

# **MINUTES OF THE MEETING OF THE FRANKLIN MUNICIPAL PLANNING COMMISSION JULY 24, 2014**

The Franklin Municipal Planning Commission held a regular meeting on Thursday, July 24, at 7:00 p.m. in the city hall boardroom.

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

Members absent:     Scott Harrison

Staff present:         Donald Anthony, Planning and Sustainability Department  
                              Brad Baumgartner, Planning and Sustainability Department  
                              Amy Diaz-Barriga, Planning and Sustainability Department  
                              Emily Hunter, Planning and Sustainability Department  
                              Catherine Powers, Planning and Sustainability Department  
                              Brenda Woods, Planning and Sustainability Department  
                              Carl Baughman, Engineering Department  
                              Paul Holzen, Engineering Department  
                              Dustin Scruggs, Engineering Department  
                              Andy King, Fire 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**

- 6/26/14 Regular Meeting

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

Open for Franklin citizens to be heard on items not included on this Agenda. As provided by law, the Planning Commission shall make no decisions or consideration of action of citizen comments, except to refer the matter to the Planning Director for administrative consideration, or to schedule the matter for Planning Commission consideration at a later date. Those citizens addressing the Planning Commission are required to complete a Public Comment Card in order for their name and address to be included within the official record.

**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 – 12

7. Cool Springs East Subdivision, site plan, section 24, lots 11 and 703 (Hilton Garden Inn/Medical Office Building); accept the drainage improvements, release the performance agreement and establish a maintenance agreement for one year.

8. Gateway Village PUD Subdivision, site plan, sections 3 and 6, revision 1; release the maintenance agreement for Mohr Boulevard pavement improvements.
9. Jamison Station PUD Subdivision, site plan, section 1; accept the sidewalk improvements, release the performance agreement and establish a maintenance agreement for one year.
10. South Park Subdivision, site plan, section 1, revision 2, lot 7 (Keystone Center); release the maintenance agreement for drainage/detention improvements.
11. Town of Franklin Subdivision, site plan, (Harmony Home); extend the performance agreement for drainage/bioretention improvements.
12. Westhaven PUD Subdivision, site plan, section 25; extend the performance agreement for drainage improvements for six months.

## ANNEXATIONS

Annexation is the process by which the city extends its municipal services, laws, taxing authority, and voting privileges to a new territory. Annexation encourages orderly growth and provides standardized service to all citizens. It also promotes fairness by requiring that those who use the services provided by a city share in the costs of operating the city. There are three parts to an annexation:

- **ORDINANCE TO ANNEX:** The annexation ordinance is a legal document that describes properties proposed for annexation. A map of the area accompanies it.
- **RESOLUTION TO ADOPT PLAN OF SERVICE (POS):** The POS describes how the City will service the properties upon annexation into the city. Services include police protection, fire protection, refuse collection, streets and signage, traffic control, water and wastewater, building and code inspection services and recreation services. The POS takes the form of a resolution.
- **ORDINANCE TO ZONE:** Since the properties are located in the county with county zoning, the zoning ordinance assigns a city zoning district to the properties upon annexation. For the requested Tap Root annexation, the property owner/applicant has requested a zoning to Specific Development-Residential with density of 2.28 units per acre. A development plan proposing a specific site layout accompanies this zoning request.

For Items 13 through 15, each of the items related to a specific area being annexed have been grouped together to facilitate easier discussion at the meeting. The resolution to approve the proposed development plan follows the POS, annexation, and zoning discussions and voting.

### **13. ORDINANCE 2014-16, TO BE ENTITLED, "AN ORDINANCE TO ANNEX A PORTION OF THE INGRAHAM PROPERTY, CONSISTING OF 61.01 ACRES, LOCATED ON THE PROPERTY AT 4101 CLOVERCROFT ROAD."**

Applicant: Greg Gamble, Gamble Design Collaborative

Staff Recommends: Favorable Recommendation to BOMA

Consent Status: Nonconsent

**14. RESOLUTION 2014-17, TO BE ENTITLED, "A RESOLUTION, AS AMENDED, ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF CERTAIN AREAS (INGRAHAM PROPERTY/TAP ROOT HILLS PUD SUBDIVISION) BY THE CITY OF FRANKLIN, TENNESSEE."**

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

**15. ORDINANCE 2014-17, TO BE ENTITLED, "AN ORDINANCE TO ZONE 61.01 ACRES SPECIFIC DEVELOPMENT-RESIDENTIAL DISTRICT (SD-R 2.28) FOR A PORTION OF THE PROPERTY LOCATED AT 4101 CLOVERCROFT ROAD (TAP ROOT HILLS PUD SUBDIVISION)."**

Project Number: 4546  
Applicant: Greg Gamble, Gamble Design Collaborative  
Staff Recommends: Favorable Recommendation to BOMA  
Consent Status: Nonconsent

**REZONINGS AND DEVELOPMENT PLANS**

**16. RESOLUTION 2014-41, TO BE ENTITLED, "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR TAP ROOT HILLS PUD SUBDIVISION, LOCATED ON A PORTION OF THE PROPERTY AT 4101 CLOVERCROFT ROAD, BY THE CITY OF FRANKLIN, TENNESSEE."**

Project Number: 4547  
Applicant: Greg Gamble, Gamble Design Collaborative  
Staff Recommends: Favorable Recommendation to BOMA  
Consent Status: Nonconsent

**17. The Highlands at Ladd Park PUD Subdivision, development plan, revision 5, 1,150 dwelling units and 77 open space lots on 619.39 acres, located north of Long lane, south of the Harpeth River, and east of Interstate 65.**

Project Number: 4596  
Applicant: Greg Gamble, Gamble Design Collaborative  
Staff Recommends: Approval, with conditions  
Consent Status: Consent

**18. ORDINANCE 2014-21, TO BE ENTITLED, "AN ORDINANCE TO REZONE 6.19 ACRES FROM GENERAL COMMERCIAL (GC) TO SPECIFIC DEVELOPMENT-RESIDENTIAL DISTRICT (SD-R 61.07) FOR THE PROPERTY LOCATED AT 427 NICHOL MILL LANE."**

Project Number: 4563  
Applicant: Greg Gamble, Gamble Design Collaborative  
Staff Recommends: Favorable Recommendation to BOMA  
Consent Status: Nonconsent

**19. RESOLUTION 2014-55, TO BE ENTITLED, "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR NICHOL MILL LOFTS PUD SUBDIVISION, LOCATED AT 427 NICHOL MILL LANE, BY THE CITY OF FRANKLIN, TN."**

Project Number: 4564  
Applicant: Greg Gamble, Gamble Design Collaborative  
Staff Recommends: Favorable Recommendation to BOMA  
Consent Status: Nonconsent

20. Riverbluff PUD Subdivision, development plan, revision 1, 80 single family residential units on 45.9 acres, located along Lewisburg Pike, across from Donelson Creek Pkwy.

Project Number: 4601  
Applicant: Jason Goddard, DesignStudio, LLC  
Staff Recommends: Approval, with conditions  
Consent Status: Consent

- 21. ORDINANCE 2014-22, TO BE ENTITLED, "AN ORDINANCE TO REZONE ±14.70 ACRES FROM SPECIFIC DEVELOPMENT-VARIETY DISTRICT (SD-X) 4/125,178, TO SPECIFIC DEVELOPMENT-VARIETY DISTRICT (SD-X) 14/21,503, FOR THE THROUGH THE GREEN PUD SUBDIVISION."**

Project Number: 4622  
Applicant: Jeff Heinze, Littlejohn Engineering Associates  
Staff Recommends: Favorable Recommendation to BOMA  
Consent Status: Nonconsent

- 22. RESOLUTION 2014-52, TO BE ENTITLED, "A RESOLUTION APPROVING A DEVELOPMENT PLAN REVISION FOR THE THROUGH THE GREEN PUD SUBDIVISION, LOCATED AT 1200 AND 1300 SHADOW GREEN DRIVE AND 1201 AND 1301 ISLEWORTH DRIVE, BY THE CITY OF FRANKLIN, TENNESSEE."**

Project Number: 4581  
Applicant: Jeff Heinze, Littlejohn Engineering Associates  
Staff Recommends: Favorable Recommendation to BOMA  
Consent Status: Nonconsent

23. Waters Edge PUD Subdivision, development plan, revision 2, 213 single family and 123 attached units on 195.5 acres, located along Carothers Parkway.

Project Number: 4584  
Applicant: Greg Gamble, Gamble Design Collaborative  
Staff Recommends: Approval, with conditions  
Consent Status: Consent

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

24. Harlinsdale Multi-Purpose Equestrian Arena, site plan, located on 199.5 acres, located at 331 Franklin Road.

Project Number: 4595  
Applicant: Gary Vogrin, Kiser & Vogrin  
Staff Recommends: Approval, with conditions  
Consent Status: Consent

25. 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 Carothers Parkway extension.

Project Number: 4621  
Applicant: David Reagan, HFR Design Inc  
Staff Recommends: Approval  
Consent Status: Consent

26. The Highlands at Ladd Park PUD Subdivision, final plat, section 21, forty residential lots and one open space lot on 11.57 acres, located along eastern portion of Finnhorse Lane and Dartmoor Lane.

Project Number: 4597  
Applicant: David Reagan, HFR Design Inc  
Staff Recommends: Approval  
Consent Status: Consent

27. The Highlands at Ladd Park PUD Subdivision, final plat, section 22, twenty-one residential lots and one open space lot on 14.03 acres, located along Finnhorse Lane.

Project Number: 4599  
Applicant: David Reagan, HFR Design Inc  
Staff Recommends: Approval  
Consent Status: Consent

**28. The Highlands at Ladd Park PUD Subdivision, site plan, section 24, 17 residential units and 2 open space lots on 4.87 acres, located south of the Harpeth River and east of Carothers Parkway.**

Project Number: 4600  
Applicant: Greg Gamble, Gamble Design Collaborative  
Staff Recommends: Approval  
Consent Status: Nonconsent

29. Tywater Crossing PUD Subdivision, final plat, section 2, 14 residential lots on 3.24 acres, located along Poetic Court, on eastern side of Messenger Lane, and on western side of Passage Lane.

Project Number: 4602  
Applicant: Michael Garrigan, Dale and Associates  
Staff Recommends: Approval  
Consent Status: Consent

## **NON-AGENDA ITEMS**

## **ANY OTHER BUSINESS**

## **ADJOURN**

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**1. CALL TO ORDER**

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

**2. MINUTES**

Mr. Orr moved to approve the June 26, 2014, Planning Commission minutes as presented, Alderman Petersen seconded the motion, and it passed unanimously (7-0).

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

No one came forward.

**4. ANNOUNCEMENTS**

There were no announcements.

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

No one came forward.

**6. CONSENT AGENDA**

Chair Hathaway stated that the items under the consent agenda were deemed by the Planning Commission to be non-controversial, routine in nature and would be approved by one motion. He stated that items 7 through 12, 17, 20, 24 through 27, and 29 were the items on the consent agenda. Chair Hathaway asked if anyone wanted to pull any other items, and no one came forward.

Vice Chair Lindsey moved to approve Consent items 7 through 12, 17, 20, 24 through 27, and 29, Ms. Allen seconded the motion, and it passed unanimously (7-0).

Chair Hathaway recused himself from item 23.

Vice Chair Lindsey stated that item 23 would be on the Secondary Consent Agenda.

Ms. McLemore moved to approve Secondary Consent Agenda item 23, Mr. Orr seconded the motion, and it passed unanimously (6-0).

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

Perf agreement: **Drainage \$11,000**

Established: March 26, 2009

Previous Action: 4/8/09 PA posted

4/16/10 Reduce 75% from \$44,000; extend to 4/15/11

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

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

4/25/13 Approved extension to 10/24/13

10/24/13 Approved extension to 10/23/14

Recommendation: Extend to January 16, 2015.

Reason/Deficiency: The applicant shall contact the inspector and schedule a meeting in the field to discuss the punchlist items.

8. GATEWAY VILLAGE PUD SUBDIVISION, SITE PLAN, SECTIONS 3 AND 6, REVISION 1

Maint agreement: **Mohr Boulevard pavement \$6,700**

Established: July 19, 2013

Previous Action: 2/24/11 PA posted  
1/20/12 Extend to 7/20/12  
7/20/12 Extend to 1/18/13  
1/18/13 Release denied; extend to 1/17/14  
7/19/13 Release PA, establish MA for \$6,700  
7/30/13 MA posted

Recommendation: Extend to January 16, 2015.

Reason/Deficiency: The entire section shall be paved.

9. JAMISON STATION PUD SUBDIVISION, SITE PLAN, SECTION 1

Perf agreement: **Sidewalk \$9,000**

Established: October 26, 2006

Previous Action: 2/28/07 PA posted  
1/11/08 Approved extension to 1/22/09  
12/12/08 Reduce from \$18,000; extend to 11/13/09  
11/13/09 Approved extension to 7/16/10  
7/22/10 Extend to 1/27/11  
1/27/11 Extend to 7/28/11  
7/28/11 Extend to 1/26/12  
1/26/12 Extend to 7/26/12  
7/26/12 Extend to 7/25/13  
7/25/13 Extend to 7/24/14

Recommendation: Accept the sidewalk improvements, release the performance agreement and establish a maintenance agreement in the amount of \$2,500 for one year.

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

Maint agreement: **Drainage/detention \$4,700**

Established: July 25, 2013

Previous Action: 1/13/06 PA posted  
1/12/07 Extend to 10/25/07  
10/25/07 Reduce from \$47,000; extend to 10/23/08  
10/17/08 Approved extension to 4/17/09  
4/17/09 Approved extension to 4/16/10  
NEW APPLICANT 10/1/09  
4/22/10 Extend to 4/28/11  
4/28/11 Approved extension to 4/26/12  
4/26/12 Extend to 4/25/13  
4/25/13 Extend to 4/24/14



7/25/13 Release PA, establish MA for \$4,700  
8/12/13 MA posted

Recommendation: Extend to July 17, 2015, as the second building is not built yet.

11. TOWN OF FRANKLIN SUBDIVISION, SITE PLAN, (HARMONY HOME)

Maint agreement: **Drainage/bioretenion \$8,000**

Established: December 11, 2009

Previous Action: 2/19/10 PA posted

1/21/11 Approved extension to 1/20/12

1/20/12 Extend to 1/18/13

1/18/13 Extend to 7/19/13

7/25/13 Extend to 7/24/14

Recommendation: Extend to July 17, 2015.

12. WESTHAVEN PUD SUBDIVISION, SITE PLAN, SECTION 25

Perf agreement: **Drainage \$8,250**

Established: November 14, 2008

Previous Action: 12/17/08 PA posted

11/13/09 Approved extension to 7/16/10

7/16/10 Reduce 75% from \$33,000; extend to 7/15/11

7/15/11 Approved extension to 1/20/12

1/26/12 Approved extension to 7/26/12

7/26/12 Approved extension to 1/24/13

1/24/13 Approved extension to 7/25/13

7/25/13 Approved extension to 1/23/14

1/23/14 Approved extension to 7/24/14

Recommendation: Extend to January 16, 2015.

17. The Highlands at Ladd Park PUD Subdivision, development plan, revision 5, 1,150 dwelling units and 77 open space lots on 619.39 acres, located north of Long lane, south of the Harpeth River, and east of Interstate 65.

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." With the resubmittal, each condition of approval/open issue in the online plan review system shall contain a full response from the applicant as to the satisfaction or completion of that condition.

3. 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 (Landscape)

General Comments

1. Open Space Calculations

Open Space Calculations are not clear. Applicant shall contact land planner to resolve this issue.

Zoning

General Comments

2. Affordable Housing

The applicant shall provide affordable housing units in accordance with the Inclusionary Housing Ordinance. The applicant shall declare and specify, for BOMA approval, how these requirements will be met.

20. Riverbluff PUD Subdivision, development plan, revision 1, 80 single family residential units on 45.9 acres, located along Lewisburg Pike, across from Donelson Creek Pkwy.

STAFF RECOMMENDATION: Approval, with conditions;

COMMENTS: None;

**PROCEDURAL REQUIREMENTS:**

1. 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." With the resubmittal, each condition of approval/open issue in the online plan review system shall contain a full response from the applicant as to the satisfaction or completion of that condition.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.

**\*PROJECT CONSIDERATIONS:**

1. Prior to Site Plan final approval, the applicant shall provide an easement agreement for the emergency access road (20' easement) with property owner signatures and notarization.
2. Prior to Site Plan final approval, the applicant shall provide an easement for the proposed sewer alignment.

\* 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. Drainage

The previous comment "No stormwater from any impervious areas will be permitted to flow off site or into the river prior to treatment for water quality and detention" was not addressed. Show that detention and areas for water quality are provided for all impervious runoff.

#### 2. ROW

Comment not addressed. Applicant shall show ROW dedication and adjust PUD plan to accommodate ROW to be dedicated.

##### Fire

##### General Comments

#### 3. Access

As the Development plan has changed and the applicant has used the Emergency Access as a means to comply with the City of Franklin Street Standards (street length/ number of lots on a dead-end), documentation and a plan of maintenance is necessary to show the access will be maintained for ready use at all times. The "emergency access" will now be considered a critical access road.

#### 4. Access

Autoturn Exhibit page indicates points of conflict at:

Main entrance on the curb adjacent to Lot 80 at the detention area.

Lot 72 (curb) on the right turn onto Wetzel Drive

Lot 67 (curb) on the right hand one-way transition

Lot 54 (curb) on the transition out of the one-way

Lot 49 (curb) on the transition into the one-way section

Lot 38 (curb) on right turn out of one-way

Lot 37

Lot 14 (curb) on the exit from the emergency access

Formal Open Space on transition from one-way to exiting

Avoiding point of conflict (where the apparatus is shown to likely strike property) is highly important to limit damage to sidewalks, street trees, light poles, mailboxes, etc. All care must be exercised in the design and implementation of streets to avoid such points of conflict.

The applicant shall review these points of conflict and provide necessary adjustments to resolve appropriately.

The applicant shall also indicate a left turn into the site from Lewisburg (traveling south, left onto proposed River Bluff Drive). Lastly, no turning movement was shown to the southern future/emergency connection stub-out. This does not require a turning movement but should

illustrate an apparatus accessing the site from an adjacent private driveway to the future Maynard Drive followed by a turning movement on the one-way section of Wetzel Drive.

Planning (Landscape)

General Comments

5. Tree Preservation Plan

Applicant shall include proposed tree canopy retention data on tree preservation plan.

23. Waters Edge PUD Subdivision, development plan, revision 2, 213 single family and 123 attached units on 195.5 acres, located along Carothers Parkway.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: This revision is to relocate the pool and amenity center to the front of the neighborhood and to remove the road segment between the relocated pool and the detention pond. While this lowers the connectivity index, it provides more open space for residents and increases recreational opportunities outside of the amenity center. The applicant is also showing different architectural elevations than what was previously approved and staff has concerns about the appearance and location of the recessed front doors, as documented in the conditions of approval.

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." With the resubmittal, each condition of approval/open issue in the online plan review system shall contain a full response from the applicant as to the satisfaction or completion of that condition.
3. The city's project identification number shall be included on all correspondence with any city department relative to this project.

\*PROJECT CONSIDERATIONS:

1. None

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

CONDITIONS OF APPROVAL:

Planning

General Comments

1. Architecture

The proposed architectural designs, particularly the Lincoln Craftsman, Jefferson Victorian, Grant French Country, and Lincoln Tudor, have significantly recessed front doors, that do not meet the intent of the design standards in the Franklin Zoning Ordinance. The recessed front doorway is a building feature that the City seeks to eliminate because this type of design places a visual emphasis on the garage and creates a safety concern for Police. The applicant shall revise the conceptual elevations so that the front door entrance and front facade of the home are more prominent features than the garage.

## 2. Land Use Plan

Please consistently label this Character Area as MECO-6 throughout the submittal, specifically on sheet C3.0.

## Zoning

### 3. Elevation

Add a note to the architectural elevations stating that the garage elevation is required to be no more than 50% of the dwelling unit facade.

24. Harlinsdale Multi-Purpose Equestrian Arena, site plan, located on 199.5 acres, located at 331 Franklin Road.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: Staff will work with the applicant on the exact placement and size of the horse trailer parking area which will be located outside of the 100 year floodplain (FFO) if an impervious surface is used.

## SURETIES:

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

## PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plan to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit one (1) complete and folded set and a .pdf file of corrected site plan to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). All revisions to the approved plans shall be "clouded." With the resubmittal, each condition of approval/open issue in the online plan review system shall contain a full response from the applicant as to the satisfaction or completion of that condition.
2. Once the corrected site plan has been approved, one (1) full-size and one (1) half-size copy of the final approved landscape plans shall be submitted to the Department of Building and Neighborhood Services for future landscape inspection purposes.
3. Once all conditions of approval related to engineering and tree preservation concerns have been met, the applicant shall submit one (1) half-size copy and four (4) full-size copies of the corrected grading/drainage and seven (7) full-size copies of the corrected water/sewer plans to the Department of Building and Neighborhood Services (Attn: Engineering Dept.) to be stamped and signed by city officials prior to the issuance of stormwater and grading permits and water/sewer approval, where applicable. It is also suggested that the applicant

submit the stormwater and grading permit applications and stormwater maintenance plan and agreement in conjunction with the grading/drainage plan submittal.

4. The applicant shall upload complete building plans, including the approved, revised site plans, to the City's IDT site for Building and Neighborhood Services Department review and approval prior to the issuance of a building permit.
5. Prior to start of any excavation work, the developer and/or contractor shall notify AT&T and Comcast.
6. The city's project identification number shall be included on all correspondence with any city department relative to this project.

**\*PROJECT CONSIDERATIONS:**

1. None

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

**CONDITIONS OF APPROVAL:**

Engineering

General Comments

1. Trails

The previous comment was not completely addressed "Provide a description of the 3" quarter down trail surface." The contractor will need to know what this is.

Fire

2. Access

Entrance gate from the trailer parking area is not shown to be wide enough for a standard ambulance to enter the vehicle path to the arena.

The applicant shall provide a wider gate/turning area to access the vehicle path with clear and unobstructed turning movement.

Turning movements provided for the fire department apparatus cannot be verified as the required autoturn template was not used. This may have been due to a change in the city's website structure but the applicant did not verify size requirements before using a non-Franklin approved template.

The applicant shall provide an autoturn exhibit using the Tower 2 template available at <http://www.franklintn.gov/yourgovernment/fire/prevention-code-enforcement/plans-submission/apparatus-autoturn> (this link has been verified on 7/8/2014).

Parks

General Comments

3. Water

Place the domestic water line 2" backflow in the restroom facility chase room to protect from the elements. Meter to correspond close by.

#### 4. Electrical

Please see note on page C3.01 for running all electrical to the arena components out of the restroom facility. Master panel box in the restroom facility.

#### Planning

##### General Comments

#### 5. Parking

This is a continuation of previous discussions. Staff will work with the applicant on the exact placement and dimensions of the horse trailer parking area. Parks staff seeks to use an impervious surface for the purpose of improving the longevity of the parking area and to reduce the maintenance burden. In this case, the parking shall be located outside of the 100 year floodplain.

#### Planning (Landscape)

##### General Comments

#### 6. Plant material

Any plant material proposed for the site shall be coordinated with the Parks Department and shall be listed on the city's approved plant materials list.

#### Stormwater

##### General Comments

#### 7. Water Quality

This will be discussed in a meeting on 7/14

#### 8. Water Quality

This will be discussed in a meeting on 7/14

#### 9. Water Quality

This will be discussed in a meeting on 7/14

#### 10. Long Term Maintenance Plan

This will be discussed in a meeting on 7/14

#### 11. EPSC

New issue, initial EPSC sheet shows silt fence installed across swale downstream of headwall. Silt fence is not allowed in areas of concentrated flow, use rock check dam or wattles.

#### 12. EPSC

New Issue, Show concrete wash out area on erosion control sheet. Include appropriate detail.

#### Water/Sewer

##### General Comments

#### 13. Wastewater

The applicant shall show the existing sewer line and services as private from the line falling into manhole TC elevation 627.50 to end of line. The castings shall be replaced to read private sewer.

The reclaim water division shall have the same number as the service department. All inspection of water sewer and reclaim are performed by the same inspector, therefore they shall be reached at 615-794-4554

25. 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 Carothers Parkway extension.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

SURETIES:

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

PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plat to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit three (3) paper copies and a .pdf file of the corrected plat, along with the Mylar, to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). The Certificates of Approval for the Subdivision Name and Street Names, Water System (if not COF Water), Survey, and Ownership shall be signed when the plat is resubmitted. The Mylar shall be submitted to BNS within five (5) business days of the corrected electronic plat being uploaded to the online plan review website (or vice versa) or the item shall be rejected as incomplete for City review. With the resubmittal, each condition of approval/open issue in the online plan review system shall contain a full response from the applicant as to the satisfaction or completion of that condition.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.
3. The applicant shall upload a .dwg copy of the final plat through the IDT system (link above) in Tennessee state plan coordinates, NAD 83, NAVD 88, zone 4100/5301 for incorporation of the plat into the Franklin GIS database.

\*PROJECT CONSIDERATIONS:

1. None

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

CONDITIONS OF APPROVAL:

Planning

General Comments

1. Project number

Applicant shall add COF# 4621 to the plat.

Planning (Landscape)



General Comments

2. Detached Single Family Lot Tree Chart

This shall be provided

26. The Highlands at Ladd Park PUD Subdivision, final plat, section 21, forty residential lots and one open space lot on 11.57 acres, located along eastern portion of Finnhorse Lane and Dartmoor Lane.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

SURETIES:

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

PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plat to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit three (3) paper copies and a .pdf file of the corrected plat, along with the Mylar, to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). The Certificates of Approval for the Subdivision Name and Street Names, Water System (if not COF Water), Survey, and Ownership shall be signed when the plat is resubmitted. The Mylar shall be submitted to BNS within five (5) business days of the corrected electronic plat being uploaded to the online plan review website (or vice versa) or the item shall be rejected as incomplete for City review. With the resubmittal, each condition of approval/open issue in the online plan review system shall contain a full response from the applicant as to the satisfaction or completion of that condition.
2. The city's project identification number shall be included on all correspondence with any city department relative to this project.
3. The applicant shall upload a .dwg copy of the final plat through the IDT system (link above) in Tennessee state plan coordinates, NAD 83, NAVD 88, zone 4100/5301 for incorporation of the plat into the Franklin GIS database.

\*PROJECT CONSIDERATIONS:

1. None

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

CONDITIONS OF APPROVAL:

Engineering

General Comments

1. Easements

Provide drainage easements across all lots where stormwater runoff from one lot crosses any other lot. These easements must coincide with the drainage patterns indicated on the site grading plan and the stormwater management plan.

2. Sureties

Sureties for the following to be determined at Post-PC:

Streets - \$ TBD

Street Temporary Turn A Rounds - \$ TBD

Street Access \$ TBD

Sidewalks - \$ TBD

Drainage - \$ TBD

Water - \$ TBD

Sewer - \$ TBD

Planning

General Comments

3. Carothers

Applicant shall include street classification of Carothers Parkway.

4. Lots 875-891

Applicant shall clarify on the plat the area behind lots 891-878 and south of open space lot 2010.

Planning (Landscape)

General Comments

5. Detached Single Family Tree Lot Chart

Lot tree chart provided is incorrect. The chart provided is for Section 20, not Section 21 as required.

6. Lot 2014

There is no lot 2014 shown on the plat, as listed on the Lot Area Table.

Water/Sewer

General Comments

7. Wastewater

8" sanitary sewer line in open space lot must have designated easement. This is a new comment.

27. The Highlands at Ladd Park PUD Subdivision, final plat, section 22, twenty-one residential lots and one open space lot on 14.03 acres, located along Finnhorse Lane.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

SURETIES:

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

PROCEDURAL REQUIREMENTS:

1. In addition to uploading the corrected plat to the online plan review website (<https://franklin.contractorsplanroom.com/secure/>), the applicant shall submit three (3) paper copies and a .pdf file of the corrected plat, along with the Mylar, to the Department of Building and Neighborhood Services (Suite 110, Franklin City Hall). The Certificates of Approval for the Subdivision Name and Street Names, Water System (if

not COF Water), Survey, and Ownership shall be signed when the plat is resubmitted. The Mylar shall be submitted to BNS within five (5) business days of the corrected electronic plat being uploaded to the online plan review website (or vice versa) or the item shall be rejected as incomplete for City review. With the resubmittal, each condition of approval/open issue in the online plan review system shall contain a full response from the applicant as to the satisfaction or completion of that condition.

2. The city's project identification number shall be included on all correspondence with any city department relative to this project.
3. The applicant shall upload a .dwg copy of the final plat through the IDT system (link above) in Tennessee state plan coordinates, NAD 83, NAVD 88, zone 4100/5301 for incorporation of the plat into the Franklin GIS database.

**\*PROJECT CONSIDERATIONS:**

1. None

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

**CONDITIONS OF APPROVAL:**

Engineering

General Comments

1. Easements

The previous comment "All stormwater runoff from impervious areas must flow through a water quality treatment train and detention prior to leaving the site. The water quality and detention features must be in an open space so they can be maintained by the HOA. The water quality and detention features must be accessible so they can be maintained by the HOA. Provide an open space for the water quality features. Provide a separate drainage easement for the drainage pipe and structures behind and beside the lots. The easement must be set at a width that will allow for repair and maintenance of the line and structures" was not completely addressed. Stormwater runoff must not flow off site in a concentrated flow where prior to development the stormwater conveyance was in the form of sheet flow.

2. Sureties

Sureties for the following to be determined at Post-PC:

Streets - \$ TBD

Street Temporary Turn A Rounds - \$ TBD

Street Access \$ TBD

Sidewalks - \$ TBD

Drainage - \$ TBD

Water - \$ TBD

Sewer - \$ TBD

Planning

General Comments

3. Overhead Easement

Applicant shall include documentation that from owners of this easement allowing it to be removed and or relocated.

#### Planning (Landscape)

##### General Comments

#### 4. Detached Single Family Lot Tree Chart

Square footage listed for lots 968-975 on the Lot Tree Chart is inconsistent with what is listed on the Lot Area Table.

#### 5. Lot Area Table

Lots 973-976 are not labeled correctly on the Lot Area Table.

#### Water/Sewer

##### General Comments

#### 6. Wastewater

Applicant failed to address the width of sewer easements. The depth of the sewer line determines the width of the sewer easement.

The sewer easement in some areas shall be wider than the minimum easement.

#### 7. Wastewater

This is a new comment. The detention pond cannot be in sanitary sewer easement. Applicant shall revise detention.

29. Tywater Crossing PUD Subdivision, final plat, section 2, 14 residential lots on 3.24 acres, located along Poetic Court, on eastern side of Messenger Lane, and on western side of Passage Lane.

STAFF RECOMMENDATION: Approval, with conditions

COMMENTS: None

#### SURETIES:

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

#### PROCEDURAL REQUIREMENTS:

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

2. The city's project identification number shall be included on all correspondence with any city department relative to this project.
3. The applicant shall upload a .dwg copy of the final plat through the IDT system (link above) in Tennessee state plan coordinates, NAD 83, NAVD 88, zone 4100/5301 for incorporation of the plat into the Franklin GIS database.

**\*PROJECT CONSIDERATIONS:**

1. None

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

**CONDITIONS OF APPROVAL:**

**Performance Agreement and Surety**

1. General Issues

(On behalf of Engineering Department)

Sureties for the following to be determined at Post-PC:

Streets - \$ TBD

Street Access - \$ TBD

Sidewalks - \$ TBD

Drainage - \$ TBD

Water - \$ TBD

Sewer - \$ TBD

**Planning**

2. Plat certificates

Applicant shall revise the following certificates to match the titles and language found in the Subdivision Regulations:

\*Certificate of approval of streets and drainage

\*Certificate of approval of subdivision name and street names

Tywater Crossing Section 2 Revised Plat.pdf

3. Lot numbering

Lot 70 in the lot table appears to be labeled as lot 50 on the plat. Applicant shall clarify lot numbers.

This completed the consent agenda.

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**13. ORDINANCE 2014-16, TO BE ENTITLED, "AN ORDINANCE TO ANNEX A PORTION OF THE INGRAHAM PROPERTY, CONSISTING OF 61.01 ACRES, LOCATED ON THE PROPERTY AT 4101 CLOVERCROFT ROAD."**

Ms. Powers presented the staff report for Ordinance 2014-16 and stated that this was a request for annexation. The property was contiguous to the City and was immediately south of Amelia Park Subdivision and is in the eastern Urban Growth Boundary (UGB). The applicant is

requesting to annex 61.01 acres, which is east of Market Street. This is in support of 139 single family units. On March 25, 2014, the Board of Mayor and Aldermen (BOMA) held a public hearing regarding this annexation to move it to the Planning Commission for their consideration of both the annexation and the plan of services. There was a vote that this Board should consider this annexation, and the vote was unanimous. The entire project including the annexation, plan of services, rezoning and development plan will be considered this evening. This is the first step in that consideration. Staff is looking at a density of 2.28 per acre. Staff would recommend a favorable recommendation to the BOMA.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative, requested a favorable recommendation to the BOMA.

Mr. Orr moved to favorably recommend that Ordinance 2014-16 be forwarded onto the BOMA, Mr. Franks seconded the motion, and it passed unanimously (7-0).

**14. RESOLUTION 2014-17, TO BE ENTITLED, "A RESOLUTION, AS AMENDED, ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF CERTAIN AREAS (INGRAHAM PROPERTY/TAP ROOT HILLS PUD SUBDIVISION) BY THE CITY OF FRANKLIN, TENNESSEE."**

Ms. Powers presented the staff report for Resolution 2014-17 and stated that this was a resolution for the plan of services. The plan of services lays out all of the requirements of responsibility for both the City and the owner of the property, which includes all the utilities and facilities to go to the property. The City has certain responsibilities, which staff has laid out. The owner also had responsibilities which include the responsibility for water, for doing some improvements to the wastewater system for providing a pump station for re-routing McKays Mill basin and for an extension to the Amelia Park pump station. There is also a dedication of a sanitary sewer easement and a temporary construction easement for the Mayes Creek Interceptor project. In addition to that there is a requirement for a Market Street extension to this property as well as a requirement by the Fire Department that all properties be sprinklered until the property at the south is able to construct an access from the south to this property, starting from Watkins Creek Subdivision.

Chair Hathaway asked for comments from the citizens.

Mr. Bill Dublinski, of 1102 Watkins Creek Drive, stated that he represented the homeowners association (HOA) of 185 families in Watkins Creek Subdivision. They had concerns about safety. Presently, the plans are to connect the new subdivision into Watkins Creek. Their concern with safety is that they see a lot of traffic cutting through from McKays Mill and the other developments that will be heading toward the North Chapel. There will be three main areas that will draw traffic from the HOA's standpoint

1. Recreation facilities, ball fields, etc., and people will be cutting through the neighborhoods.
2. The elementary school that all of the subdivisions will be trafficking their children to Murfreesboro Road.
3. Individuals will be using to cut over eastward to Highway 840. When one looks at the Traffic Study this is not seen as being captured.

The HOA's concern to the Planning Commission is safety. The City's Police Department, Fire Department and emergency vehicles will state that it needs to be connected; however, there are many families in these subdivisions. The subdivisions have small streets with much curvature.

Chair Hathaway asked if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative requested a favorable recommendation to the BOMA. He stated that the connection to Lorena Court would not open up as a connection until the end of the development. Williamson County has asked that it be somewhere around the 80<sup>th</sup> to 90<sup>th</sup> percent completion of Tap Root. Also no construction traffic will be permitted to go through Watkins Creek Subdivision. It will all be serviced off of Market Street.

Vice Chair Lindsey moved to favorably recommend that Resolution 2014-17 be forwarded onto the BOMA, Mr. Franks seconded the motion.

Alderman Petersen stated that regarding the Plan of Services, she would like to hear more about what the applicant would be paying and what the City would be paying.

Mr. Powers stated that the City would receive \$1,555,000 in revenue from the project.

Mr. Holzen stated that there were two pump stations in the McKays Mill area, pump station 1 and 2. The applicant is asking for permission to pump over the hill into the south prong basin, and staff has denied this request. An agreement has been made that the applicant will take one pump station off line. When that pump station is taken off line, the downstream sewer will not have the capacity there either, so the City is committing to upgrade at Watson Branch sanitary sewer line at a cost of \$1.52 million dollars. The applicant will take one of the City's pump stations off line and will essentially swop flows.

Alderman Petersen asked if that meant that the rate payers would be paying for that.

Mr. Holzen stated that the rate payers would be paying that. These are improvements that serve much more than just this development. They serve Columbia State and the whole area on Carothers Parkway. This is more of a regional improvement, not something that is being generated by this specific development.

Alderman Petersen stated that she was interested to hear about the connection to the south. In the information, it stated that there were two possible connections there, but it implied in the Plan of Services that this would be a north/south corridor street. She did not see that there was any way that this part could be much of anything except a local street considering what was

already there. She understood that Market Street had a small part to it. To imply that this would be a connector for very much traffic would probably be unrealistic. She also looked at where Cool Springs stops at Clovercroft, and Ivy Glen is down further. However, Ivy Glen now has two very large speed humps that say 15 Miles per Hour plus two 3-way stops on it. To think that anything going through a subdivision, which is already there and using their existing streets would be any kind of traffic corridor would be a mistake.

Mr. Holzen stated that he agreed with Alderman Petersen and that it would function more as a local street. Market Street would be the north/south collector roadway.

With the motion having been made and seconded to favorably recommend that Resolution 2014-17 be forwarded onto the BOMA, it passed unanimously (7-0).

**15. ORDINANCE 2014-17, TO BE ENTITLED, "AN ORDINANCE TO ZONE 61.01 ACRES SPECIFIC DEVELOPMENT-RESIDENTIAL DISTRICT (SD-R 2.28) FOR A PORTION OF THE PROPERTY LOCATED AT 4101 CLOVERCROFT ROAD (TAP ROOT HILLS PUD SUBDIVISION)."**

Ms. Diaz-Barriga presented the staff report for Ordinance 2014-17 and stated that this item is the zoning request for a portion of the property located at 4101 Clovercroft Road, and is proposed for the Tap Root Hills PUD Subdivision.

This rezoning coincides with the request for annexation and Plan of Services. The property is within the Seward Hall Character Area, and has a county zoning of MGA-1, which allows 1 dwelling unit per acre. Properties within this character area have densities that range from 1 du/acre to 2.28 du/acre. Accordingly, lots are either sized to accommodate the low density of their zoning, or are smaller lots that are included within PUDs to allow for large areas of open space with the PUD. The result is a mix of larger and smaller lots, with larger green spaces sprinkled throughout the character area. This type of suburban development pattern creates a smooth transition between the more dense character areas to the north and west, and the rural character area to the south and east.

The Planning staff recommends maintaining the existing development pattern of this character area by keeping the overall densities of larger developments within a range of two dwelling units per acre. The Land Use Plan supports the retention of the suburban and rural character of the area, and the key to maintaining this character is to manage the densities of PUD developments. Controlling density is especially important as you approach the borders of character areas and/or city limits, where the density of the adjacent character areas drops significantly to 1 du/acre. Since this property is on the edge of both the city/county limits and Seward Hall Character Areas 2 and 4 (SWCO-2/SWCO-4) boundary, planning staff would advise limiting density for this property to two dwelling units per acre or less to provide an overall transition in gross density as one moves away from the City's core. However, staff has worked closely with the applicant to lower the density of this proposed development and to provide the necessary transitional features to complement existing development patterns both in the city and in the county. Because the plan mimics the development pattern of the area and provides the necessary transitional features, Planning staff can support a slightly higher density, but would



recommend that the density for this property not exceed the existing maximum density of any one development within the character area, which is 2.28 du/acre.

Staff is recommending a favorable recommendation to BOMA.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative, requested a favorable recommendation to the BOMA.

Mr. Franks moved to favorably recommend that Ordinance 2014-16 be forwarded onto the BOMA, and Ms. McLemore seconded the motion.

Ms. Allen stated that she understood why staff felt they could support item 15; however, she was a little bothered because she agreed it should be a gradual transition. It was going from McKays Mill with 2.28 units to the acre and Amelia Park with 2.27 units to the acre, but to her it was going from 1.0, 0.8, 1.7 units to the acre to 2.28 units to the acre in the middle and then going back. Putting aside a good development, she thought this violated a gradual transition, she was bothered by it and could not support Ordinance 2014-17.

Alderman Petersen stated that she would like to echo the sentiments of Ms. Allen. Amelia Park was immediately adjacent to McKays Mill. However, Ordinance 2014-17 would be immediately adjacent to something that had 1.17 units to the acre. If one were to look at the other developed areas outside of the City limits of Franklin, they were more in the 1 or less than 1 unit to the acre, and this was not exactly the transition that she was thinking about.

Mr. Franks stated that he thought the variety worked really well, and he was in favor of it.

Alderman Petersen stated that there was quite a bit of open space in this because there were some physical constraints of the possible sink hole and other things.

With the motion to favorably recommend that Ordinance 2014-16 be forwarded onto the BOMA having been made and seconded, it passed five to two (5-2) with Messrs. Petersen and Allen voting no.

**16.RESOLUTION 2014-41, TO BE ENTITLED, "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR TAP ROOT HILLS PUD SUBDIVISION, LOCATED ON A PORTION OF THE PROPERTY AT 4101 CLOVERCROFT ROAD, BY THE CITY OF FRANKLIN, TENNESSEE."**

Ms. Diaz-Barriga presented the staff report for Resolution 2014-41 and stated that item 16 is the Development Plan for the Tap Root Hills PUD Subdivision. This PUD subdivision proposes 139 detached residential units and 7 open space lots on 61.01 acres. The proposed density is 2.28

dwelling units per acre. The housing types are a mixture of houses with front or side loaded garages, and houses accessed by vehicles through an alley system. The PUD is laid out with a suburban style network of curvilinear roads winding through the development. A large informal open space is placed along the western limits of the development, and creates a “front door” to the development. Mature trees are retained on site by placing them in open spaces or in landscape easements.

To comply with the land use plan and to complement the surrounding suburban development, the applicant worked with the Planning Department to ensure that adequate transitional features were provided. All lots along the south perimeter of this development have dimensions that are equal to or greater in width with the adjacent existing subdivision and that are at least 75 percent of the adjacent existing subdivision's lot lengths. Additionally, a 50' incompatible lot size buffer is provided along the east boundary of this development. Minimum setbacks for all lots are similar to the existing development to the north. The plan also provides for future roadway connectivity, by providing right-of-way (ROW) connections to the north and south, and by providing a ROW stubbed to the property line on the eastern limits of the development.

Staff is recommending a favorable recommendation to the BOMA with the revised conditions that have been placed at each Commissioner’s chair.

Chair Hathaway asked for comments from the citizens.

Mr. Bill Dublinski, of 1102 Watkins Creek Drive, stated that he represented the homeowners association (HOA) of 185 families in Watkins Creek Subdivision. He was concerned about a comment that had been made regarding the surrounding neighborhoods having the same width. He assumed the comment referred to Watkins Creek Subdivision. It referred to section 5, which was just one part of four other sections that are much larger. This statement seemed a little misleading, and he wanted the Planning Commission to be aware of this. He wanted to point out, again, that the HOA’s concern was the flow of the neighborhoods.

Chair Hathaway asked if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative, requested a favorable recommendation to the BOMA. He discussed the transitional features of the homes. He stated that the lots in section 4 that were around the park were 90’ wide and over 150’ deep, and some were even longer than that going up to about 225’ in depth.

The lots that back up to Watkins Creek Subdivision are 80’ by 150’. The lots that are in Watkins Creek Subdivision that are off Lorena Court are 80’ by 175’. So, the lots that back up to Tap Root Hills are 25’ shallower in depth. Along the eastern side of the property, there is a 50’ transitional features buffer (landscape buffer) with 16 trees and over 40 shrubs per 100’. There will be a solid hedgerow with 16 additional trees that are planted every 100’ along that edge. Along Amelia Park the northern boundary line, there is an alley that will run along the border of this property behind lots 1 through 10. That alley will not serve the lots on Tap Root Hills. There is a landscape buffer between that alley and Tap Root. Those lots are 46’ wide. The lots 1 through 10 are 68’ in width. Although Amelia Park has a density of 2.28, it is compacted into a much

tighter area. Their net density is much higher than what is being proposed in Tap Root Hills. Amelia Park has a gas line, steep slope protection areas, and two blue line streams. There were more natural features that needed to be preserved on that site, which did give Tap Root Hills the ability to have larger lots. As one moves south, past Farmhouse Drive, the lots will be increased as these will be estate homes. They are 80' and 90' lots, in keeping with the type of homes to the south in the Watkins Creek Subdivision. The applicant did work closely with staff on these transitions, going from a higher intensity net density at Amelia Park to the lower net densities of Watkins Creek Subdivision.

Ms. McLemore moved to favorably recommend that Ordinance 2014-17 be forwarded onto the BOMA, and Mr. Orr seconded the motion.

Alderman Petersen stated that she understood that the lots that were not in the back were much larger.

Mr. Gamble stated that the lots directly next to Watkins Creek were 80' by 135'. Some pie-shaped lots around the park were much larger and deeper.

Alderman Petersen stated that calling one-third of an acre an estate lot was a little stretched to her.

With the main motion having been made and seconded to favorably recommend that Ordinance 2014-17 be forwarded onto the BOMA, it passed five to two (5-2) with Messrs. Petersen and Allen voting no.

**18.ORDINANCE 2014-21, TO BE ENTITLED, "AN ORDINANCE TO REZONE 6.19 ACRES FROM GENERAL COMMERCIAL (GC) TO SPECIFIC DEVELOPMENT-RESIDENTIAL DISTRICT (SD-R 61.07) FOR THE PROPERTY LOCATED AT 427 NICHOL MILL LANE."**

Ms. Hunter presented the staff report for Ordinance 2014-21 and stated that the applicant had requested a rezoning to Specific Development-Residential to allow the development of a 4-story apartment building that would comprise 378 dwelling units. This site is one of the few large remaining vacant properties near the Mallory Lane corridor. As part of a City project, Nichol Mill Lane was recently realigned from the north side of this site to the south side.

The Franklin Land Use Plan encourages a mixture of residential, office, and commercial uses in Special Area 4 of the McEwen Character Area. The proposed development is consistent with the land use recommendations.

Development of this property would result in needed traffic improvements on Mallory Lane.

Ms. Hunter turned item 18 over to Mr. Paul Holzen, Director of Engineering, to discuss the traffic conditions.

Mr. Holzen stated that over the last ten plus years, the population of Franklin had grown significantly, which is continuing to increase the stress in Franklin's infrastructure. So that the citizens can continue to maintain their high quality of life in Franklin, it is important for staff to

adequately plan for these future infrastructure needs. With regard to the transportation network, planning the location for these major intersections is extremely important so that current engineers and future engineers can implement signal timing plans and ensure efficient traffic flow under a range of peak and off-peak periods. This proposed rezoning will increase traffic flow at the non-signalized intersection of Old Nichol Mill and Mallory Lane. The existing spacing between Nichol Mill Lane and Old Nichol Mill Lane is around 540'. The Traffic Impact Study indicates that the southbound queue at Nichol Mill Lane and Mallory Lane, during the p.m. none-holiday time period, will actually back-up into the intersection of Old Nichol Mill Lane and Mallory Lane, which creates long-term safety concerns for City staff. After extensive discussions with the applicant and internally, staff has come to the conclusion that the best recommendation for the City and the Cool Springs area is to recommend the closure of the median at Old Nichol Mill Lane and Mallory Lane. Modifications to the signal at the intersection of Mallory Lane and Nichol Mill Lane will also be made to ensure that there is an acceptable level of service at the existing signal. Access to Heritage Medical and Tennessee Teachers' Credit Union buildings will still be available in the following ways: through a right-in and right-out, through a proposed connectivity of Nichol Mill Lane to Old Nichol Mill Lane, and also through a U-turn on Mallory Lane at Crossroads Boulevard. It is important to note that on July 16, 2014, City staff did send letters out to the property owners, Tennessee Teachers' Credit Union, and Prime Kurtell Properties LLC to insure that they had an opportunity to discuss these proposed changes and modifications with City staff and the Planning Commission.

Finally, it should be noted that these properties will one day develop, and as long as this connectivity is required and proposed, regardless of the use of this property, the recommendation from Engineering to close the median will remain. The requirement to close the median is also a technical engineering requirement. If the applicant wishes to do something different, the avenue to do that would be through appealing the decision to the City Engineer and the Street Appeals Board.

Chair Hathaway asked for comments from the citizens.

Mr. Larry Papel, of Nelson Mullins Riley & Scarborough LLP, along with Mr. Skip Heibert, represented Prime Kurtell Properties LLC, the owner of the office building at 1909 Mallory Lane. Prime Kurtell Properties LLC is owned by Mr. and Mrs. Kurt Wallach, of Vero Beach, Florida. They could not be at this meeting, so they asked Mr. Papel to represent them. He stated that 1909 Mallory Lane was immediately to the east of the applicant's roughly 6.5 acre tract. He was at this meeting for the zoning and plan approval, but the condition that they wanted to complain about bitterly, to be blunt, was the closure of the median cut on Mallory Lane. 1909 is mostly a medical building with about 40,000 square feet. It does not have any direct access to Old Nichol Mill Lane. It can only be accessed through a Burger King parking lot. If the median cut is closed, one would drive down the Crossroads and make a U-turn and come back, or as the City Engineer stated drive down through Nichol Mill Lane all the way around the new development on a road that does not exist right now and is a private road. This road would not be evident to mostly the medical patients coming to 1909 Mallory Lane. Heritage Medical is 75-80 percent of the building. If the median cut does occur, Heritage Medical will probably be gone from the building because the parking and traffic will be more than they can take, and they had said that in newspapers. Their lease is coming up in 2015, Heritage Medical will be gone, and 1909 Mallory

Lane may become un-rentable if that occurs. The applicant does not raise this lightly. They have the Heritage Medical tenants and other tenants who have said that if their patients cannot get to the building, or find it easily, they do not want to be there. The median cut makes the left turn possible. He did not believe the alternatives, to which Mr. Holzen described, would get it done. There would be a devastating effect on this. Mr. Papel had talked with the applicant regarding the parking, and those discussions have been tabled until afterwards. Parking is an issue, but access is the bigger issue. If the Planning Commission approves Ordinance 2014-21 and the Development Plan, the applicant requested that they be done without the condition on closing the median because of the devastating effect it would have on this commercial property.

The Wallach's and Prime Kurtell Properties LLC do not want to be collateral damage to an application or approval of this application.

Mr. Skip Heibert, of Heibert+Ball Land Design, stated that the original traffic study did not warrant the closure of this median cut. He discussed the traffic and stated that the level of service was A for the northbound turn and a level of service B for the eastbound approach for the a.m. peaks. The p.m. peaks were about the same, a B and C respectively. With the addition of Nichol Mill Lofts, the level of service would not change at that intersection. The level of service in the a.m. for the north left turn lane was still a level A with an east approach with a level of service B. Only the east approach in the p.m. peak drops to a level of service D. The other north left turn remains at a level of service B. They feel that the level of service at this intersection, with or without the addition of Nichol Mill Loft, is performing at an acceptable level today. The queues that would be expected in looking at the numbers coming through, with the addition of the Lofts, would be very similar. It would still backup to that area, but it is doing that now, and it seems to be functioning quite well.

Mr. Heibert had spoken with the Traffic Engineer who prepared the study, and according to him, there have been two accidents at this location in three years, which seems as though it is an acceptable level for the Cool Springs area.

Alderman Margaret Martin, of 238 Third Avenue South, stated that some of the individuals were at the Joint Conceptual meeting for the Board of Mayor and Aldermen and the Planning Commission, when the occupants of the Heritage Medical Center were there. The occupants said that they were unable to get home in the afternoons and that their patients could not get there easily. They seemed to be amenable to a traffic light on Sea Board Lane because it might afford them the ability to get out of their property. She did know if the applicant would be willing to look into that. She was told tonight that it was not warranted. She thought that meant that there had not been enough deaths at that intersection for people trying to get out. She had never understood about what would "warrant it." If the people cannot get in and out and cannot get to their building, she thought it really needed to be reviewed unless the City can come up with a better solution to it.

Mr. Jim Brown, Chief Executive Officer of Heritage Medical, stated that Heritage Medical was a multi-specialty practice of 108 physicians. They have nine locations throughout Davidson and Williamson counties. He expressed his concerns about the impact of Nichol Mill Lofts on Heritage. He agreed with Mrs. Martin that the patients do have a difficult time. There is traffic

congestion, and they could see Nichol Mill Lofts would not make that worse. Heritage Medical also had concerns about closing that curb cut and the impact on about 40 percent of the patients that come there each day. They also have concerns on what the impact will be on the parking as well. One of the options, which they have should this development go through, is looking at their other options. They are committed to the Franklin area, which is not to say they would not provide medical services in this area, they would just have to look for another location. They are awaiting the outcome of this before they take their next steps. They cannot see that this could not have a negative impact on Heritage Medical and their patients.

Mr. Michael Martin, with the Tennessee Credit Union, stated that they owned the property at 809 Mallory Lane. The members of the credit union did have a problem with coming out the building and turning left. The people who are visiting their branch and come from the other end will really miss this median cut. They are not a heavy traffic area, but they have many members in the Franklin/Brentwood area that use the credit union. The credit union will be impacted by the median cut. His members would not cut through Burger King and the medical center parking lot to get to Tennessee Credit Union when there are many other banks on that street. The Tennessee Credit Union will be affected if Ordinance 2014-21 is passed.

Chair Hathaway asked if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative, requested a favorable recommendation to the BOMA. He had been discussing this issue regarding the median closure for the past couple of weeks with Mr. Baughman and Mr. Holzen. He distributed an exhibit to the Planning Commission, which Mr. Baughman and Mr. Holzen had reviewed.

Mr. Gamble's team started working on this plan last fall. They had worked with City staff and had put a lot of thoughtful consideration into the plan. They were made aware of the median closure a couple of weeks ago and that it was an absolute requirement of this development plan. Shortly, thereafter, they relayed this information to the representatives at Heritage Medical. Mr. Gamble has been working with them on a potential shared parking arrangement, which is a unique aspect between residential and office. They proposed an alternative to staff, but it did not conform to the technical standards within the Street Design Manual. They were informed that this median closure is a technical requirement. Presently, the distance from the center of the median opening to the new Nichol Mill Lane and Mallory Lane intersection is 530'. The requirement is 1,200'. He understood that the City is about to go through a process making those intersections smart so they can better control. The 1,200' separation is necessary for that control. His client has no objection to the closing requirement and will bear all of the costs associated with the construction of that median closure. The turning lanes will be reconfigured on new Nichol Mill Lane. The missing pedestrian crossing that is at New Nichol Mill Lane and Mallory Lane will be added as a part of the City's traffic improvement. Sea Board Lane was studied, Nichol Mill Lane was studied, the Mallory Station intersection was reviewed, and all of the City standards and criteria for intersections and roadways have been satisfied at those intersections. No additional improvements are required. All of the required and requested improvements will be done by the traffic engineers and the City's engineers relative to this development.

In the applicant's plan, Old Nichol Mill Lane has been extended as a public access through the property and will exit on to New Nichol Mill Lane. This will be a route accessible by the Tennessee Credit Union, Heritage Medical, and the public. On the drive, the applicant has 25 surface parking spaces that can be shared with the adjacent office uses and two points of connection to adjacent parking lots.

The applicant is requesting a rezoning and a development plan approval for residential multi-family for a total of 378 total apartments. This number has been reduced from 406 with the addition of transitional features in the setbacks, applying 70' on the west side and 35' on the east side of the property.

Mr. Gamble shared with the Planning Commission an exhibit, which showed a comparison of the hourly traffic distribution. This document was prepared by RPM, and Mr. Gamble showed and discussed the traffic peak periods.

Alderman Petersen stated that the Planning Commission had not stated that they had received a letter from the City of Brentwood. They requested that the City of Franklin and the City of Brentwood have some time to review this item together.

Aldermen Petersen moved to defer Ordinance 2014-21, Ms. Allen seconded the motion, and it passed unanimously (7-0)

**19.RESOLUTION 2014-55, TO BE ENTITLED, "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR NICHOL MILL LOFTS PUD SUBDIVISION, LOCATED AT 427 NICHOL MILL LANE, BY THE CITY OF FRANKLIN, TN."**

Ms. Hunter stated that staff recommended deferral of Resolution 2014-55, based on the deferral of item 18 (Ordinance 2014-21).

Ms. Allen moved to defer Resolution 2014-55, Alderman Petersen seconded the motion, and it passed unanimously (7-0).

Mr. Gamble stated that the applicant had not received a letter from Brentwood, and if that letter could be made available, he would certainly appreciate it.

**21.ORDINANCE 2014-22, TO BE ENTITLED, "AN ORDINANCE TO REZONE ±14.70 ACRES FROM SPECIFIC DEVELOPMENT-VARIETY DISTRICT (SD-X) 4/125,178, TO SPECIFIC DEVELOPMENT-VARIETY DISTRICT (SD-X) 14/21,503, FOR THE THROUGH THE GREEN PUD SUBDIVISION."**

Mr. Anthony presented the staff report for Ordinance 2014-22 and stated that there was a typo in the caption for this item. The applicant wishes to rezone approximately 33.25 acres of the Through the Green PUD Subdivision to Specific Development – Variety with a residential density of 14 and commercial/office square footage of 21,503. This property was previously zoned as a mixed-use district; however, with the new SD zoning, the property was recently rezoned to SD-X. With the new SD zoning, density changes now require BOMA approval.

Staff has received ten letters regarding this project. Eight of those were provided to staff by the applicant and indicate support for the project. An additional letter of support was sent to staff by a Columbia Avenue business owner. Staff received a letter from a Beasley Drive business owner asking that the project not be approved due to insufficient infrastructure and traffic concerns.

Staff has reviewed the rezoning request and has determined that it does not meet the Land Use Plan's recommendation for this area. The Land Use Plan designates Special Area 1 of the Southall Character Area as appropriate for light industry and related uses. Typically, staff would recommend disapproval for rezoning projects that are not consistent with the Land Use Plan. However, in this case, the Board of Mayor and Aldermen previously approved a mix of residential and commercial on this site. Based on that approval and the fact that housing units have already been built on the site, staff recommends that the Planning Commission send this rezoning request to the Board of Mayor and Aldermen with a favorable recommendation.

Chair Hathaway asked for comments from the citizens.

Alderman Mike Skinner, of 258 Sontag, stated that he was the Third Ward Alderman who represented this area. He wanted the Planning Commission to think about this approval. He reminded everyone of how unpredictable and heavy the traffic could be on Columbia Avenue. Both Columbia Avenue and Mack Hatcher Parkway in this area will be used by this project and will definitely add to the traffic congestion. Both Columbia Avenue and Mack Hatcher Parkway are state roads. Two months ago the state said that they would fund the 20 percent for widening Columbia Avenue; however, that will be years and years out. He thought it was a mistake to add more residential area to this part of town without some relief or some plans as far as widening the roads in this area. It will get so congested that people will avoid this area. Also, when this project was going to be office and retail, there would have been a chance that a few individuals who lived there would not even have to leave the neighborhood for work but with changing it to all apartments, except for one more small commercial space, that opportunity will not be there. He hoped that the Planning Commissioners would vote no for Ordinance 2014-22.

Mr. Jared Gillis, Shadow Green Apartments, stated that he had moved into the apartments when the buildings were still being built. He knew there was concern about the training that goes on with the Williamson County Sheriff's Office, which is located behind the apartments. He finds it reassuring and peaceful to know that the Sheriff's office is constantly training. He is finishing up in school so that he can purchase a home, but he loves living at Shadow Green with the staff who go out of their way to be helpful, the convenience of retail so close by, and of 840. He hoped that the Planning Commission would approve Ordinance 2014-22.

Chair Hathaway asked if there was an applicant.

Mr. Jeff Heinze, with Littlejohn Engineering Associates, stated that he represented the applicant, that this was a 48 acre tower center with retail, and he described the layout of this project. The area that the applicant was interested in rezoning was the area immediately to the north, which was the Through the Green or Shadow Green as it had been renamed. There are two developments in the mixed use policy, the commercial to the south and the area that is zoned for



mixed use. The difference is that it is heavy on the retail/commercial side of the mixed use currently under the Development Plan. The applicant believes that favoring the residential is the better position.

Part of the final build-out for the remaining parcels within Shadow Green will be an inter-connectivity of the street that is build all of the way with the exception of the connectivity to the power center. One of the additional agreements is that Kroger and the owners of the power center have also agreed to a second street connection with this project being residential because they understand the measure that residential supports commercial. They need the rooftops to be affected. This should be thought of as two 48 acre parcels working together. There is the mixed use usability of people living and being able to commute via car on an internal street or even walking to the adjoining commercial services, which is one of the things that true mixed use policy supports. The other thing that the applicant believes is that part of the plan supports internal walking trails and internal parks with this new development. It supports building additional infrastructure that is part of the City's long-term greenway with the park going through it. It will eventually connect to Mack Hatcher. All those things are part of that providing an environment where individuals can live, work, play and recreate together. The major benefit of mixed use is it responds to the Market. The 196 apartments that have been built to date are effectively 92 percent leased. The Market has welcomed that, and they are meeting a need for affordability.

The mixed use/Land Use policy provides some inherent benefits.

Mr. Heinze introduced Ms. Gillian Fishbach, of Fishbach Transportation Group.

Ms. Fishbach stated that she had prepared Traffic Impact studies for this project. She has had discussions with the applicant about what the results of those studies indicate and the challenges are on that corridor. One of the things she looked at as part of the Traffic Impact Study was comparing the trip generation that can be expected for the proposed modification comparing that to a trip generation that can be pulled out of what is already developed. Based on trip generation rates, they are looking at the 228 proposed apartments plus about 10,000 square feet of office to generate approximately about 50 percent of what the full build-out of office and retail would generate with the current entitlement. In addition to that, there is an opportunity to provide, not just one connection but two, to these adjacent retail developments and capture some internal trips.

Mr. Heinze stated that on an 80 percent build-out of a retail/commercial mix, the peak hour trips start to exceed what a residential total build-out would be on the site. So, at 80 percent of the build-out, which is currently entitled on that site, more traffic is put on Columbia Avenue in peak hours with commercial traffic than would be with residential. He requested a favorable recommendation to the BOMA.

Mr. Orr moved to deny Ordinance 2014-22 because he suspected that the original vote of approval of the apartments being there was a vote that the Planning Commission would like to have back. He was not going to make the mistake this time. Ms. Allen seconded the motion and stated that she was not going to be hypocritical on this issue. There is a certain portion of this

area, which she drives through, and she riles at the lack of planning. She will not be a part of the problem on Columbia Avenue.

Mr. Franks stated that the residential part that compliments the commercial component, which is adjacent, is a good mix. The ownership is what he was concerned with, apartment rental versus an ownership project. He thought he would support more of an ownership project as opposed to additional apartments.

With the main motion having been made and seconded to deny Ordinance 2014-22, it passed unanimously (7-0).

**22. RESOLUTION 2014-52, TO BE ENTITLED, "A RESOLUTION APPROVING A DEVELOPMENT PLAN REVISION FOR THE THROUGH THE GREEN PUD SUBDIVISION, LOCATED AT 1200 AND 1300 SHADOW GREEN DRIVE AND 1201 AND 1301 ISLEWORTH DRIVE, BY THE CITY OF FRANKLIN, TENNESSEE."**

Mr. Anthony stated that in keeping with the previous vote on item 21, staff recommended to deny item 22 (Resolution 2014-52).

Chair Hathaway asked if the Planning Commission should hear from the applicant since the item had been recommended for denial.

Ms. Billingsley stated that she was not sure they would need to hear from the applicant since they were not going to do anything with it. This item would still go to the BOMA.

Ms. Allen moved to deny item 22, stating that she would not be part of the problem with Columbia Avenue, Mr. Orr seconded the motion, and it passed unanimously (7-0).

**28. The Highlands at Ladd Park PUD Subdivision, site plan, section 24, 17 residential units and 2 open space lots on 4.87 acres, located south of the Harpeth River and east of Carothers Parkway.**

Mr. Anthony presented the staff report for item 28 and stated that with the Highlands development plan revision having passed on the consent agenda, staff can recommend approval of this item with the conditions set forth in the staff report.

Chair Hathaway asked for comments from the citizens.

No one came forward.

Chair Hathaway asked if there was an applicant.

Mr. Greg Gamble, of Gamble Design Collaborative, requested approval of item 28.

Ms. Allen moved to favorably recommend approval of item 28, Mr. Orr seconded the motion, and it passed unanimously (7-0) with the following:

CONDITIONS OF APPROVAL:

Planning

## General Comments

### 1. Data chart

Applicant shall remove reference to residential density from site data chart on sheet C1. Density is approved for the entire PUD, not on a section-by-section basis.

### 2. Site plan approval

This site plan shall be reviewed by the FMPC following review and approval of the revised development plan (COF# 4596) by the FMPC. If the FMPC does not approve the development plan revision, staff shall ask the FMPC to defer action on this site plan.

(The purpose of this condition is to ensure compatibility between the governing development plan and this site plan.)

### 3. Addressing

Applicant shall contact Lori Jarosz at lori.jarosz@franklintn.gov to receive addresses. Applicant shall show addresses on site plan.

## Stormwater

### General Comments

### 4. EPSC

This is a new issue. The applicant shall provide two EPSC sheets; initial and final measures shown.

## **RECONSIDERATION OF ITEMS 18 AND 19**

Alderman Petersen moved to reconsider items 18 and 19, which the Planning Commission had deferred because they should have been deferred to a specific date, and Ms. Allen seconded the motion.

Mr. Franks asked if items 18 and 19 should go back to the Joint Conceptual Workshop to get a better understanding of connectivity since they were being deferred.

Ms. Billingsley stated that before the items were discussed, it should be voted on whether or not the Planning Commission wanted to discuss them.

With the motion to reconsider items 18 and 19 having been made and seconded, they passed unanimously (7-0).

Alderman Petersen moved to defer items 18 and 19 for two months.

Ms. Billingsley stated that she thought this should give Brentwood enough time to consider it, but if in two months there was not an answer for the Planning Commission, it could be deferred again.

Ms. Allen seconded the motion to defer items 18 and 19 for two months.

Vice Chair Lindsey asked if this would give enough time for these items to be addressed at the Joint Conceptual Workshop.

Ms. Billingsley stated that they would need to be addressed at the August 21<sup>st</sup> Workshop and even the September 25<sup>th</sup> Workshop if the Planning Commission desired to do this.

Mr. Franks stated that the closure of the road was very important, and this needed to be discussed at the workshop. There was nothing wrong with keeping the road open that was up and down Mallory. To close the one road was totally wrong and to not provide a pedestrian crossing over to the Galleria should be considered as well. In light of the changes that were presented to the Planning Commission and the proposed closing of Nichol Mill Lane, the Planning Commission was not aware of this at the Joint Conceptual Workshop. He asked why it could not be deferred back to the workshop and put back on the agenda at a later date.

Chair Hathaway asked the applicant if he wanted to weigh in on this.

Mr. Greg Gamble, of Gamble Design Collaborative, stated that he was interested in this because it was a very complex item, which they had in front of them. This was a technical standard and was not generated by the volume of traffic or the use, which had been discussed. His client does not want to but will appeal this to the Building and Street Standard Appeals Board. This is not something that the Planning Commission or the BOMA can overturn. The applicant would like to do so in an environment where they are not withdrawing this application at this meeting. If they could do so within a period of deferral, so if it is two months they will go to the Street Standard Appeals Board, ask their opinion on this issue, and then return to the Planning Commission or return to the Joint Conceptual Workshop. Mr. Gamble just wanted to follow the right process so that it would go through the proper entity. At the Building and Street Standard Appeals Board, it will give everyone an opportunity to review this in detail in front of the formal board that can approve or deny this median closure if that is appropriate.

Alderman Petersen stated that this was on the border of Brentwood and Franklin. She was not sure if Franklin was the only one who had any say in it, and that was why she was responding.

Chair Hathaway stated that typically a Board of Appeals required a denial to be able to go to that Board of Appeals. If the Planning Commission was deferring, he did not know what the applicant was appealing.

Ms. Billingsley stated that the applicant would not be appealing the Planning Commission's decision. He would go to City Engineer David Parker, who would make a final call, and that decision would be appealable to the Building and Street Standard Appeals Board. That would need to be worked out before it came back to the Planning Commission because whether or not the street is closed may be important on the Planning Commission's decision as far as rezoning this property.

Alderman Petersen stated that perhaps items 18 and 19 should be deferred for three months, and Ms. Allen seconded the motion

Chair Hathaway asked if the deferral could be connected with the Building and Street Standard Appeals Board's decision.

Alderman Petersen stated that the reason she was discussing the deferral was to work with the City of Brentwood also. This would not necessarily hinge on the situation with the Building and Street Standard Appeals Board.

Ms. Billingsley stated that it was possible that the City of Brentwood might want to be part of the appeals.

Ms. Hunter stated that it could be required to go to the Joint Conceptual Workshop, and staff could pick that day as dependent upon the Building and Street Standard Appeals Board date as long as it is deferred to the correct Planning Commission meeting.

Mr. Franks stated that he did not see why it needed to go to the Building and Street Standard Appeals Board when it needed to come back to the Joint Conceptual Workshop first. After the Joint Conceptual Workshop, one would know if it needed to be appealed.

Chair Hathaway asked if the Planning Commission had standing on this item.

Ms. Billingsley stated that if it was a technical standard, it would be appealed to the Building and Street Standard Appeals Board. The Planning Commission would be considering whether or not the rezoning is proper given all of the aspects that may or may not happen with the streets.

Alderman Petersen stated that that was part of it, but there were other things that needed to be reviewed.

With the motion having been made and seconded to defer items 18 and 19 for three months, the motion passed unanimously (7-0).

There being no further business, the meeting adjourned at 8:22 p.m.

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Chair, Mike Hathaway