



Meeting Minutes

Franklin Municipal Planning Commission

Thursday, February 24, 2022

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.franklinton.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 attend 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@franklinton.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 07:01 PM

Commissioners Present: Ann Petersen, Alma McLemore, Jenny Williamson, Ann Petersen, Marcia Allen, Michael Orr, Roger Lindsey, Nick Mann, Jimmy Franks.

Commissioners Absent: Scott Harrison

APPROVAL OF MINUTES

1. Consideration Of Approval Of The January 27, 2022 FMPC Minutes.

Sponsors:

- Attachments: 1. Draft FMPC Minutes January 2022

A motion was made by Commissioner Alderman Ann Petersen, seconded by Commissioner Alma McLemore to approve the minutes from the January 27, 2022 meeting. The motion carried 8-0.

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

Chair Lindsey asked for citizen comments. There were none.

ANNOUNCEMENTS

The Chair asked if there were any announcements from the staff. There were none.

VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

The Chair asked if there were any non-agenda items to be presented. There were none.

CONSENT AGENDA

2. Consideration Of Items 3, 4, And 9 On The Consent Agenda.

Sponsors:

Attachments: None

A motion was made by Commissioner Marcia Allen, seconded by Commissioner Michael Orr to approve items 3, 4, and 9 as presented on the Consent Agenda. The motion carried 8-0.

SITE PLAN SURETIES

3. Lockwood Glen PUD Subdivision, Final Plat, Section 6; Extend The Performance Agreement For Drainage Improvements To February 23, 2023. (CONSENT AGENDA)

Sponsors: Melodie Brady

Attachments: None

The item was Approved on Consent Agenda.

4. Lockwood Glen PUD Subdivision, Site Plan, Sections 8-11 (Mass Grading); Extend The Performance Agreement For Drainage Improvements To February 23, 2023. (CONSENT AGENDA)

Sponsors: Melodie Brady

Attachments: None

The item was Approved on Consent Agenda.

REZONINGS/DEVELOPMENT PLANS

5. Consideration Of Ordinance 2021-05, An Ordinance To Rezone 233.66 Acres From Agricultural (AG) District And Civic Institutional (CI) District To Planned (PD 2.02) District For Several Properties Located Near The Intersection Of Hillsboro Road And Mack Hatcher Memorial Parkway (Brownland Farm PUD Subdivision).

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

Attachments:

1. ORD 2021-05 BROWNLAND FARMS REZONING ORDINANCE updated 21522_With Exhibits_Law Approved
2. MAP Brownland Farms Rezoning and Dev Plan Map
3. 2022-02-03 Brownland Rezoning Sheets
4. BOMA imposed conditions.Brownland Development Plan
5. Citizen Comments Combined reduced size

Amy Diaz-Barriga stated at the October 12, 2021, BOMA meeting members voted to refer the Brownland Farm PUD back to the staff and planning commission for revisions requested by the applicant pertaining to 5 conditions. The BOMA members granted the applicants an opportunity to revise the plan and to address the 5 conditions. The plan has been reviewed by staff and is now up for a new vote by FMPC then onto BOMA work session, then 3 readings to finish the process. In terms of rezoning, one condition addressed in the revision was to limit the number of units. The revision

reduced the number of homes from 395 to 357. The plan does show development in flood plain and flood way, does not meet standards of Envision Franklin and staff recommends disapproval.

Chair Lindsey states now it is the time for public comment. "When your name is called, please be prepared to come to the microphone. Please state your name, address and please limit your comments to 2 minutes to discuss. Amy will keep the 2-minute timer."

Grace and Drew Clausing: 227 Meadowgreen Drive. The Clausing's have lived in their current location for 6 years and Franklin for 15 years. Mr. Clausing stated that when they purchased the property, they became friends with the previous owners who lived at the location for 30 years. 2010 was the first time any flooding occurred at this residence as they are familiar with the history of the property. When Legends Ridge was built, the flooding increased and has gotten worse. Mr. Clausing can only believe the increased flooding is due to development of surrounding land. The residence flooded again last year in 2021 after being assured flooding would not occur again due to the 100-year flood plain. Mitigation of existing issues should be explored before development in new areas. Ms. Clausing stated her concerns for her children and the level of fear associated with the flooding they have experienced. Family requested the commission vote against the rezoning plan.

Barbara Blum: 306 Heather Ct. Franklin/CottonWood Subdivision. Ms. Blumm stated that downstream residents of the Brownland Farm PUD homes are at risk. Under the proposed plan, some Cottonwood residents would now be in the flood plain. Ms. Blumm urges the commission to vote not to approve the proposed plan.

Amy Wells: 303 Gillette Drive/River Landing. Representing other River Landing neighbors who cannot attend the meeting. Ms. Wells stated she has first-hand experience with flooding as her property is adjacent to the river. She further stated that continual flooding since 2010 has now placed many of the River Landing homes in the flood plain. In 2005, when her family purchased the property, it was not in a flood plain, but now, as of 2010, it is considered in the flood plain. Ms. Wells asks the commission to please support the staff recommendations to disapprove the rezoning and development of the proposed plan. Lastly, in her opinion, the 5 conditions do not make significant changes to this flood-prone area.

Anne Grover: 301 Royal Oaks Blvd. Ms. Grover recently moved from Illinois and is currently looking for a home in the Franklin area. She is concerned about the homes that are now in the floodplain including the current proposal. Ms. Grover spoke of a similar community in Illinois that built homes in a flood plain back in the 1980's and 1990's. Ultimately, the city had to purchase the homes because of the rezoning of the floodplain.

John & Nell Henderson: 202 Revere Lane. Mr. Henderson stated the first condition of the revised plan was to address questions about the deeded access road for emergencies from Mack Hatcher to Fulton Greer Road. Mr. Henderson stated concerns about this road as it appears to be a muddy gully. He further stated that the specifics need to be explained in detail for this proposed emergency access road. Staff of Site One walked Ms. Henderson through the area of the proposed emergency road. Ms. Henderson provided photos of flooding on her phone.

Carol & Trip Guthrie: 213 Pebble Glen Drive. The Guthrie's have lived in Franklin for 38 years at 213 Pebble Glen. The Guthrie family has concerns about the number of homes proposed to be built in the development. They further state that the proposed move of the Harpeth River water flow is dangerous. The family requests the commission vote no to this proposal.

Michael & Laura Smith: 106 Poteat Place/Monticello 25 years. Mr. Smith urges the committee to deny the proposed rezoning and development plan. Mr. Smith stated the Monticello Homeowners Association Board voted to support the development without a vote from the residents, which many do not support the planned development. Ms. Smith stated at 23 feet NWS advanced hydrologic prediction service states Harpeth River waters will cover low lying areas including the Nursery on Fulton Greer Road. The proposed emergency access roads flood well before the river hits flood stage of 30 feet. Ms. Smith stated questions about how emergency vehicles will navigate the Site One Property in a heavy rain event. Ms. Smith offers concerns about the Nursery/Site One and the fact that the gates are closed to the property during heavy rain events and have large trucks coming and going throughout the day which would make it difficult for emergency vehicles to maneuver through the area. The Smiths strongly urge the committee to vote no on the rezoning and development plan.

Kelly Eikum: 241 Gillette Drive/River Landing. Ms. Eikum stated that her property backs up the Harpeth River and 2 years ago, when she moved to River Landing, the property was not considered in the flood plain. Under the current proposal, her property would reside in the flood plain. Ms. Eikum respectfully requests that the commission follow the guidelines of Envision Franklin, the recommendation of the city planning staff and the 2786 individuals who signed a petition against the development and vote against the rezoning and development of the proposed area, Brownland Farm. She believes there is a safer and more appropriate way to use and develop this land.

John Walsh: 111 Bayhill Circle. Mr. Walsh is Co-director of Program and Disaster Research and Training at Vanderbilt Medical Center. Mr. Walsh has reviewed all the documents in the proposal. Mr. Walsh stated his concerns about the potential public safety issues about emergency vehicles. Mr. Walsh further stated that studies have found that many disasters could be prevented with good decision making and more thorough flood mitigation plans. Mr Walsh also said research has found that flood fatalities occur when people try to drive through flooding streets. This is the number one cause of death during flood events, according to Mr. Walsh.

Michelle Anderton: 1155 Hillsboro Road. Brownland Farm owner. Ms. Anderton stated the property has been in her family since 1952 and has continuously been a working horse farm for 50 years. With that being said, Ms. Anderton explained the family did not enter into selling the property lightly. Ms. Anderton said the family approved a contract with a developer whose main purpose was to study and understand how the water affects the property. A development group created a model based on engineering studies and real-world experiences of the last 70 years of the property. Ms. Anderton further stated her concerns about the misinformation causing fear because people are taking bits and pieces of the development plan and not looking at the entire plan. She stated her family had been and still are excellent stewards of the land. From a business owner's perspective, because of the changes over the years, out of the family's control, this is not the best use of the land. Ms. Anderton speaks to the successful implementation of flood mitigation in the Southeast parkway area. The proposed plan exceeds all regulations and converts 70 percent of the land from active use to passive use. Ms. Anderton requests approval from the commission for the rezoning and development of the proposal.

Steve Kuhn: 311 Monticello Road. Mr. Kuhn believes there are good people with good intentions on both sides of this project. He said we cannot selectively follow science and engineering when it fits our own agenda. Mr. Kuhn proposed a question that, to his knowledge, no one has been able to explain why and how downstream property could be affected by creating more volume upstream. Mr. Kuhn urges people to support the engineers and professionals who have been hired to study and complete the work. Mr. Kuhn finishes by stating we must not spread disinformation about flood impact downstream in the proposal.

Kathy Webber: 1900 Springcroft Drive. Ms. Webber is a Christ Community Church member who voted against selling the church property because of the potential for mass development of the land. Ms. Webber stated that she has worked in the community with Envision Franklin and the Comprehensive Land Use Plan and believes that citizens do not want the Brownland Farm area to be used in the manner of this proposal. According to Ms. Webber, the commission was not presented the details about the depths of water on Hillsboro Road in a heavy rain event. This information was provided in July after voting had occurred. Ms. Webber stated the depth in some places, on Hillsboro Road, could be as high as two feet. Ms. Webber submitted a map via email that details this information. She believes there is nothing that will fix or change the potential of 2 feet of water on Hillsboro Road in a significant rain event. Ms. Webber finished up by reminding the commission of pending issues from the Fire Department which states that 3 different roads leading into the proposed area could be under water during a flooding event.

Dorie Bolze: Deerfield Lane, Franklin Ms. Bolze is CEO of the Harpeth Conservancy. Ms. Bolze provided a map display showing the Brownland Farm area and how the area is encircled with water. Flood mitigation plans have been created for portions of the river around the bend of Brownland Farm, but the plan does not address flooding on Hillsboro Road. Ms. Bolze stated this is a fundamental flaw in the plan regarding emergency vehicles. The plan does not comply with the floodplain ordinances pertaining to Hillsboro Road. Drivable roads, during a flood event should be 3" of water or less and the proposed plan does not address this issue. Hillsboro Road, as it stands now under the proposed development, could hold as much as two feet of water.

Laura Turner: 1108 Dickinson Lane. Ms. Turner spoke against the proposed Brownland PUD. Figures for the number of lots to be included in the 100-year flood plain are available through online property maps. Ms. Turner stated the following homes would now be considered in the 100-year flood plain: The figures are approximate. Fieldstone Farms has 200+ homes out of 2200 residences now in the floodplain; Cottonwood has 90+ homes out of 484 in the

floodplain; River Landing 50+ out of 160 now in the floodplain. Rebel Meadows and 22 lots on both sides of Hillsboro Road from Mac Hatcher to Franklin High School are in the floodplain with 70+ homes out of 145 homes would be in the floodplain. In the Monticello neighborhood, 29 out of 175 homes would be included in the floodplain. In Meadow Green, in the County, 56 of 179 homes in the floodplain. The people living in these areas will be required to buy flood insurance and live with the threat of additional flooding due to the proposed Brownland PUD.

Sandy Walker: 442 Essex Park Circle. Ms. Walker has lived in Franklin for 26 years and Williamson County for 40 yrs. Ms. Walker stated she lives in the back of Fieldstone Farms and her property is considered to be in the floodplain since the 2010 flood. She understands the desires of new development in our city because Franklin and Williamson County are wonderful places to live. She has concerns about this development adding to the fears of this flood-prone area as it stands now. Ms. Walker asked commission members to vote against the proposed rezoning and development of Brownland Farm.

Devin Phillips: 2056 Belmont Circle. Mr. Phillips expressed his concern about where the children of the 356 homes (revised from 395) would attend school. The proposal states an increase of eighty-nine children for the proposed development, according to Mr. Phillips. He stated it's more likely there will be 400+ children from the proposed 356 homes. Mr. Phillips said he purchased his home because of the location to certain schools. The plan was for his children to follow in his footsteps of going to the area schools and ultimately ending up at Franklin High School. Mr. Phillips stated concerns about the continual development of land would push his children out of certain school zones. He also expressed concerns about emergency vehicles. He further said there is less concern about current homeowners who live close to the proposed development and more concern about the people who will live in the proposed development.

Gigi Spires: 1330 Summer Haven Circle, Fieldstone Farms. Ms. Spires has concerns about removal of trees and other vegetation that absorb the flood waters. The land that is bare is not able to accommodate the water in flooding events that are occurring more frequently.

Teresa Stafford: 113 Poteat Place. Ms. Stafford stated she is new to Franklin from Orange County, CA. She stated she is all too familiar with residential and commercial development. Ms. Stafford stated concerns about the volume of units in the proposed development relating to revenue, taxes, and other governmental departments. She said she works for one of the Big-4 accounting firms and "we make mistakes every day and twice on Sunday". She urged the city commissioners to please consider this perspective and remember professionals make mistakes. Ms. Stafford stated she hopes the vote goes in the direction of the people.

Christine Hamm: 823 Chrisman Drive. Ms. Hamm stated her house did not flood in 2010, but two streets over, flooding occurred. Ms. Hamm said she resides in Rebel Meadows and lives in the area that is surrounded by water. She expressed hope the committee would say no to the proposal.

Mary McAfee: 107 Poteet place. Ms. McAfee stated she has lived in her home since 2003 and in 2010 she had a moat around the house after the big flood. She requested the commission consider parking areas in the shared area or parks in the proposed plan. Ms. McAfee asked the question, "Where will the cars park for the recreational areas?" Ms. McAfee stated the cars will have to park along the roads and in front of homes in the neighborhoods. She further said that a parking plan was not considered for the shared area/park area. Ms. McAfee stated she is not in favor of this development and has concerns about the long-term impact of this project in the flood plain areas. Lastly, she stated there are many other uses for this property.

Chairman Lindsey asked if there was anyone else that would like to speak. No one else came forward to speak. Chairman Lindsey declared the public forum closed.

Presentation from the applicant: John Michael represents the development group and requests approval for the rezoning and development of the proposed project. Mr. Michael stated BOMA recommended five amendments to our development. Our group took those and worked those into the proposal. The proposed development with the five amendments, meets zoning code requirements which is the storm water ordinances. Flood safety and storm water management being at the forefront of this project, Mr. Michael stated we have our engineers and professionals here to speak to the concerns expressed tonight. He said we have met the zoning codes which is the law. Envision Franklin is a guideline for years to come and is aspirational in nature. It provides guidelines and suggestions of best practices for the city of Franklin in the future. The zoning code and the storm water ordinance are laws that must be followed and are at

the forefront of the project. We are all concerned about any development close to the river and public safety (human and property). Mr. Michael stated that the project professionals and engineers will explain how this project increases the degree of safety to downstream properties and structures, allowing people to enjoy the land more so than how the land stands today. Mr. Michael further stated that developers have gone beyond measures called for regarding zoning codes and storm water ordinance. He went on to compare the proposed plan to the Southeast Parkway project, which has been a successful flood mitigation project. The proposed project goes above and beyond the Southeast Parkway project. Finally, Mr. Michael went on to say the proposed project meets the requirements of the law, and tonight, the engineers and professionals will state the facts of the proposal. Mr. Michael, once again, renews the request for approval of the rezoning and development of this project.

Greg Gamble is a landscape architect and land planner. Mr. Gamble provided a document to the staff and commission members. He stated that the first page lists the 5 BOMA conditions.

The first condition refers to an emergency egress road from Hillsboro Road to Mack Hatcher. Mr. Gamble referred to the document illustration of Site One. He said from the entrance to Brownland Farm to the emergency entrance location on Hillsboro Road is above the 100-year flood plain. Mr. Gamble stated he had been in discussion with Site One owners to purchase the easement if the proposal is approved. Mr. Gamble continued to say the easement would provide entrance to the Brownland farm area for emergency vehicles and residential vehicles for safe passage onto Mack Hatcher Parkway. The Mack Hatcher entrance would be for emergencies only. At all other times, the entrance would be gated/closed. This emergency entrance onto Mack Hatcher and on to the Brownland area is above the 100-year flood plain and would provide safe entrance for the fire department and other emergency vehicles.

2) The second condition says FEMA must approve CLOMAR prior to issuance of grading a permit.

3) The third condition required condominium buildings not to have more than 4 units per building. The condominium buildings larger than 4 per building have been removed from the project proposal, aligning with Envision Franklin Conservation Subdivision.

5) Mr. Gamble stated in condition number 5, the plan originally recommended a total of 471, but under the conditions of BOMA, the total number has been reduced to 356 homes. The revised proposal is below the cap established by BOMA, according to Mr. Gamble

4) The fourth condition of approval is related to the restriction that the area of development could not be in the 100-year flood plain greater than 36 inches. Mr. Gamble explains there is a misconception about the development plan by the public and he went on to say the development plan does not propose development in the 100-year flood plain. We do, however, propose to fill that area of the 100-year flood plain up to the 500-year floodplain, giving the area a 2-foot increase over the 100-year flood plain. He said we propose excavating areas of the flood plain to create more volume of land. Mr. Gamble stated on the next page, the Franklin Stormwater and Zoning Ordinances included a floodplain alteration. Envision Franklin says any disruption of a Conservation area must preserve the function, form, and character of the area. Mr. Gamble stated the function of the land will be preserved by the removal of the current Brownland farm structures to improve the flood, flow, and flow of the river. He stated the form will be preserved by improving the capacity of the flood plain on Brownland farm to hold more water in a flood event. Mr. Gamble went on to say that the proposed plan would preserve the character of the land by the inclusion of open spaces and parks in a natural state.

A comparison of flood mitigation plans in areas like Brownland Farm was requested by Ms. Petersen. Mr. Gamble provided a comparison of Carothers Parkway and Ladd Park. This plan called for a fill area of 31.4 acres and an excavation of 30 acres. The Waters Edge mitigation plan required a fill area of 22.58 acres and excavation of 32.5 acres. The flood mitigation plans in both areas lowered the floodplain area by 1.2 feet.

The Lockwood Glen area called for a fill area of 8 acres for neighborhood commercial area and an excavation of 14 acres to create more floodplain volume. Mr. Gamble stated that the 3 CLOMRS discussed allowed the city to fill 66 acres of SE Parkway. The proposed development plan has the same configuration around the bends in the river, around residential homes, and the developers believe there are similarities in the history/past and of what has been allowed by the City of Franklin in the Stormwater Ordinance and Zoning Ordinance.

Presentation by Adrian Ward: Mr. Ward stated he is with Barge Design Solutions. Mr. Ward stated he leads the flood mitigation practice. He said, "we were asked to provide a Hydrologic model and CLOMR package in accordance with FEMA guidelines." He said we have all the requirements to have the floodplain remapped. Mr. Ward stated the owner of the property decided to have CEC review the proposal and their comments have been incorporated into the document provided. The last two pages of the document represent the final model with a review of the results. Mr. Ward stated the process begins with a model request from FEMA (provided). The mitigation team adjusted the model for the Brownland Farm PUD development improvements. Mr. Ward stated the process will show the FEMA model before the mitigation plan and Brownland Farm model after the flood mitigation plan. The results showed an average reduction at

each cross section of 2 inches and does not impact upstream flood elevations. At the 10-year mark there is a 5-inch reduction and a reduction of 2 inches at the 100-year mark. Mr. Ward stated that the improvements are slight, but there were improvements. Mr. Ward further stated that on the last page there is a discussion of a low area known as the East Split, in the model. The location is around Hillsboro Road & Jefferson drive. The bridge at Hillsboro Road creates a backwater flow that will force the water through the low spot and through the neighborhood during a high flow event. The existing model shows this could happen at the 10-year mark, according to Mr. Ward. He also stated the model was adjusted for more flow to the Harpeth River, reducing the flow over the low area or into the subdivision. With the floodplain compensation, property owners downstream will not be impacted by flood waters upstream. By putting more storage volume upstream, downstream residents should not be impacted. Mr. Ward stated that is the way the math works.

Chair Lindsey asked if there was a motion for the rezoning of the Brownland Farm PUD. The motion was made by Commissioner Franks, seconded by Commissioner Mann.

Chair Lindsey asked if there was any discussion.

Commissioner Mann stated he approves of the rezoning, but the issue is the flood plan which will fall under the next approval item for redevelopment.

Commissioner Allen stated she was perturbed that this item was up for discussion again. She expressed concerns about going over and over the same issue without changes being made in the proposal. If there are no changes in the proposal, further discussion is not necessary and does not constitute more discussion, because nothing has changed. Commissioner Allen went on to say, Envision Franklin provides guidelines for Conservation and Conservation Subdivision and this proposal does not fall into the guidelines. Ms. Allen stated that the commission disapproved recommending the proposal to BOMA, previously. She said rezoning the floodplain does not follow Envision Franklin guidelines. Commissioner Allen further stated it is our duty to protect the health, safety and well-being of the people of Franklin. Ms. Allen strongly disapproves of rezoning of the Brownland Farm proposal. Commissioner Allen has seen nothing tonight that would change her mind about her vote.

Commissioner Franks stated that he thought last summer the commission approved this rezoning request.

Commissioner Ann Petersen stated that no, it was defeated at planning commission level. Neither the rezoning portion nor the development plan passed. Commissioner Franks stated whether we passed the site rezoning plan or not, the rezoning would allow the applicant to build something in the proposed area. He believes the group has demonstrated a solid plan and we need to hear from the hydrologic engineers about the CLOMR. Commissioner Franks asked if the CLOMR would be approved prior to the site plan approval. Chair Lindsey stated this would be a future step. Mr. Wiseman stated we will know if FEMA approves the CLOMR prior to the site plan approval.

Jimmy Wiseman stated that the proposal met all the City of Franklin rules and regulations. The next step would be the approval of FEMA. The CLOMR is required and is part of the site plan. The plan is submitted to FEMA. Then FEMA evaluates the model and provides comments with approval or disapproval. Mr. Wiseman stated we must have this approval before a grading permit is granted for the property. Commissioner Franks asks for more information from the staff. Mr. Wiseman explained the process in more detail. The CLOMR is a conditional letter of map revision that is submitted to FEMA to show no impact upstream or downstream to property owners. Then, the model is fully vetted by FEMA and reviewed by a third party. Commissioner Franks stated that his position would be to approve the rezoning so that the owner could move forward with some sort of development. Commissioner Allen stated the applicants would have to meet our standards set forth by Envision Franklin to receive plan approval.

Chair Lindsey asked for any further discussion. There was none.

Chair Lindsey stated that we have a motion to recommend approval to BOMA.

Chair Lindsey called for a roll call vote.

A motion was made by Commissioner Jimmy Franks, seconded by Commissioner Nick Mann to recommend approval of Ordinance 2022-05. The motion failed 2-6, with Commissioners Jimmy Franks and Nick Mann voting yes.

A staff member asked Chair Lindsey to ask for a motion in an affirmative manner.

Chair Lindsey stated that we have a motion to recommend disapproval to BOMA by Alderman Petersen, seconded by Commissioner Allen.

Chair Lindsey called for discussion.

Commissioner McLemore stated she has changed her mind and does not support the proposal based on what was presented this evening along with public comments.

A motion was made by Alderman Ann Petersen, seconded by Commissioner Marcia Allen to recommend disapproval of Ordinance 2022-05. The motion Passed 6-2, with Commissioners Jimmy Franks and Nick Mann voting no.

6. Consideration Of Resolution 2021-53, A Resolution Approving A Development Plan For Brownland Farm PUD Subdivision, For Several Properties Located Near The Intersection Of Hillsboro Road And Mack Hatcher Memorial Parkway.

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

Attachments:

1. MAP Brownland Farms Rezoning and Dev Plan Map
2. RES 2021-53 BROWNLAND FARMS PUD DEVELOPMENT PLAN RESOLUTION_UPDATED 2152022_With Exhibits_Law Approved
3. Brownland Conditions of Approval_02
4. BOMA imposed conditions.Brownland Development Plan
5. Brownland Development Plan single sheet
6. Pages 1 to 8 Brownland Development Plan
7. Pages 9 to 15 Brownland Development Plan-4
8. Pages 17-24 Brownland Development Plan
9. Pages 25-32 Brownland Development Plan
10. Pages 33 to 40 Brownland Development Plan
11. Pages 41 - 48 Brownland Development Plan
12. Pages 49-56 Brownland Development Plan-9
13. Pages 57 - 64 Brownland Development Plan
14. Pages 65 - 74 Brownland Development Plan
15. Brownland Farms FP-FW Manipulation Summary9-7-21
16. previous plan Brownland floodplain disturbance with data
17. Brownland Floodplain Ex. Oct. 12, 2021
18. Citizen Comments Combined reduced size

Chairman Lindsey asked for the staff presentation.

Amy Diaz Barriga stated she would speak to the conditions of the development plan previously presented. The first condition requires the plan to provide for a deeded emergency access road to bypass Hillsboro Road to Mack Hatcher Parkway and Fulton Greer Road.

The second condition states a CLOMR must be approved by FEMA prior to a grading permit in the floodplain and floodway, and is also a condition of the City of Franklin, as part of site plan process.

The third condition states that condominium buildings should not have more than 4 units per building. The proposed plan removed the multi-family buildings and replaced them with buildings of 4 units/multiplexes. The proposed plan meets this condition.

The fourth condition requires residential lots to be removed from the site plan area where the existing flood plain is greater than 36 inches. The proposed plan meets this condition.

Ms. Diaz Barriga stated the final condition was to reduce 395 home-sites originally proposed. The revised plan reduced the units to 356. Ms. Diaz Barriga specified that the applicant requested this, at the BOMA meeting, to return to staff to address the conditions. The staff recommends disapproval of this because it does not meet Envision Franklin guidelines. The plan still has development in the Conservation area. Envision Franklin states that in Conservation areas there should be no intrusive enhancements (not limited to trails, parking areas, parks, shelters, or related uses) so that the

environmental integrity of the area can be protected. The proposed plan does not meet this condition because the proposed plan has development in the Conservation areas, resulting in staff disapproval.

Chair Lindsey stated this is the second of two items relating to Brownland PUD. The first relates to rezoning of the area. The second relates to the development plan of the area.

Chair Lindsey stated discussion of the proposed development of Brownland PUD is open for public comment.

Kathy Webber: 1900 Springcroft Drive. Ms. Webber stated she believes the land is zoned perfectly as it is with the constraints there are on the land. The plan presented manipulates over 80% of the floodplain, with 70% of the home sites in the floodplain. This violates Envision Franklin guidelines as this is not a limited disruption. Reduction of the units from the previously denied plan does not change the footprint of development. The emergency access road would not be for residents. The access road would be limited to emergency vehicles. Ms. Webber requests that the commission not approve the development plan. Ms. Webb stated she provided information from CMD Engineering where the frequent rain events were discussed and that critical service roads should not be inundated with 3" of water in the 100-year floodplain.

Amy Wells: 303 Gillette Drive. Ms. Wells stated she is a member of Harpeth Conservancy, which is an organization only concerned with rivers and the preservation of the rivers in our area. Ms. Wells expressed concerns that Envision Franklin has not been followed as closely as it should. Ms. Wells states that BOMA did not ask for the guidelines/conditions at the October meeting.

Presentation by Applicant: Greg Gamble stated he would be happy to answer questions.

Chair Lindsey asked if there was a motion. A motion to recommend disapproval was made by Commissioner Allen, seconded by Commissioner Williamson.

Chair Lindsey asked for discussion.

Commissioner Mann stated he is fully supportive of this land being developed but not to the degree as presented at this time. He also said he believes the project will receive approval in the future with continual preparation and planning.

Commissioner Allen stated she believes the area can be developed in a way that will more closely follow Envision Franklin. She said this proposed plan is not the right use for the property and does not align with Envision Franklin.

Commissioner Williamson stated with consideration to Envision Franklin and long-term plans and its structure, she cannot support the proposed development plan.

Commissioner Franks stated he believes in the plan and believes it has the right to be heard by BOMA. Mr. Franks further stated he is supportive of the development plan.

Chair Lindsey asked if there was any more discussion. There was no further discussion.

Chair Lindsey called for a Roll Call vote to disapprove the site development portion of Brownland PUD.

A motion was made by Commissioner Marcia Allen, seconded by Commissioner Jenny Williamson to recommend disapproval of Resolution 2021-53. The motion Passed 7-1, with Jimmy Franks voting no.

7. Consideration Of Ordinance 2022-02, An Ordinance To Rezone 0.09 Acres From Residential 6 (R6) District To Planned (PD 1,800) District For The Property Located North Of West Fowlkes Street And East Of Natchez Street, At 130 West Fowlkes Street (130 West Fowlkes Street PUD Subdivision).

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

Attachments:

1. MAP 130 W Fowlkes St PUD
2. 2022-02 ORD 130 W FOWLKES ST PUD REZ_With Exhibits_Law Approved
3. 2022-02-03 130 W Fowlkes St Rezoning Resubmittal

Amy Diaz-Barriga stated that this is a rezoning of a property that was originally a church. The proposed plan would create office space, specifically a recording studio. The request meets the guidelines of Envision Franklin, and the staff supports this item and will be happy to answer questions.

Chairman Lindsey asked if there was anyone from the public who would like to speak about item 7.

Seeing there was none, Commissioner Lindsey asked for the presentation by the applicant.

Greg Gamble, no presentation but he stated he represents Dave Leonard and his partner who recently purchased the property, Winstead Tabernacle. Currently the property is zoned residential, but the building is a commercial building and was built for the purposes of a church. Mr. Leonard and his partner would like to preserve the building but would place a recording studio in this area which would fall into the office category, requiring rezoning. The plan is to build a building within a building to keep outside sound out and inside sound in. Part of the proposal is to preserve the artifacts inside the building, including pews, bibles, and other historic literature. Lastly, Mr. Gamble stated that the building occupies 85% of the site. There is no parking on the site. A parking modification plan has been requested to use a county parking lot. Mr. Gamble stated they received a letter from Mayor Rogers Anderson allowing for this parking. A parking study was completed to see how many spaces were available in the mornings and evenings. The study found that there were 80-90 spaces available at those times. Mr. Gamble stated he was happy to answer any questions.

Chair Lindsey clarified that the modification of development standards would be discussed in item 8.

Chair Lindsey asked if there was a motion to rezone this property.

Commissioner Alma McLemore made a motion to recommend approval to BOMA to rezone said property, seconded by Commissioner Orr.

Chair Lindsey asked for a discussion - there was none.

Chair Lindsey calls for a roll call vote.

A motion was made by Commissioner Alma McLemore, seconded by Commissioner Michael Orr to recommend approval of Ordinance 2022-02. The motion Passed 8-0.

8. Consideration Of Resolution 2022-07, A Resolution Approving A Development Plan For 130 West Fowlkes Street PUD Subdivision, With 1 Modification Of Development Standards For Parking, For The Property Located North Of West Fowlkes Street And East Of Natchez Street, Located At 130 West Fowlkes Street.

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

Attachments:

1. MAP 130 W Fowlkes St PUD
2. 2022-07 RES 130 W FOWLKES ST PUD DP_With Exhibits_Law Approved
3. 7760 130 W Fowlkes PUD DP_Conditions of Approval_01
4. 2022-02-03 130 W Fowlkes St Resubmittal
5. 2022-02-10 130 W Fowlkes St Parking Report

Amy Diaz-Barriga stated the staff supports the development of the property and the plan does meet Envision Franklin guidelines. There is a modification of development standards for remote parking that has 5 criteria to be met. The proposed plan has met all but 2 of the criteria. The applicant is asking for a modification of parking. As Mr. Gamble stated, he has a letter from Mayor Anderson stating parking at the County building across the street would be allowed. Ms. Diaz-Barriga stated this is a unique situation in Franklin. The idea of retaining the existing historical building, again, meets Envision Franklin. Therefore, the staff supports the modification of development standards for remote parking.

Chair Lindsey asks if there was any comment from the public – there was none.

Chair Lindsey asked if there was a presentation by the applicant.

Mr. Gamble did not have any further presentation but would be happy to answer questions.

Chair Lindsey asked if there was a motion. Commissioner Allen moved for approval with conditions, seconded by Commissioner Franks.

Chair Lindsey asked if there was any discussion - there was none.

Chair Lindsey asked if there was a motion on the modification of development standards for remote parking.

Commissioner Allen moved for approval of the modification of standards, seconded by Commissioner McLemore.

Chairman Lindsey asked for discussion. There being none, he called for a roll call vote.

The motion passed unanimously.

Chair Lindsey stated we will return to the main motion.

Chair Lindsey asked for discussion – there was none.

Chairman Lindsey asked for a motion.

Chairman Lindsey called for a roll call vote.

A motion was made by Commissioner Marcia Allen, seconded by Commissioner Jimmy Franks to recommend approval of Resolution 2022-07. The motion Passed 8-0.

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

9. Rolling Hills Community Church Subdivision, Site Plan, Parking Lot And Public RW, Creating Surface Parking, On 39.25 Acres, Located At 1810 Columbia Avenue. (CONSENT AGENDA)

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

Attachments:

1. MAP Rolling Hills Church SP
2. 7670 Rolling Hills Church SP_Conditions of Approval_01
3. COF 7670 RHCC Site Plan bca 02 03 22_Part1
4. COF 7670 RHCC Site Plan bca 02 03 22_Part2
5. COF 7670 RHCC Site Plan bca 02 03 22_Part3
6. COF 7670 RHCC Site Plan bca 02 03 22_Part4
7. COF 7670 RHCC Site Plan bca 02 03 22_Part5

The item was Approved on Consent Agenda.

NON-AGENDA ITEMS

The Chair asked if there were any non-agenda items to be presented. There were none.

ANY OTHER BUSINESS

The Chair asked if there was any further business. There was none.

ADJOURN

A motion was made by Commissioner Michael Orr, seconded by Commissioner Alma McLemore to Adjourn the meeting. The motion carried 8-0.

A member of the public asked to speak. Cameron Ailer, 137 Lucinda Lane. In the area of Highway 96, Liberty Pike and Eddy Lane there was discussion of sidewalk in the capital improvement plan.

Chair Lindsey said this could not be discussed tonight.

There being no further business, the meeting adjourned at 08:38 PM.

Reginald L. Lindsey 5/26/2022
Chair Date