

MINUTES OF THE MEETING OF THE FRANKLIN MUNICIPAL PLANNING COMMISSION MARCH 22, 2012

The Franklin Municipal Planning Commission held a regular meeting on Thursday, March 22, at 7:00 p.m. in the city hall boardroom.

Members present: Marcia Allen
 Jimmy Franks
 Greg Gamble
 Scott Harrison
 Mike Hathaway, Chair
 Roger Lindsey, Vice Chair
 Alma McLemore
 Michael Orr
 Ann Petersen, Alderman

Members absent:

Staff present: Donald Anthony, Planning and Sustainability Department
 Jonathan Langle, Planning and Sustainability Department
 Catherine Powers, Planning and Sustainability Department
 Micah Wood, Planning and Sustainability Department
 Brenda Woods, Planning and Sustainability Department
 Carl Baughman, Engineering Department
 Dan Allen, Engineering Department
 Tom Ingram, Engineering Department
 Molly Pike, Building and Neighborhood Services

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**

- 2/23/12 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. Creekstone Commons Subdivision, site plan, lot 3 (Reliant Center); release the maintenance agreement for sidewalks and access improvements.

REZONINGS

8. **ORDINANCE 2012-17, TO BE ENTITLED "AN ORDINANCE TO REZONE ±2.85 ACRES FROM LOW RESIDENTIAL DISTRICT (R-1) TO HIGH RESIDENTIAL DISTRICT (R-3) FOR THE PROPERTY LOCATED AT 3150 BOYD MILL AVENUE."**

Project Number: 2370

Applicant: Wayne Spencer
Staff Recommends: Favorable recommendation to the BOMA
Consent Status: Non-consent

9. ORDINANCE 2012-18, TO BE ENTITLED "AN ORDINANCE TO REZONE ±3.83 ACRES FROM HEAVY INDUSTRIAL DISTRICT (HI) TO LIGHT INDUSTRIAL DISTRICT (LI) FOR THE PROPERTY LOCATED AT 104 SOUTHEAST PARKWAY."

Project Number: 2371
Applicant: Bill Hostettler, HND Real Estate, LLC
Staff Recommends: Favorable recommendation to the BOMA
Consent Status: Non-consent

FINAL PLATS AND SITE PLANS

10. Cool Springs East Subdivision, site plan, section 33, revision 2, lot 687 (Comtide Unified Development-Infiniti Addition), a 2,292 square foot building addition to an existing 22,292 square foot building on 7.45 acres, located at the southeast corner of I-65 and Bakers Bridge (211 Comtide Ct).

Project Number: 2369
Applicant: Jim Lukens, Lukens Engineering Consultants
Staff Recommends: Approval, with conditions
Consent Status: Consent

11. Through the Green PUD Subdivision, site plan, section 2, lots 9-42 (Shadow Green Townhomes), an addition of 34 townhomes on 9.91 acres to the Through the Green PUD, located near the intersection of Columbia Avenue and Shadow Green Boulevard.

Project Number: 2368
Applicant: Michael Garrigan, Dale and Associates
Staff Recommends: Approval, with conditions
Consent Status: Consent

NON-AGENDA ITEMS

ANY OTHER BUSINESS

ADJOURN

1. CALL TO ORDER

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

2. MINUTES

Vice-chair Lindsey moved to approve the February 22, 2012, minutes as presented, Mr. Harrison seconded the motion, and it passed unanimously (8-0).

3. CITIZEN COMMENTS

No one came forward.

4. ANNOUNCEMENTS

Ms. Powers introduced new Principal Planner Donald Anthony.

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

There were not any non-agenda items.

6. CONSENT AGENDA

Chair Hathaway stated that the Initial Consent Agenda would be the following two items, 7 and 10. Mr. Harrison moved to approve the Initial Consent Agenda, Mr. Orr seconded the motion, and it passed unanimously (8-0).

Chair Hathaway stated that the Secondary Consent Agenda would be Item 11.

Mr. Gamble recused himself from Item 11.

Mr. Harrison moved to approve the Secondary Consent Agenda, Mr. Lindsey seconded the motion, and it passed 7-0.

7. Creekstone Commons Subdivision, site plan, lot 3 (Reliant Center); release the maintenance agreement for sidewalks and access improvements.

10. Cool Springs East Subdivision, site plan, section 33, revision 2, lot 687 (Comtide Unified Development-Infiniti Addition), a 2,292 square foot building addition to an existing 22,292 square foot building on 7.45 acres, located at the southeast corner of I-65 and Bakers Bridge (211 Comtide Ct).

CONDITIONS OF APPROVAL:

PLANNING:

1. Addresses shown on cover sheet, title blocks, and site data charts shall show the same information. Some sheets show 211 Comtide Court, while other sheets show 212 Comtide Court.
2. The site data chart shall be revised on Sheet C0.1 to list the building square footage for each lot within the unified development, as well as the total unified building square footage.
3. The maximum proposed building height shall be shown on the site data charts on Sheets C0.1 and C1.1. The architectural sheets indicate that the maximum proposed height is 26 feet.
4. FAR fields shall be removed from the site data charts (Sheets C0.1 and C1.1).
5. Under "minimum parking requirement" on the site data chart, the applicant shall refer to the parking table that is provided at the bottom of the sheet.
6. All site data required by the Planning Checklist shall be shown on the site data chart on Sheet C0.1. The following entries are missing on Sheet C0.1 and shall be provided for the entire unified site, as a whole: minimum required open space,

- provided open space, minimum LSR, provided LSR, and "incompatible use buffer required: No."
7. All site data required by the Planning Checklist shall be shown on the site data chart on Sheet C1.1. The following entries are missing on Sheet C0.1 and shall be provided for only Lot 687: maximum parking limit, parking provided (refer to parking chart on Sheet C0.1), bicycle parking required, bicycle parking provided, minimum required open space, provided open space, minimum LSR, provided LSR, and "incompatible use buffer required: No."
 8. Sheet C0.3 shall label the square footage of the building that is being demolished.
 9. The unified development note shall be added to Sheet L0.1.
 10. The formal open space listed in the chart on Sheet L0.1 shall be broken down by the open space required on each lot (in the same manner as the LSR). The required F.O.S. for all lots except Lot 687 shall be 3% of the site area. The required amount for Lot 687 shall be 5% of the site (15,834 square feet or 0.36 acres). Based on these calculations, the applicant shall also list the total open space required for the entire unified development and the total open space provided. The total required open space shall be less than the total provided.
 11. The title blocks on the architectural sheets shall be revised to list the COF project name and number.
 12. The architectural sheets shall be revised to not show any new EIFS within 2 feet of grade (see Façade #5). Foundations are required to be brick, stone, cast stone, or precast concrete (scored).
 13. All net surface area charts on the architectural sheets shall be revised to calculate net surface area for entire facades, top to bottom and left to right, whether new or existing surface. EIFS shall not exceed 50% of net surface area of entire façade for each elevation.
 14. The applicant shall verify that all headings of surface area charts correspond to the correct elevation (see Façade #2). Architectural sheets shall be revised accordingly.

PLANNING (LANDSCAPE):

15. The Landscape performance surety amount shall be based on the approved revised plan and shall be established prior to the issuance of a building permit.

ENGINEERING:

16. The applicant shall provide a detail for the truncated domes and show placement on the ramp.

BUILDING AND NEIGHBORHOOD SERVICES:

17. The applicant shall add a note to the site plan stating that no vehicles are permitted to be parked in any landscape area.
18. With the building plan submittal, a material and color sample board shall be submitted for approval.
19. The applicant shall provide additional information on the lighting proposed to be located inside the GL-2A insulated translucent panel detailed on sheet A2.1. Exposed neon or led lighting is not permitted. If any type of lighting is proposed in

conjunction with the translucent panel, it may be considered a sign and require a separated review and permit.

FIRE:

20. None;

PARKS:

21. None;

WATER/SEWER:

22. None;

***PERFORMANCE AGREEMENTS AND SURETIES:**

Landscape	S	TBD
Total	\$	TBD

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

PROCEDURAL REQUIREMENTS:

1. The applicant shall submit two (2) complete and folded sets and a .pdf file of corrected site plan to the Department of Building and Neighborhood Services. All revisions to the approved plans shall be "clouded." A response letter addressing each condition of approval shall be included with the .pdf submittal and each set of corrected plans.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.
3. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.
4. Once the corrected site plan has been approved, one full-size and one 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.
5. 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 (6) 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.
6. Once all site plan conditions have been addressed, the applicant shall submit (2) full-size copies of the demolition sheet(s) to the Department of Building and Neighborhood Services prior to the issuance of demolition and electrical demolition, permits, if applicable. All submittals are required to be accompanied by a submittal letter referencing the City's project identification number, applicable plan review fees and completed demolition permit application(s).
7. Once all site plan conditions have been addressed, the applicant shall submit the (4) full-size copies of the building plans, including site plans, to the Department of Building and Neighborhood Services for plan review and approval prior to the

issuance of a building permit. All submittals are required to be accompanied by a submittal letter referencing the City's project identification number, applicable plan review fees and completed building permit application(s).

11. Through the Green PUD Subdivision, site plan, section 2, lots 9-42 (Shadow Green Townhomes), an addition of 34 townhomes on 9.91 acres to the Through the Green PUD, located near the intersection of Columbia Avenue and Shadow Green Boulevard.

CONDITIONS OF APPROVAL:

PLANNING:

1. None

PLANNING (LANDSCAPE):

2. The Landscape performance surety amount shall be based on the approved revised plan and shall be established prior to the issuance of a building permit.

ENGINEERING:

3. Provide a means of physically marking the end of the 16' stub and cap at manhole 9 for future connection.

BUILDING AND NEIGHBORHOOD SERVICES:

4. All sides of attached residential buildings visible from public rights-of-way are required to display a similar level of quality and architectural detailing. The side elevations of units 9, 17, 18, 21, 22, 29, 30, 38, 39 and 42 shall be revised to meet this requirement.

FIRE:

5. None

PARKS:

6. The future dedication of parkland starts in the centerline of Saw Mill Creek and travels southward to the property line. The north side of the Saw Mill Creek should be labeled as open space and will not be the responsibility of the city at any time; additionally, the pond retention areas and piping going to or exiting the pond will not be the city's responsibility. The HOA will maintain the pond/retention area piping and land north of the center of creek. Refer to Property Dedication Exhibit 01-17-12.

WATER/SEWER:

7. None

* PERFORMANCE AGREEMENTS AND SURETIES:

Landscape	\$	TBD
Total	\$	TBD

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

PROCEDURAL REQUIREMENTS:

1. The applicant shall submit two (2) complete and folded sets and a .pdf file of corrected site plan to the Department of Building and Neighborhood Services. All revisions to the approved plans shall be "clouded." A response letter addressing each condition of approval shall be included with the .pdf submittal and each set of corrected plans.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.
3. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.
4. Once the corrected site plan has been approved, one full-size and one 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.
5. 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 (6) 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.
6. Prior to the issuance of a building permit, a final plat shall be submitted according to the Subdivision Regulations and Administrative Manual, approved and recorded. Contact the Department of Planning and Sustainability for additional information.

This completed the consent agenda.

8. ORDINANCE 2012-17, TO BE ENTITLED "AN ORDINANCE TO REZONE ±2.85 ACRES FROM LOW RESIDENTIAL DISTRICT (R-1) TO HIGH RESIDENTIAL DISTRICT (R-3) FOR THE PROPERTY LOCATED AT 3150 BOYD MILL AVENUE."

Mr. Langley stated that Ordinance 2012-17 was to rezone the property at 3150 Boyd Mill Avenue from Low Residential District (R-1) to High Residential District (R-3). The Land Use Plan supports the proposal. In R-1, one unit could be built, and in R-3, eight units could be built. Staff was in favor of the request and recommended approval of Ordinance 2012-17.

Chair Hathaway asked for citizen comments.

Mr. Daniel Soliz, of 3204 Vera Valley Road, stated that his property backed up to 3150 Boyd Mill Avenue. He is the current president of the Homeowners Association (HOA) in his area. He asked if the Planning Commission could address the following items: Between the two properties is a stack-stone wall, which many people in the neighborhood believe to be of some historical significance. They are unsure as to whose property this wall falls on. There is also a tree line that surrounds the property. He has grown accustomed to having this site, and the idea of having eight new neighbors is not something that he and his family are happy to have.

There is also a stone barn on the property, which they thought might have some historical significance even though it is not inside the historical district. They would like to know the plans for this as well.

They had some concerns about a new street between Vera Valley and Bush Drive, which has implications of more traffic.

He asked about the architectural style or the layout of the plot as Ordinance 2012-17 moves forward. They would like to offer, at some point, bringing the homeowner into their HOA; although, they know this would be at a future time.

They want to make sure the architectural style and lot size tie into what is already in the community.

They want to know overall what the intention is for trying to live in harmony with their existing HOA.

Mr. Mark Lubbers, of 3103 Millbank Lane, stated that his property also backed up to the 3150 Boyd Mill Avenue property. He asked what could go on this land with an R-3 designation.

Chair Hathaway asked if there was an applicant.

Mr. Wayne Spencer, the applicant/owner, stated that he owned this property with some of his relatives. They were requesting that the 2.85 acres be rezoned from R-1 to R-3 zoning, which is compatible with the City's Land Use Plan, and he requested approval.

Mr. Spencer stated that Mr. Soliz' concerns were ahead of his plan. Basically, they were going to put this property on the market to sell it. Therefore, Mr. Soliz' concerns would probably be better answered by the individual(s) who purchase the property.

Mr. Spencer's family has owned this property since 1941. He shared the story of the stone wall, the stone barn, how they had first come to be and stated that they had both belonged to his family.

Mr. Harrison moved to favorably recommend approval of Ordinance 2012-17 to the Board of Mayor and Aldermen, and Mrs. McLemore seconded the motion.

Mr. Langley stated that the R-3 zoning would only allow detached residential, it would not allow attached residential, so it would not be apartments or townhomes.

Chair Hathaway asked about the adjacent development.

Mr. Langley stated that it was R-3, and it would match the existing designation.

Mr. Langley clarified his earlier statement that 8 units could be built in R-3, but that would not account for open-space requirements. Tree canopy coverage, open space requirements, streets, and detention could reduce the number of units, but it was hard to know without a site plan.

Mrs. McLemore asked if neighborhood meetings were required for this type of rezoning.

Mr. Langley stated that neighborhood meetings were not required for straight rezonings not accompanied by a Planned Unit Development (PUD) request.

Chair Hathaway asked about the historic nature of the wall and the barn.

Ms. Powers stated that neither the wall nor the barn were in the historic overlay, and neither were they on the historic register. Staff had checked this with the City's Preservation Planner, so it would be a matter of working with the developer. However, as it stood, there was not any historic protection on this property.

With the main motion having been made and seconded to favorably recommend approval of Ordinance 2012-17 to the Board of Mayor and Aldermen, it passed 8 to 0 with the following

CONDITIONS OF APPROVAL:

PLANNING:

1. None;

PLANNING (LANDSCAPE):

2. None;

ENGINEERING:

3. Add a description of access impact on Boyd Mill Avenue as a Major Collector Street on the Major Thoroughfare Plan.

BUILDING AND NEIGHBORHOOD SERVICES:

4. None;

FIRE:

5. None;

PARKS:

6. None;

WATER/SEWER:

7. None;

PROCEDURAL REQUIREMENTS:

1. Fifteen (15) half-size copies of the corrected Rezoning Plan shall be submitted to the Department of Planning and Sustainability by 9am on the Tuesday after the Planning

Commission meeting in order to be placed on the Board of Mayor and Aldermen agenda.

9. ORDINANCE 2012-18, TO BE ENTITLED “AN ORDINANCE TO REZONE ±3.83 ACRES FROM HEAVY INDUSTRIAL DISTRICT (HI) TO LIGHT INDUSTRIAL DISTRICT (LI) FOR THE PROPERTY LOCATED AT 104 SOUTHEAST PARKWAY.”

Mr. Langley stated that Ordinance 2012-18 was for a fully built-out lot. The applicant was requesting to go from Heavy Industrial District (HI) to Light Industrial District (LI). Several uses on the lot would probably fit better in the LI District. Staff was in favor of the rezoning and recommended approval of Ordinance 2012-18.

Chair Hathaway asked for citizen comments.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Bill Hostettler, of Glass Properties, stated that he had managed this property for the past eight or nine years. One of his tenants, GraceWorks, just expanded. Sometime in 2008, the HI rules changed in the Zoning Ordinance, and as a result of this change, GraceWorks would not be allowed to be in this zoning district so they presently have a non-conforming use. He also had a printing company who wanted storage and had put in a private ice rink for the employees and their children. This was not allowed in HI but was allowed in LI, and he request approval of Ordinance 2012-18.

Mr. Lindsey moved to favorably recommend approval of Ordinance 2012-18 to the Board of Mayor and Aldermen, Mr. Orr seconded the motion, and it passed unanimously (8-0) with the following

CONDITIONS OF APPROVAL:

PLANNING:

1. None;

PLANNING (LANDSCAPE):

2. None;

ENGINEERING:

3. None;

BUILDING AND NEIGHBORHOOD SERVICES:

4. None;

FIRE:

5. None;

PARKS:

6. None;

WATER/SEWER:

7. None;

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 Tuesday after the Planning Commission meeting in order to be placed on the Board of Mayor and Aldermen agenda.

OTHER BUSINESS

Chair Hathaway discussed future workshops. He asked the Planning Commissioners to think about some of the things that they could advocate or make priorities. This may be done in concert with the aldermen, as well, going forward.

Mr. Franks stated that the Housing Commission had many ideas. He thought it would be a fair approach for the Planning Commission to have a workshop with the Housing Commission to recommend some faster approaches for the Housing Commission.

Alderman Petersen stated that Vice Chair Lindsey, who is employed by Metro, had been presenting material on flooding, and it might be worthwhile for him to present something at future workshops.

Vice Chair Lindsey stated that he would be having a presentation at a national conference in San Antonio, Texas, in May, on some of the work that had been done on flood forecasting and the response. He would be happy to present this at a future workshop.

Ms. Powers stated that the Floodway Fringe Overlay (FFO) would be discussed at the next conceptual workshop. Staff has been having meetings with the public and meetings with owners who have property in this area. Staff needs to come up with a process to consider the FFO and anticipate this being the primary discussion at the April 26th workshop. Additionally, the Planning Commission may want to have a separate meeting for goal setting because the workshops will be quite full for the next few months.

There being no further business, the meeting adjourned at 7:22 p.m.

Chair, Mike Hathaway