28. ORDINANCE 2013-05, TO BE ENTITLED: "AN ORDINANCE TO REVISE THE PARKING REQUIREMENTS FOR ATTACHED DWELLINGS IN TABLE 5-9, MINIMUM OFF-STREET PARKING STANDARDS OF THE FRANKLIN ZONING ORDINANCE"

Ms. Powers presented Ordinance 2013-05 and stated that over several months staff and others had been engaging with the Design Professionals. They had also gone to two conceptual workshops to talk about parking and parking standards for attached units. Almost in every attached unit case, staff receives a request for a modification of standards, and staff is trying to get its parking standards so that it not a normal situation. Staff is proposing a change in the

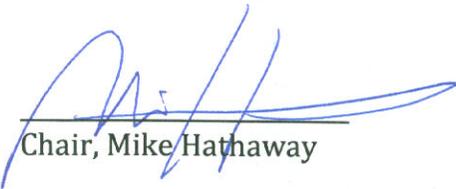
Zoning Ordinance to 1.5 for one bedroom, 2.5 for two bedrooms, and 3 for three bedrooms. The required parking would be capped at 3, so any time the three bedroom limit is reached, any bedrooms above would still only require 3 parking spaces. Staff recommends approval of Ordinance 2013-05.

Chair Hathaway asked for citizen comments.

No one came forward.

Mr. Harrison moved to recommend approval of Ordinance 2013-05, Ms. McLemore seconded the motion, and it passed unanimously (7-0).

There being no further business, the meeting adjourned at 8:00 p.m.



Chair, Mike Hathaway

