HISTORIC FRANKLIN TENNESSEE

City of Franklin

109 3rd Ave S
Franklin, TN 37064
(615) 791-3217

Meeting Minutes

Franklin Municipal Planning Commission

Thursday, October 28, 2021 | **7:00 PM** | **Board Room**

Notice is hereby given that a meeting of the Franklin Municipal Planning Commission will be held on the date, time and at the location listed above. Additional information can be found at www.franklintn.gov/planning.

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.

Accommodations have been made to ensure that the public is able to participate in the meeting. The public may participate in the following ways: • Watch the meeting on FranklinTV or the City of Franklin website. • Watch the live stream through the City of Franklin Facebook and YouTube accounts. • Email comments to planningintake@franklintn.gov to be provided in full to the Commission and included in the minutes, but not read aloud in their entirety during the meeting. Emailed comments are accepted until 12:00 PM (noon) on the day before the meeting. • Comment in-person in the Boardroom. Speakers will be asked to fill out a speaker card prior to the meeting starting. Speakers may sit in the Boardroom, or wait in the lobby.

CALL TO ORDER
Chair Lindsey called the meeting to order at 7:00 pm.

Board Members Present: Nick Mann, Alderman Ann Petersen, Alma McLemore, Marcia Allen, Roger Lindsey, Scott Harrison, Michael Orr **and Jenny Williamson**

Board Members Absent: Jimmy Franks

Chair Lindsey read the following statement:
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not read aloud in their entirety during the meeting. Emailed comments are accepted until 12:00 PM (noon) on the day before the meeting. • Comment in-person in the Boardroom. Speakers will be asked to fill out a speaker card prior to the meeting starting. Speakers may sit in the Boardroom, or wait in the lobby.

APPROVAL OF MINUTES

1. Consideration Of Approval Of The September 23, 2021 FMPC Minutes.

Sponsors:

Attachments: 1. DRAFT FMPC Minutes September 2021

Chair Lindsey asked for a motion to approve the Minutes from the September 23, 2021 meeting.

Alderman Petersen moved, seconded by Commissioner McLemore, to Approve the Minutes.

Chair Lindsey asked for a roll call vote.

The motion passed unanimously.

ACTION:	**Motion to Approve the Minutes, Item 1, by Alderman Ann Petersen, seconded by Commissioner Alma McLemore;** **Motion Passed 8-0**
AYES:	**Ann Petersen, Marcia Allen, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann**
NOES:	**None**
ABSTAIN:	**None**

FMPC ANNUAL CALENDAR

2. Consideration Of Approval Of The January 2022 - January 2023 FMPC Calendar.

Sponsors:

Attachments: 1. DRAFT FMPC Meetings and Deadlines Schedule PUBLIC 2022

Ms. Amy Diaz-Barriga, Current Planning Supervisor, presented the January 2022 - January 2023 FMPC calendar.

Staff recommended approval of the January 2022-January 2023 Calendar.

Chair Lindsey asked if there were any citizen comments. There were none.

Chair Lindsey asked for a motion.

Commissioner Allen moved, seconded by Commissioner Harrison, to recommend Approval of Item 2.

Chair Lindsey asked for any discussion on the motion.

There being none, Chair Lindsey asked for a vote on the motion.

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION:	Motion to Approve Item 2 by Commissioner Marcia Allen, seconded by Commissioner Scott Harrison; Motion Passed 8-0
AYES:	Ann Petersen, Marcia Allen, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann
NOES:	None
ABSTAIN:	None

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

The Chair asked for citizen comments. There were none.

ANNOUNCEMENTS

Ms. Emily Wright, Director of Planning and Sustainability, stated the Planning Commission and Board of Zoning Appeals virtual training will be held on Friday, November 5th from 8 am to noon. This will complete the State requirement for continuing education. The course is sponsored by the Middle Tennessee Chapter of the American Planning Association. Registration information has been emailed out to the Commissioners. If they are not available to attend, they will be able to view the recording before the end of the year.

She stated that the Harpeth Square development in the Downtown area received the 2021 Urban Land Institute Award of Excellence in development for a large project in the private sector.

VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

The Chair asked for citizen comments. There were none.

CONSENT AGENDA

3. Consideration Of Approval Of Items 4-6 And 12-17 On The Consent Agenda.

Sponsors:

Attachments: None

Chair Lindsey stated that the vote for the Consent Agenda would include Items 4-6 and12-17.

Chair Lindsey asked for a motion.

Commissioner McLemore moved, seconded by Commissioner Williamson, to approve the Consent Agenda to include Items 4-6 and 12-17 .

Chair Lindsey called for a roll call vote.

The motion passed unanimously.

ACTION:	Motion to Approve the Consent Agenda, Item 3, by Commissioner Alma McLemore, seconded by Commissioner Jenny Williamson; Motion Passed 8-0

AYES:	**Ann Petersen, Marcia Allen, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann**
NOES:	**None**
ABSTAIN:	**None**

SITE PLAN SURETIES

4. Creekstone Commons PUD Subdivision, Site Plan, Section 4; Extend The Maintenance Agreement For Landscaping Improvements To October 27, 2022. (CONSENT AGENDA)

   Sponsors: Melodie Brady

   Attachments: None

   This item was approved on the Consent Agenda.

5. Grace Pointe Church Subdivision, Site Plan; Extend The Performance Agreement For Landscaping Phase B improvements to October 27, 2022. (CONSENT AGENDA)

   Sponsors: Melodie Brady

   Attachments: None

   This item was approved on the Consent Agenda.

6. Rizer Point PUD Subdivision, Site Plan, Section 1; Extend The Performance Agreement For Drainage And Landscaping Improvements To October 27, 2022. (CONSENT AGENDA)

   Sponsors: Melodie Brady

   Attachments: None

   This item was approved on the Consent Agenda.

REZONINGS/DEVELOPMENT PLANS

7. Consideration of Ordinance 2021-44: An Ordinance To Rezone 12.0 Acres From R-1 District To Planned (PD 0.92) District For The Property Located North Of Boyd Mill Avenue And West Of Glass Lane, At 600 Boyd Mill Avenue (Historic Magnolia Hall PUD Subdivision).

   Sponsors: Emily Wright, Amy Diaz-Barriga, Joseph Bryan

   Attachments:
   1. MAP ORD 2021-44 RES 2021-151 Historic Magnolia Hall PUD
   2. ORD 2021-44 HISTORIC MAGNOLIA HALL PUD REZ_with Exhibits_Law Approved 3
   3. Historic Magnolia Hall_PD Rezone

   Mr. Joseph Bryan, Principal Planner, stated that the rezoning is to accommodate the proposed entitlements of the Historic Magnolia Hall PUD Subdivision. The plan proposes 11 single-family residential lots, including the historic home currently on the grounds of the property. The subject property is within the Conservation Subdivision Design Concept. According to Envision Franklin, the Conservation Subdivision Design Concept, "supports primarily single-family residential development that clusters lots and infrastructure and sets aside a substantial amount of property as permanently protected open space in its natural state." The proposed zoning is consistent with the recommendations of Envision Franklin. The development plan for the Historic Magnolia Hall PUD Subdivision is also included on this agenda.

Staff recommended Approval of Ordinance 2021-44 to the Board of Mayor and Aldermen (BOMA).

Chair Lindsey asked if there were any citizen comments. There were none.

The Applicant was represented by Mr. Adam Seger, Dale & Associates. Mr. Seger is the civil engineer for the project. He introduced Mr. Bernie Butler, Developer, and Mr. Jason Goddard, and Mr. Mike Hathaway, design team. He stated that this item was for eleven total units, which includes the Magnolia Hall house.

Chair Lindsey asked for a motion.

Commissioner Harrison moved, seconded by Commissioner Orr, to recommend Approval of Ordinance 2021-44 to the Board of Mayor and Aldermen.

Chair Lindsey asked for any discussion on the motion.

There being none, Chair Lindsey asked for a vote on the motion.

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION:	Motion to Recommend Approval to the Board of Mayor and Aldermen of Ordinance 2021-44, Item 7, by Commissioner Scott Harrison, seconded by Commissioner Michael Orr; Motion Passed 8-0
AYES:	Ann Petersen, Marcia Allen, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann
NOES:	None
ABSTAIN:	None

8. Consideration Of Resolution 2021-151: A Resolution Approving A Development Plan For Historic Magnolia Hall PUD Subdivision, With 5 Modifications Of Development Standards (Sidewalks, Retaining Walls), For The Property Located North Of Boyd Mill Avenue And West Of Glass Lane, At 600 Boyd Mill Avenue.

__Sponsors:__ Emily Wright, Amy Diaz-Barriga, Joseph Bryan

__Attachments:__

1. MAP ORD 2021-44 RES 2021-151 Historic Magnolia Hall PUD
2. 7669 His Magnolia Hall PUD DP_Conditions of Approval_01
3. RES 2021-151 HISTORIC MAGNOLIA HALL PUD DP_with Exhibits_Law Approved
4. Magnolia Hall_Development Plan_10192021
5. Arch. Concepts
6. Magnolia Hall Sidewalk Exhibit

Mr. Joseph Bryan, Principal Planner, stated that the plan proposes 10 new single-family residences in addition to the existing historic home, for a total of 11 residential lots. Envision Franklin paces this parcel in the Conservation Subdivision Design Concept.

Envision Franklin gives further special consideration to the Magnolia Hall property by saying, "The historic home and the existing viewsheds of the property should be preserved. Limited clustered single-family infill may be appropriate if the historic estate and its setting are preserved. Proper integration and transition should be provided to the historic buildings, and the layout of the site should make the historic buildings the prominent features of the development." The plan as proposed preserves more than 50% of the open space, including the pond and viewshed of the home from Highway 96 West. All of the new construction is located along the western boundary of the property, leaving the historic Magnolia Hall manor as the prominent feature of the site. New trails and shared green space on the historic front lawn of the home provide active use areas for the residents.

There are 5 Modification of Standards (MOS) requests with this proposal relating to sidewalks and retaining wall standards.

FOR MOS 1-3, the applicant is requesting to not require sidewalks along the exterior of the development. Each request requires a separate MOS request by location: New Highway 96 W (MOS 1), Glass Lane (MOS 2) and Boyd Mill Road (MOS 3). Section 9.6.1 requires that sidewalks must be installed "on both sides of public and private streets and internal drives" with all new development. The City of Franklin periodically receives requests to construct sidewalks in existing neighborhoods where a sidewalk was not required previously. Generally, sidewalk gap projects are much more expensive to construct than if they were constructed with development. Sidewalk gap requests can ultimately become larger capital projects that cost the City hundreds of thousands, if not millions of dollars. The Zoning Ordinance requirement for sidewalks is essential for developments to provide pedestrian infrastructure for future and existing residents.

Staff recommends denial of MOS 1-3. Should any of the MOS requests for the removal of sidewalks be approved by the Board of Mayor and Aldermen (BOMA), Staff recommended the condition that sidewalk fees in lieu be paid by the developer at a rate of $19/sq.ft. for future sidewalk gap projects.

Mr. Jimmy Wiseman, Assistant Director of Engineering, stated that they consistently receive requests for sidewalk gap projects. He stated that some come to fruition before the Board and become larger capital projects. He listed some examples: South Royal Oaks, Forrest Crossing Boulevard, Oak Meadow, Carothers Parkway, and the multi-use trail/sidewalk along Highway 96 West. Referring to the layout plan, Mr. Wiseman discussed the MOS requests. For MOS 1, he stated that they understand the difficulty of construction for the sidewalk along New Highway 96 West. He stated that the ordinance does not speak to difficulty or cost, only construction of the sidewalk. For MOS 2, Glass Lane, an option is to incorporate the proposed trail system into the sidewalk and put this into a public access easement. For MOS 3, he stated that the Boyd Mill sidewalk is fairly easy to construct and would ultimately create a loop providing better connectivity to the parks and schools.

Mr. Bryan continued his presentation with MOS 4: Not require internal sidewalks within the development.

He stated that the applicant is requesting not require internal sidewalks within the development. Section 9.6.1 requires that sidewalks must be installed "on both sides of public and private streets and internal drives" with all new development. Staff cannot support not requiring internal sidewalks. However, given the historic nature of the site and Magnolia Hall's periphery access to Glass Lane, Staff can support, in this singular instance, installing sidewalks only along the western side of the new internal road in order to provide pedestrian connectivity to the new residences. The applicant shall work with the Engineering Department to determine the exact location of the internal sidewalk.

Staff recommended approval with conditions of MOS 4, with the condition that sidewalks are installed on the western side of the internal public street.

For MOS 5, the applicant is requesting to locate a retaining wall within 5 feet of public right of way (ROW). Section 13.2.2 of the Zoning Ordinance states that, "Retaining walls shall be set back from a lot line a minimum of five feet or the distance equal to the height of the wall, whichever is greater." Given the location of the pond in proximity to the internal drive, and the required buffers along the pond, Staff can support locating the retaining wall within zero (0) feet of the public ROW, provided the applicant meets the conditioned approval of MOS 4 relating to internal sidewalk location.

Staff recommended approval with conditions of MOS 5.

Staff recommended approval with conditions of the Historic Magnolia Hall PUD Subdivision Development Plan, Resolution 2021-151.

Chair Lindsey asked if there were any citizen comments.

The following citizens spoke concerning Resolution 2021-151:
1. Mr. Scott Jordan, 400 Boyd Mill Road - Opposed to MOS 1-4. Mr. Jordan stated that sidewalks should be included, safe and must be ADA (Americans with Disabilities Act) compliant.
2. Ms. Damon Rogers, 431 Boyd Mill Ave - In Favor of MOS requests. Ms. Rogers supports Mr. Bernie Butler's, Developer, development plan and supports the MOS requests for sidewalk gaps and retaining wall.
3. Mr. Gary Minor, 609 Boyd Mill Ave - In Favor of MOS requests. Mr. Minor stated that this property has three unique features: the pond, a maple-lined driveway, and the house. He stated that the road needs to be 20 ft. so that the trees can survive.
4. Alderman John Schroer, 512 Boyd Mill Ave - In Favor of MOS requests. **Mr. Schroer is an Alderman for the City of Franklin. Alderman Schroer supports Modification of Standards 1-3. He stated that they will need to cut down a 12 ft vegetation screen to build the Boyd Mill sidewalk. He stated that no one who lives there wants the sidewalks. He does not encourage building a walkway which will encourage people to cross Glass Lane and Hwy 96 for safety reasons. He stated pedestrians need to cross at the traffic lights at 11th Ave or Boyd Mill. He stated that it is difficult to build a sidewalk along New Hwy 96 West due to the drop off. He stated that the City wants to encourage people to walk on the newly constructed multi-purpose trail.**
5. Mr. Woody Woodruff, 713 Glass Lane - In Favor of MOS requests. **Mr. Woodruff stated that he agrees with Alderman Schroer's comments. He stated that there is a utility easement along Glass Lane. He asked where the utilities would go if sidewalks are constructed. He stated that he was concerned about the safety of pedestrians along these proposed sidewalks, especially along Glass Lane. He supports Mr. Butler's development plan.**
6. Ms. Mary Pearce, 103 Woodview Court (Charlton Green resident) - In Favor of MOS requests. **Ms.**

Pearce stated that there are no sidewalks in Charlton Green. She stated that this is a landmark property where the development will be on the front lawn. She appreciates Mr. Butler's plan and is against adding any internal hardscape. She stated that the sidewalks, especially in impractical places, does not help the aesthetic of the property. She stated that this is a showcase historic property for Franklin. She asked to save the aesthetic of this property.

The Applicant was represented by Mr. Adam Seger, Dale & Associates. He stated that, as the designer, they had been given specific instructions by the developer, Mr. Butler. He stated that Mr. Butler's instructions state that the historical integrity of this property is paramount. Mr. Seger stated that there had been several meetings with the community. He stated that MOS 1-4 are about sidewalks. From an engineering perspective, to build a sidewalk along New Hwy 96 West would be difficult. It would require digging into the pond due to the dropoff. Internally, the emphasis has been on the historic appearance of the property. MOS 5 is about staying out of the buffer of the pond. He stated that they are requesting the retaining wall so that they are not tying the road slopes into the pond area. Also, he stated that there are large sugar maples along the drive. They want to preserve these. They have requested a MOS from Engineering to save the treeline and the pond to be a feature of the site.

Mr. Bernie Butler, Developer, stated that he only works in the Downtown Franklin area and has been working in this area for many years. He stated that the MOS requests are important. He wants to maintain the rural character of the property, which is on the National Registry of Historic Homes. He stated that these decisions would affect future generations. He stated that they requested the 20 ft. width for the street in order to save the maple trees. If the street is built wider, it will hurt the roots of the trees.

Mr. Wiseman stated that Engineering had approved to narrow the street to a 23 ft. width. He also stated that this was an Engineering MOS and not for the Planning Commission to decide.

Ms. Wright asked Mr. Wiseman to explain the process if the Applicant wants to appeal the Engineering decision.

Mr. Wiseman stated that an appeal would go before the Street Standards Appeals Board. He explained that they can only narrow the street to a minimum 23 ft. width due to safety concerns. He stated that Engineering will work with the developer to keep the trees. The road must be this width to accommodate fire department access.

Chair Lindsey stated that the discussion should remain on the sidewalk issue, not the width of the street.

Mr. Butler stated that they requested the removal of the sidewalks requirement along the street in order to save the character of the driveway and trees.

Chair Lindsey asked for a motion for the main motion.

Commissioner Harrison moved, seconded by Commissioner Orr, to recommend Approval, with conditions, of Resolution 2021-151 to the Board of Mayor and Aldermen.

Chair Lindsey asked for a motion for MOS 1. The applicant is requesting to not require sidewalks along the exterior of the development along New Hwy 96 West.

Commissioner Mann asked to see the sidewalk exhibit.

Commissioner Williamson asked about the plans for the multi-use trail on the other side of New Highway 96 West. She stated that historic properties do not always fit standard requirements. She is an avid biker. She stated that this situation is similar to Hwy 96 and Mack Hatcher Parkway where the sidewalk is on one side of the street. She stated that bikers will use the multi-use trail. She supports the approval of MOS 1.

Alderman Petersen stated that she supports MOS 1 because of safety issues and the difficulty of construction to build the sidewalk along New Hwy 96 West, the proximity to the pond, and the use of the traffic signal for pedestrians at Boyd Mill.

Alderman Petersen moved, seconded by Commissioner McLemore, to approve MOS 1.

Commissioner Harrison asked for clarification that Alderman Petersen's motion was to approve MOS 1.

Commissioner McLemore stated that Staff had done their job to follow the requirements of the Zoning Ordinance. However, some properties do not fit the requirements. She supports the approval of MOS 1.

Chair Lindsey asked for any discussion on MOS 1.

Commissioner Allen moved, seconded by Commissioner McLemore, to amend the motion to approve MOS 1 with the condition to require sidewalk fees in lieu be paid by the developer at a rate of $19/sq.ft. for future sidewalk gap projects.

Chair Lindsey asked for any discussion on the motion to amend the motion to approve MOS 1.

Chair Lindsey asked for a roll call vote on the motion to amend the motion to approve MOS 1.

The motion to amend the motion to approve MOS 1 carried unanimously.

Chair Lindsey asked for a roll call vote for MOS 1, as amended.

The motion to approve MOS 1, as amended, carried unanimously.

Chair Lindsey asked for a motion for MOS 2. The applicant is requesting not to require sidewalks along the exterior of the development along Glass Lane.

Commissioner Harrison moved, seconded by Commissioner Orr, to approve MOS 2 with the condition to require sidewalk fees in lieu be paid by the developer at a rate of $19/sq.ft. for future sidewalk gap projects.

Chair Lindsey asked for any discussion on the motion to approve MOS 2.

Commissioner Allen stated that she supports Staff's recommendations most of the time. However, this is a historical property with an usually narrow street. For that reason, she does not support Staff's recommendation.

Commissioner Mann asked about the trail around the pond.

Mr. Butler stated that it was a mowed strip of grass, a small trail, around the pond. It is just a loop around the pond.

Alderman Petersen stated that it is very steep where Glass Lane and New Hwy 96 West meet.

Chair Lindsey asked for a vote on the motion to approve MOS 2.

Chair Lindsey asked for a roll call vote on the motion to approve MOS 2.

The motion to approve MOS 2 carried unanimously.

Chair Lindsey asked for a motion for MOS 3. The applicant is requesting not to require sidewalks along the exterior of the development along Boyd Mill.

Commissioner Harrison moved, seconded by Commissioner McLemore, to approve MOS 3 with the condition to require sidewalk fees in lieu be paid by the developer at a rate of $19/sq.ft. for future sidewalk gap projects.

Chair Lindsey asked for any discussion on the motion to approve MOS 3.

Alderman Petersen stated that Boyd Mill has an existing sidewalk from Boyd Mill to 11th Ave. However, no sidewalk exists on the side of the Magnolia Hall property.

Chair Lindsey asked for a vote on the motion to approve MOS 3.

Chair Lindsey asked for a roll call vote on the motion to approve MOS 3.

The motion to approve MOS 3 carried unanimously.

Chair Lindsey asked for a motion for MOS 4. The applicant is requesting not to require internal sidewalks within the development.

Chair Lindsey asked Mr. Bryan to review the sidewalk requirement. Mr. Bryan provided an exhibit showing the required location for sidewalks on the property.

Ms. Diaz-Barriga asked Mr. Wiseman to discuss alternate locations of placement for the sidewalk around the trees.

Mr. Wiseman stated that the sidewalk could be placed on the other side of the trees. The Zoning Ordinance allows for the sidewalks to be placed off of the right of way as long as the intent of connectivity is met.

Chair Lindsey stated that the interference to the trees was in the first four lots. He stated that there may be additional challenges in lots 1-4 due to the installation of driveways for each lot and the trees.

Commissioner Williamson stated that, with historic preservation properties, you also look at the properties that surround the area.

Commissioner Williamson moved, seconded by Commissioner Orr, to approve MOS 4 with the condition to require sidewalk fees in lieu be paid by the developer at a rate of $19/sq.ft. for future sidewalk gap projects.

Commissioner Mann asked for clarification that the fees in lieu would include the entire area for sidewalk, both sides.

Chair Lindsey asked for any discussion on the motion to approve MOS 4.

There being none, Chair Lindsey asked for a vote on the motion to approve MOS 4.

Chair Lindsey asked for a roll call vote on the motion to approve MOS 4.

The motion to approve MOS 4 carried unanimously.

Chair Lindsey asked for a motion for MOS 5. The applicant is requesting to locate a retaining wall within 5 feet of public right of way (ROW).

Commissioner Harrison moved, seconded by Commissioner Orr, to approve MOS 5.

Chair Lindsey asked for any discussion on the motion for MOS 5.

Commissioner Williamson asked about the location of the retaining wall.

Mr. Wiseman stated it was between the cul-de-sac and the pond.

Chair Lindsey stated that this allows for the preservation of the street as you head toward the pond.

Commissioner Allen stated that the public utilities could be damaged due to the proximity.

Mr. Wiseman stated that they would build the wall without damaging the utilities.

Mr. Seger agreed with Mr. Wiseman.

Commissioner Orr asked about the maximum height requirements and concern for fall protection for the retaining wall.

Mr. Seger stated that there would be a railing for safety along the retaining wall.

Commissioner McLemore asked if the pond would be maintained by the Homeowner's Association (HOA).

Mr. Butler stated that the HOA would maintain the pond.

Commissioner Mann thanked Staff for their hard work on the project.

Chair Lindsey asked for a vote on the motion to approve MOS 5.

Chair Lindsey asked for a roll call vote on the motion to approve MOS 5.

The motion to approve MOS 5 carried unanimously.

Chair Lindsey asked for any discussion on the main motion, as amended.

There being none, Chair Lindsey asked for a vote on the motion.

Chair Lindsey asked for a roll call vote on the main motion, as amended.

The main motion, as amended, carried unanimously.

ACTION:	**Motion to Recommend Approval with Conditions to the Board of Mayor and Aldermen of Resolution 2021-151, as amended, Item 8, by Commissioner Scott Harrison seconded by Commissioner Michael Orr;** **Motion Passed 8-0**
AYES:	**Ann Petersen, Marcia Allen, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann**
NOES:	**None**
ABSTAIN:	**None**

9. Consideration Of Ordinance 2021-46: An Ordinance To Rezone 7.53 Acres From Regional Commerce 6 (RC6) District To Planned (PD 39.44/8,595) District, For The Property Located North Of Cool Springs Boulevard And East Of Mack Hatcher Parkway, At 151 Cool Springs Boulevard (Haven At Cool Springs PUD Subdivision).

Sponsors: Emily Wright, Amy Diaz-Barriga, Joseph Bryan

Attachments:
1. MAP ORD 2021-46 RES 2021-154 Haven at Cool Springs PUD
2. ORD 2021-46 HAVEN AT COOL SPRINGS PUD REZ_with Exhibits_Law Approved
3. ORD 2021-46 Haven at Cool Springs PUD Rezoning Plan Set

Mr. Joseph Bryan, Principal Planner, stated that the proposed Rezoning with entitlements accommodates 297 multifamily dwelling units and 8,595 square feet of commercial space to accommodate the Haven at Cool Springs PUD Subdivision. The subject property is within the Regional Commerce Design Concept. According to Envision Franklin, the Regional Commerce Design Concept, "contains high-intensity activity centers that attract large numbers of people and employers from both within and outside the City. "The proposed rezoning is appropriate based on the recommendations of Envision Franklin. The development plan for the Haven at Cool Springs PUD Subdivision is also on this

agenda.

Staff recommended Approval of Ordinance 2021-46 to the Board of Mayor and Aldermen.

Chair Lindsey asked if there were any citizen comments. There were none.

The Applicant was represented by Ms. Katie Rudowsky, Kiser + Vogrin Design.

Chair Lindsey asked for a motion.

Commissioner Harrison moved, seconded by Commissioner McLemore, to recommend Approval of Ordinance 2021-46 to the Board of Mayor and Aldermen.

Chair Lindsey asked for any discussion on the motion.

There being none, Chair Lindsey asked for a vote on the motion.

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION:	**Motion to Recommend Approval to the Board of Mayor and Aldermen of Ordinance 2021-46, Item 9, by Commissioner Scott Harrison, seconded by Commissioner Alma McLemore;** **Motion Passed 8-0**
AYES:	**Ann Petersen, Marcia Allen, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann**
NOES:	**None**
ABSTAIN:	**None**

10. Consideration Of Resolution 2021-154: A Resolution Approving A Development Plan For Haven At Cool Springs PUD Subdivision, For The Property Located North Of Cool Springs Boulevard And East Of Mack Hatcher Parkway, Located At 151 Cool Springs Boulevard.

Sponsors: Emily Wright, Amy Diaz-Barriga, Joseph Bryan

Attachments:

1. MAP ORD 2021-46 RES 2021-154 Haven at Cool Springs PUD
2. 7666 Haven at Cool Springs PUD DP_Conditions of Approval_01
3. RES 2021-154 Haven at Cool Springs PUD DP_with Exhibits_Law Approved
4. Haven at Cool Springs PUD Development Plan Set_Part1
5. Haven at Cool Springs PUD Development Plan Set_Part2
6. Haven at Cool Springs PUD Development Plan Set_Part3

Mr. Bryan stated that the Haven at Cool Springs PUD Subdivision proposes 297 multifamily residential units and 8,595 square feet of commercial space located on the property at 151 Cool Springs Boulevard. The subject property consists of 7.53 acres and is within the Regional Commerce Design Concept as determined by Envision Franklin. "New developments should have integrated designs with coordinated access, amenities, and cohesive architecture that fits within the context of the corridor." New multifamily residential is encouraged within Regional Commerce to create lively, walkable

neighborhoods near restaurants, shops, grocery stores, and workplaces. First floors are encouraged to have active commercial spaces, including retail, restaurants, leasing offices, and other amenities, which should be individually accessible from the street. In locations where commercial use on the first floor is not viable, multifamily units should provide individual ground floor entrances, stoops or front porches, and pedestrian connections to the street or to a drive resembling a street. The plan as presented meets the recommendations of Envision Franklin and is compatible with the surrounding area.

While the Haven at Cool Springs PUD Subdivision meets City standards, the property is located in the Mallory Valley Utility District. At this time, Mallory Valley has not yet granted water availability to the developer for this project. Should the development be approved, entitlements may not be met based on the utility circumstances.

Staff recommended Approval, with conditions, of Resolution 2021-154 to the Board of Mayor and Aldermen.

Chair Lindsey asked if there were any citizen comments. There were none.

The Applicant was represented by Ms. Katie Rudowsky, Kiser + Vogrin Design.

Alderman Petersen asked about the situation with Mallory Valley Utility District.

Ms. Mary McGowan, Civil Engineer, stated that the letter had been requested. They were just waiting on Mallory Valley to provide it.

Commissioner Williamson stated that balconies should be considered for the rear of the building.

Chair Lindsey asked for a motion.

Commissioner Harrison moved, seconded by Commissioner Allen, to recommend Approval, with conditions, of Resolution 2021-154 to the Board of Mayor and Aldermen.

Chair Lindsey asked for any discussion on the motion.

There being none, Chair Lindsey asked for a vote on the motion.

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION:	Motion to Recommend Approval, with conditions, to the Board of Mayor and Aldermen of Resolution 2021-154, Item 10, by Commissioner Scott Harrison, seconded by Commissioner Marcia Allen; Motion Passed 8-0
AYES:	Ann Petersen, Marcia Allen, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann
NOES:	None

ABSTAIN: None

11. Consideration Of Resolution 2021-122: A Resolution Approving A Development Plan For Hamilton PUD Subdivision, Including One Modification Of Standard (Block Length Perimeter), For A Property Located North Of Old Charlotte Pike And West Of Del Rio Pike. (Hamilton PUD Subdivision)

Sponsors: Emily Wright, Amy Diaz-Barriga, Chelsea Randolph

Attachments:
1. MAP HAMILTON PUD Subdivision Development Plan and Zoning
2. RES 2021- 122 HAMILTON PUD_with Exhibit_Law Approved 4
3. RES 2021-122 HAMILTON PUD_with Exhibit_As Amended_Law Approved 4
4. 7591 Hamilton PUD Subdivision, Development Plan Conditions of Approval_01
5. DEVELOPMENT PLAN 7591 Hamilton PUD Subdivision, Development Plan
6. CONCEPT ELEVATIONS 7591 Hamilton PUD Subdivision, Development Plan
7. DEVELOPMENT PLAN (Entire Set) 7591 Hamilton PUD Subdivision, Development Plan

Ms. Chelsea Randolph, Principal Planner, stated that the proposed Hamilton PUD Subdivision Development Plan has been approved by the Board of Mayor and Alderman (BOMA) at the recommendation of the Planning Commission. The approval included the removal of condition 51, which states, "Any changes to Connect Franklin must be approved by the Franklin Municipal Planning Commission prior to the approval of this development plan by the Board of Mayor and Aldermen." Since the consideration of BOMA's recommendation of the Connect Franklin amendments were deferred by the BOMA and the timeline was thus extended, the BOMA did not want to hold up the approval of this development plan. The Connect Franklin amendments are on the agenda for approval by the Planning Commission tonight, making the condition on this development plan no longer necessary. The Planning Commission must take a vote of affirmation on the amended conditions of approval, as approved by BOMA.

Staff recommended Affirmation of the amended conditions of approval as considered and approved by the Board of Mayor and Aldermen.

Ms. Wright stated that there was a condition that the Major Thoroughfare Plan (MTP) needed to be approved prior to approval of the Development Plan by BOMA. The MTP was deferred. The BOMA decided to approve Resolution 2021-122, the Development Plan, with the approval of this one condition. Ms. Wright stated that Staff was asking the Planning Commission to affirm the removal of this condition (Condition 51). She stated that this condition was no longer necessary as the Commission was about to consider the MTP.

Ms. Diaz-Barriga stated that the Development Plan had already been approved by the Planning Commission.

Ms. Wright stated that the MTP was deferred at BOMA due to an issue that was not in tonight's consideration and is outside the scope of this report. She stated that Staff had expected the MTP to be approved before the development plan was considered by BOMA. However, the MTP was deferred due to concern about the Fieldstone Farms Parkway extension. The BOMA removed the condition for MTP approval in order to allow this item to move forward. She stated that this affirmation is a formality. She stated that this vote is to Affirm the removal of Condition 51.

Chair Lindsey asked if there were any citizen comments. There were none.

Ms. Wright stated that she would speak on behalf of the applicant. She reiterated that no changes were being made to the development plan. She stated the Planning Commission was only removing one Condition of Approval. She stated that the MTP had some changes that applied to some areas of the City and this plan complies with those changes.

Ms. Diaz-Barriga stated that this development plan incorporates the changes in the MTP, which is the next item to be voted on. She stated that these items now match each other and are in compliance.

Mr. Jimmy Wiseman, Assistant Director of Engineering, stated that both plans should match and there was no controversy over the changes that would have affected this development plan. He stated that the BOMA felt comfortable removing the condition that MTP be approved first. The MTP was deferred for Fieldstone Farms Parkway which does not affect this development plan.

Ms. Shauna Billingsley, City Attorney, stated that the Law states that the Planning Commission has to recommend to the Board of Mayor and Aldermen things that are related to Planning. If the Board of Mayor and Aldermen make any changes to the plan that the Planning Commission has not considered, the item has to come back before the Planning Commission for an "expert review". The Planning Commission must vote to affirm or disagree with the change made. Only if the Planning Commission disagrees with the changes made by BOMA, then would the item go back before BOMA.

Chair Lindsey asked for a motion.

Commissioner Orr moved, seconded by Commissioner Mann, to affirm the amended conditions of approval as considered and approved by BOMA.

Chair Lindsey asked for any discussion on the motion.

There being none, Chair Lindsey asked for a vote on the motion.

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION:	Motion to Affirm the amended conditions of approval as considered and approved by BOMA of Resolution 2021-122, Item 11, by Commissioner Michael Orr, seconded by Commissioner Nick Mann; Motion Passed 8-0
AYES:	Ann Petersen, Marcia Allen, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann
NOES:	None
ABSTAIN:	None

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

12. Cadet Homes Subdivision, Final Plat, Revision 1 (Resubdivison Of Lot 4), Creating 2 Single-Family Residential Lots, 1 Open Space Lot, And Establishing Easements, On 0.68 Acres, Located At 105 Cadet Lane. (CONSENT AGENDA)

Sponsors: Emily Wright, Amy Diaz-Barriga, Joseph Bryan

Attachments:
1. MAP Cadet Homes Sub FP Rev 1
2. 7663 Cadet Home Sub FP Rev 1_Conditions of Approval_01
3. 210701-Cadet Homes Subd - Resub Lot 4 - 2021-09-13

This item was approved on the Consent Agenda.

13. The Highlands At Ladd Park PUD Subdivision, Final Plat, Section 42, Creating 8 Single-Family Residential Lots, 1 Open Space Lot, And Dedication Right-Of-Way, On 3.024 Acres, Located At The Intersection Of Alfred Ladd Road And Long Lane. (CONSENT AGENDA)

Sponsors: Emily Wright, Amy Diaz-Barriga, Chelsea Randolph

Attachments:
1. MAP 7675 The Highlands at Ladd Park PUD Subdivison, Final Plat, Section 42
2. COND. OF APPROVAL 7675 The Highlands at Ladd Park PUD Subdivision, Final Plat, Section 42
3. PLAT The Highlands at Ladd Park, Section 42

This item was approved on the Consent Agenda.

14. Villages At Southbrooke PUD Subdivision, Final Plat, Section 3, Creating 41 Residential Lots And 5 Open Space Lots, On 31.55 Acres, Located South Of Stream Valley Boulevard And East Of Lewisburg Avenue. (CONSENT AGENDA)

Sponsors: Emily Wright, Amy Diaz-Barriga, Joseph Bryan

Attachments:
1. MAP Villages at Southbrooke PUD FP Sec 3
2. 7671 Villages Southbrooke FP Sec 3_Conditions of Approval_01
3. 18-1022 Villages at Southbrooke - Section 3 - Final Plat - CLIENT 2021-10-07

This item was approved on the Consent Agenda.

15. Westhaven PUD Subdivision, Final Plat, Section 60, Creating 47 Single-Family Residential Lots, 5 Open Space Lots, And Dedication Right-Of-Way, On 23.520 Acres, Located At The Intersection Of Conar Street And Congress Street. (CONSENT AGENDA)

Sponsors: Emily Wright, Amy Diaz-Barriga, Chelsea Randolph

Attachments:
1. MAP 7680 Westhaven PUD Subdivision, Final Plat, Section 60
2. COND. OF APPROVAL 7680 Westhaven PUD Subdivision, Final Plat, Section 60
3. PLAT Westhaven PUD Subdivision, Section 60

This item was approved on the Consent Agenda.

16. Westhaven PUD Subdivision, Final Plat, Section 61, Creating 62 Single-Family Residential Lots, 1 Open Space Lot, And Dedication Right-Of-Way, On 14.811 Acres, Located At The Intersection Of Eliot Road And William Street. (CONSENT AGENDA)

Sponsors: Emily Wright, Amy Diaz-Barriga, Chelsea Randolph

Attachments:
1. MAP 7681 Westhaven PUD Subdivision, Final Plat, Section 61
2. COND. OF APPROVAL 7681 Westhaven PUD Subdivision, Final Plat, Section 61

3. PLAT Westhaven PUD Subdivision, Section 61

This item was approved on the Consent Agenda.

17. Williamson County Medical Center Subdivision, Site Plan, Revision 3, Constructing A 155,275 Square Foot Addition To The Existing 530,742 Square Foot Williamson County Medical Center Campus, On 39.82 Acres, Located South Of The Intersection Of Liberty Pike And Edward Curd Lane. (CONSENT AGENDA)

Sponsors: Emily Wright, Amy Diaz-Barriga, Chelsea Randolph

Attachments:
1. MAP 7684 Williamson County Medical Center Subdivision, Site Plan, Revision 3
2. COND. OF APPROVAL 7684 Williamson County Medical Center Subdivision, Site Plan, Revision 3
3. SITE PLAN Williamson County Medical Center Subdivision 4
4. ELEVATIONS Williamson County Medical Center Subdivision
5. FULL SITE PLAN Williamson County Medical Center Subdivision

This item was approved on the Consent Agenda.

MAJOR THOROUGHFARE PLAN AMENDMENTS

18. Consideration Of Resolution 2021-113: A Resolution To Adopt An Amendment (#4) To The 2016 Comprehensive Transportation Network Plan (Major Thoroughfare Plan), An Amendment Related To Updating The Existing And Proposed Roadway Network In Various Locations Of The City Of Franklin, TN. (PUBLIC HEARING)

Sponsors: **Paul Holzen, Jimmy Wiseman**

Attachments:
1. **Res 2021-113 - FMPC - Amendment 4_Major Thoroughfare Plan_with Exhibit A_Law Approved**
2. **CTNP - Amendment 4 - August 2021**
3. **8-16-2021 Presentation**

Mr. Jimmy Wiseman, Assistant Director of Engineering, stated that he would yield his time to the public before giving his report on the Major Thoroughfare Plan (MTP).

Chair Lindsey asked for citizen comments.

Mr. Doug Berry, attorney representing Ms. Ellen More. Ms. More owns a large farm in the West Harpeth area. He stated that there was concern about the statements in the Major Thoroughfare Plan (MTP). The statement concerns the construction of planned conceptual streets which are shown as crossing her farm (Figure 3.12). Mr. Berry referred to and read from page 38 of the MTP. Mr. Berry stated that Ms. More had participated in the property owner meetings which were conducted. Mr. Berry stated that he thought Staff's intention for these roadways would not be built except dictated by new development. Ms. More's concern was the implication that the conceptual routes could be built without the permission of the property owner. He suggested adding language to amend the second paragraph on page 38 of the MTP to require permission from the property owner.

Mr. Wiseman stated that he would address Mr. Berry's comments first. He stated that the road in question was the east/west connector for Poteete Place off of Del Rio Pike. In 2016, modeling added the road to the plan. Until more is known about the More Property, long term, they did not want to remove the road from the MTP because it gives an east/west connection over the Harpeth River to Old Hillsboro Road. He stated that they are happy to work with Ms. More. There is concern about the proposed language from Mr. Berry. The proposed language "handcuffs" the Planning Commission and

BOMA to only be able to build roads based on private property owners. Mr. Wiseman stated that he agreed that development would drive most, if not all, of the roadways. He stated that he is hesitant to add language which specifically states that the property owners control where the road would be built. He stated that there may be language that they could agree on at a future date.

Mr. Berry stated that language had been provided to the City at an earlier date and had been discussed. He stated that Eminent Domain was usually limited to major roads and connectors, not local streets. He stated that his client wanted to have a specific date to discuss.

Mr. Wiseman stated that Staff had met with several property owners and developers in the West Harpeth area since 2020. He stated that the current MTP shows several minor collector roads going through large parcels of land. After discussion, some land use densities were agreed to and have been included in the MTP as part of the updates. He stated, since these densities were lower than those proposed through the modeling in 2016, they were able to reduce some of the collector roadway requirements in the region. He stated that Mr. Greg Gamble worked with several property owners as they realized their vision for the properties long term. They added a caveat which allows Staff to work with property owners to move and adjust high volume local roadways, as needed as development comes online.

Alderman Petersen asked about working with property owners.

Mr. Wiseman stated that Staff can work with property owners to move and adjust high volume local roadways, as needed as their development plans comes online. He stated that they are doing this with the Goose Creek Basin.

Mr. Wiseman discussed the removal of unnecessary collector roads.

Alderman Petersen asked about Fieldstone Parkway.

Mr. Wiseman stated that the Fieldstone Parkway extension is part of Amendment 5 and not part of the discussion before them tonight.

Mr. Wiseman discussed the other additional proposed updates to the MTP:

- The roadway network in the Seward Hall area has been updated based on feedback from property owners and developers. Specifically, staff revised the Market Street proposed alignment and its connection with North Chapel Road. These proposed changes will allow future development to build Market Street while reducing impacts to adjacent property owners.
- City staff has updated the typical section within the Cool Springs area based on the final recommendations associated with the Cool Springs Transportation Network Study. The existing transportation facilities in the Cool Springs area reflect a more suburban development pattern with a focus on personal vehicles. As redevelopment continues and densities increase in the Cool Springs area, the study recommended that we revise our standard cross sections to accommodate various forms of travel that are commonly seen in a more urban environment. Specifically, staff increased the minimum sidewalk width from 6' to 8' in the Cool Springs area.
- Liberty Pike (Turning Wheel Lane - Wilson Pike) was reclassified from a minor arterial to a Minor

Collector. It is not feasible to widen Liberty Pike through McKay's Mill to a 5 lane or median divided roadway.

- Project sheets have been updated to include estimated right-of-way width, cost, pedestrian improvements, etc.

Staff recommended Approval of Resolution 2021-113.

Chair Lindsey asked for a motion.

Commissioner Allen moved, seconded by Commissioner Orr, to recommend Approval of Resolution 2021-113.

Chair Lindsey asked for any discussion on the motion.

Alderman Petersen asked if the language to work with property owners was included in the proposed MTP.

Commissioner Harrison also asked if the language was included in the proposed update.

Mr. Wiseman read from the updated MPT page 38, paragraph two.

Mr. Berry stated that they were concerned about the minor roadways. He stated that their concern was, for example, about a potential development to the west of their property. He stated their concern was that the City could use the power of Eminent Domain to condemn a local street if the property owner did not give permission. He stated that their concern was the conceptual road being part of the MTP as a recommendable route. Mr. Berry asked if there was a way to soften the language to protect the interests of the property owner.

Mr. Wiseman referred to the map which shows the larger tract. He stated that the map shows 1 unit per 10 acres if developed in the County. Mr. Wiseman stated that he could confidently state that Staff would not recommend that this road would go in unless absolutely necessary. He stated that there would be a $15 million bridge involved. The road costs, included the bridge, would be at least $30 million. The City would not recommend this highly on the Capital Improvement Project list. Mr. Wiseman stated that his concern with adding concrete language in the MTP, would potentially cause the Planning Commission and BOMA to lose the ability to make decisions. He stated that they would work with property owners.

Mr. Berry stated that the current text of the MTP states that BOMA and the Planning Commission have final say. He stated that there needs to be language that involves the voice of property owner.

Commissioner Allen stated that the decision should be left to the BOMA and the Planning Commission.

Chair Lindsey asked for a vote on the motion.

Alderman Petersen stated that the MTP states the following: final layout and location shall be determined by City Staff and/or BOMA approval. She stated it should be both of those.

Mr. Wiseman stated that it was written that way because the Planning Commission approves the document and the BOMA gives the Planning Commission the recommendation.

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION:	Motion to Approve Resolution 2021-113, Item 18, by Commissioner Marcia Allen, seconded by Commissioner Michael Orr; Motion Passed 8-0
AYES:	Ann Petersen, Marcia Allen, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann
NOES:	None
ABSTAIN:	None

NON-AGENDA ITEMS

Chair Lindsey asked if there were any non-agenda items. There was none.

ANY OTHER BUSINESS

Chair Lindsey asked if there was any other business. There was none.

ADJOURN

Commissioner Orr moved, seconded by Commissioner Allen, to Adjourn.

Chair Lindsey called for a roll call vote.

The motion Passed unanimously.

ACTION:	Motion to Adjourn by Commissioner Michael Orr, seconded by Commissioner Marcia Allen; Motion Passed 8-0
AYES:	Ann Petersen, Marcia Allen, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann
NOES:	None
ABSTAIN:	None

There being no further business, the meeting adjourned at 8:55 p.m.

Roger D. Lindsey Dec 9, 2021