HISTORIC
FRANKLIN
TENNESSEE

City of Franklin

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

Meeting Minutes

Franklin Municipal Planning Commission

Thursday, April 23, 2020 **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.

The Franklin Municipal Planning Commission Meeting will limit physical access in the meeting room due to current limitations on public gatherings to prevent further spread of COVID-19 and to protect the health, safety, and welfare of the City of Franklin officials, staff, and citizens. 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. • Call 615-550-8420 to listen to the meeting or voice a comment during a specific public comment period. • The public may email comments to planningintake@franklintn.gov to be read aloud during the meeting. Emailed comments will be accepted until 1 hour prior to the meeting. • Limited viewing will be available in the lobby of City Hall to watch the live video.

CALL TO ORDER

Chair Hathaway called the Planning Commission meeting to order at 7:13 PM.

Chair Hathaway asked for a roll call for each Commission member to state that they were present.

The following Commission members were present: Jenny Szilagyi, Marcia Allen, Ann Petersen, Roger Lindsey, Mike Hathaway, Michael Orr, Alma McLemore, Scott Harrison, and Jimmy Franks.

1. Consideration Of Resolution 2020-40, A Resolution Declaring That The Franklin Municipal Planning Commission Shall Meet On April 23, 2020, And Conduct Its Essential Business By Electronic Means Rather Than Being Required To Gather A Quorum Of The Members Physically Present In The Same Location Because It Is Necessary To Protect The Health, Safety, And Welfare Of Tennesseans In The Light Of The COVID-19 Outbreak.

Sponsors:	Emily Hunter, Amy Diaz-Barriga
Attachments:	1. 2020-40 RES Declaring Need for Electronic Meeting_FMPC_4.23.20.Law Approved 2

Chair Hathaway asked if there were any public comments for Item 1.

Ms. Emily Hunter, Director of Planning and Sustainability, stated that there were no public comments for the item.

Chair Hathaway asked for a motion for Item 1.

A motion was made by Commissioner Scott Harrison, seconded by Commissioner Michael Orr to Approve the Resolution.

Chair Hathaway asked for a roll call vote on the motion.

The motion passed unanimously.

ACTION:	**Motion to Approve the** Resolution, **item 1. by Commissioner Scott Harrison second by Commissioner Michael Orr;** **Motion Passed 9-0**
AYES:	**Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Mike Hathaway, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Szilagyi**
NOES:	**None**
ABSTAIN:	**None**

Following the Call to Order and Approval of Item 1, Chair Hathaway read the following statement:

"The Franklin Municipal Planning Commission Meeting will limit physical access in the meeting room due to current limitations on public gatherings to prevent further spread of COVID-19 and to protect the health, safety, and welfare of the City of Franklin officials, staff, and citizens. 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. • Call 615-550-8420 to listen to the meeting or voice a comment during a specific public comment period. • The public may email comments to planningintake@franklintn.gov to be read aloud during the meeting. Emailed comments will be accepted until 1 hour prior to the meeting. • Limited viewing will be available in the lobby of City Hall to watch the live video."

APPROVAL OF MINUTES

2. Consideration Of Approval Of The March 26, 2020 Minutes.

Sponsors:

Attachments: 1. DRAFT FMPC minutes 3-26-20

Chair Hathaway asked for a motion to approve the Minutes from the March 26, 2020 meeting.

A motion was made by Commissioner Scott Harrison, seconded by Commissioner Jenny Szilagyi to Approve the Minutes.

Chair Hathaway asked for a roll call vote.

The motion passed unanimously.

ACTION:	**Motion to Approve the Minutes by Commissioner Scott Harrison second by Commissioner Jenny Szilagyi;** **Motion Passed 9-0**
AYES:	**Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Mike Hathaway, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Szilagyi**
NOES:	**None**
ABSTAIN:	**None**

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

The Chair asked for citizen comments.

Ms. Hunter stated that there were no citizen comments by email or phone.

ANNOUNCEMENTS

The Chair asked if Staff had any announcements. 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.

Ms. Hunter stated that there were none.

CONSENT AGENDA

3. Consideration Of Items 4-16 On The Consent Agenda.

Sponsors:

Attachments: None

Chair Hathaway turned the Chair over to Vice-Chair Lindsey.

Vice-Chair Lindsey stated that they had a procedural challenge with the Consent Agenda. He stated that they would only have one Consent Agenda. He stated that Chair Hathaway and Commissioner Harrison would recuse themselves from the all items on the Consent Agenda.

Vice-Chair Lindsey stated that Item 11 would be deferred, at the Applicant's request, until the Planning Commission meeting on May 28, 2020.

Vice-Chair Lindsey stated that Item 14 would be removed from the Consent Agenda by Staff recommendation.

Vice-Chair Lindsey stated that Item 11 would remain on the Consent Agenda as a requested deferral by the Applicant.

Vice-Chair Lindsey stated that Item 14 would come off of the Consent Agenda.

He stated that the vote for the Consent Agenda would would include Items 4-13, 15 and 16.

Vice-Chair Lindsey asked for a motion for the Approval of the Consent Agenda. He stated that Staff would call for a roll call vote.

A motion was made by Commissioner Marcia Allen, seconded by Alderman Ann Petersen to Approve the Consent Agenda.

Ms. Hunter called for a roll call vote.

The motion passed 7-0.

ACTION:	**Motion to Approve the Presentation, item 3. by Commissioner Marcia Allen second by Alderman Ann Petersen;**
	Motion Passed 7-0
AYES:	**Ann Petersen, Marcia Allen, Jimmy Franks, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Szilagyi**
NOES:	**None**
ABSTAIN:	**Scott Harrison, Mike Hathaway**

Vice-Chair Lindsey returned the Chair to Chair Hathaway.

SITE PLAN SURETIES

4. Cool Springs West Subdivision, site plan, section 2, revision 3, lots 16 and 27 (Thoroughbred Village Wild Wing Café); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

Sponsors: Paula Kortas

Attachments: None

This item was approved on the Consent Agenda.

5. Franklin Park Subdivision, site plan, (Open Space Lot/Parkland/Infrastructure); release the maintenance agreement for streets improvements. (CONSENT AGENDA)

Sponsors: Paula Kortas

Attachments: None

This item was approved on the Consent Agenda.

6. Hurstbourne Park PUD Subdivision, site plan, sections 1-3; release the maintenance agreement for landscaping (section 3) improvements. (CONSENT AGENDA)

Sponsors: Paula Kortas

Attachments: None

This item was approved on the Consent Agenda.

7. Westhaven PUD Subdivision, site plan, section 15, resubdivision of lot 4032 (Live-Work Units); accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

Sponsors: Paula Kortas

Attachments: None

This item was approved on the Consent Agenda.

8. Westhaven PUD Subdivision, site plan, section 15 (resubdivision of lot 4001) and section 25 (resubdivision of lot 4021) Condo Building and Live-Work Units; accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

Sponsors: Paula

Kortas

Attachments: None

This item was approved on the Consent Agenda.

9. Westhaven PUD Subdivision, site plan, section 25; extend the performance agreement for drainage improvements to March 25, 2021. (CONSENT AGENDA)

Sponsors: Paula

Attachments: None

This item was approved on the Consent Agenda.

10. Westhaven PUD Subdivision, site plan, section 27; accept the landscaping improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)

Sponsors: Paula Kortas

Attachments: None

This item was approved on the Consent Agenda.

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

11. 4404 Peytonsville Road Subdivision, Final Plat, Creating Two Commercial Lots, On 4.61 Acres, Located At 4404 Peytonsville Road. (CONSENT AGENDA)

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

Attachments:

1. MAP 7188 4404 Peytonsville Rd Sub FP
2. 7188_Conditions of Approval_01
3. 7188_2995601 V-Survey-18 x 24 Plat_20-0402_sealed
4. DEFERRAL REQUEST 4404 Peytonsville Road Subdivision, Final Plat

At the request of the Applicant, Item 11 was deferred until the Planning Commission meeting on May 28, 2020 as part of the Consent Agenda.

12. Carothers Crossing West PUD Subdivision, Final Plat, Revision 1, Lot 2, Creating Three Commercial Lots, On 7.15 Acres, Located At Liberty Pike And Carothers Parkway, At 5045 Carothers Parkway. (CONSENT AGENDA)

Sponsors: Emily Hunter, Amy Diaz-Barriga, Dianna Tomlin

Attachments:

1. MAP COF 7214 Carothers Cross West PUD FP
2. COF 7214 Carothers Cross COA
3. COF 7152 Carothers Cross West Final Plat Survey

This item was approved on the Consent Agenda.

13. Franklin Christian Academy PUD Subdivision, Site Plan, Section 1, Lot 1, Revision 1, Constructing A 30,333 Square Feet Civic/Institutional Structure, On 15.21 Acres, Located At 818 Old Charlotte Pike East. (CONSENT AGENDA)

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

Attachments:
1. MAP 7187 FCA SP Lot 1 Rev 1
2. 7187_Conditions of Approval_01
3. SITE PLAN_Franklin Christian Academy Phase 2 (Rev. 7)_COF 7187_archive
4. 7187_2020.04.02_Franklin Christian Academy Phase 2 (Rev. 7)_COF 7187

This item was approved on the Consent Agenda.

14. Longpoint Centre Subdivision, Site Plan, Constructing 55,694 Square Feet of Commercial Retail Space, On 6.49 Acres, Located At Longpoint Way and Carothers Parkway. (CONSENT AGENDA)

Sponsors: Emily Hunter, Amy Diaz-Barriga, Dianna Tomlin

Attachments:
1. Map COF 7152 Longpoint Centre
2. COF 7152 Longpoint COA
3. COF 7152 Longpoint Survey
4. COF 7152 Longpoint Elevation

Item 14 was removed from the Consent Agenda by Staff recommendation.

Chair Hathaway asked if there were any public comments.

Ms. Hunter stated that they had received an email regarding this item. Ms. Hunter read the email from Brendan Boles which states the following:

Dear COF Planning Commissioners,

I am on the Lockwood Glen HOA Board and we wanted to send a comment to the Planning Commission and staff regarding the above referenced project that is on the Consent Agenda for the April 23, 2020 PC Meeting. This commercial project is proposed to be constructed adjacent to the Echelon at Lockwood Glenn neighborhood, and we sincerely appreciate the work of the City Engineering, Fire, and Planning staff related to the second point of access for the development that was proposed to connect to Obree Court. The 6' pedestrian path should be a benefit to our neighborhood and the development.

The HOA Board does have five comments for the Planning Commission to consider:

1. The Developer should install landscaping along the 6' pedestrian path to provide a better sense of place for the walkway. The additional landscaping that is being requested is consistent with other pedestrian paths on the proposed site plan.

2. The dumpsters for the development should be placed further away from the residential homes. We request that the developer work with the HOA Board to evaluate potential alternative locations.

3. The existing tree line should be left in place and the developer be held responsible for any damage to the trees that occur during construction. There is a large heritage tree in close proximity to the proposed Building 5 dumpster that does not show up on the survey, site plan, or landscape drawings for this project. We request the developer save this heritage tree.

4. The Developer should install a traffic signal at the Longpoint Lane/Carothers Parkway intersection to mitigate the traffic impacts produced by the project. The projected delay after the project is completed for a westbound left turn lane onto Carothers is over 800 seconds in the PM peak hour. That is over 13 minutes for a person to make a turning movement. This is not acceptable.

5. Construction traffic for this project should not be allowed to enter or exit through the Echelon at Lockwood Glen neighborhood.

Thank you for your consideration of these items, and for your service to our community.

--
Brendan Boles
9003 Wenlock Lane
Franklin, TN 37064

Chair Hathaway asked if there were comments from Staff.

Ms. Dianna Tomlin, Principal Planner, stated that this was the site plan for 56,694 square feet of commercial retail space between 6 separate buildings, with associated parking, stormwater management, and landscaping. There is an incompatible land use buffer for the area of the project next to existing residential. A final plat has been submitted for review that aligns with this site plan. Ms. Tomlin stated that the major concern was the emergency access, and this had been worked out. She stated that the Commission had heard the other concerns from the Home Owner's Association (HOA) concerning the dumpsters and additional landscaping. Ms. Tomlin stated that she would need to defer any comments concerning the tree (referred to in the email) to Mr. Jason Arnold, Landscape Planner with the City of Franklin Planning Department.
Chair Hathaway asked if there was someone representing the Applicant. There was none.

Ms. Hunter stated that there were no other public comments.

The Chair asked for a motion.

A motion was made by Commissioner Scott Harrison, seconded by Commissioner Michael Orr, to Approve the Planning Item.

Ms. Amy Diaz-Barriga, Current Planning Supervisor, stated that Staff's recommendation for Item 14 was for Approval, with Conditions. She stated that Commissioner Harrison may want to amend the motion.

A motion was made by Commissioner Scott Harrison, seconded by Commissioner Michael Orr, to amend the main motion to include Approval with Staff Conditions.

The Chair asked for any discussion on the motion.

Alderman Petersen asked if the recommendation for Approval, with Staff Conditions, would consider the conditions in the email.

Chair Hathaway stated that the motion would not include any of the conditions listed in the email. The motion would only include the recommendations from Staff.

A motion was made by Alderman Ann Petersen, seconded by Commissioner Scott Harrison to amend the main motion to include approval with Staff conditions and have Staff work with the Lockwood Glenn Home Owner's Association to consider their requested conditions.

Chair Hathaway asked for any discussion on the amendment to the main motion.

There being none, Chair Hathaway asked for a roll call vote on the motion to amend the main motion.

The motion passed unanimously.

ACTION:	**Motion to amend the main motion by Alderman Ann Petersen second by Commissioner Scott Harrison ;**
	Motion Passed 9-0
AYES:	**Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Mike Hathaway, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Szilagyi**
NOES:	**None**
ABSTAIN:	**None**

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

There being none, Chair Hathaway asked for a roll call vote on the main motion, as amended.

The main motion, as amended, passed unanimously.

ACTION:	**Motion to Approve the** Planning Item, **item 14. by Alderman Scott Harrison second by Alderman Michael Orr ;**
	Motion Passed 9-0
AYES:	**Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Mike Hathaway, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Szilagyi**
NOES:	**None**
ABSTAIN:	**None**

15. Splendor Ridge Subdivision, Final Plat, Revision 1, Creating Five Single-Family Residential Lots And Three Open Space Lots, On 18.51 Acres, Located At 151 Franklin Road. (CONSENT AGENDA)

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

Attachments:

1. MAP 7213 Splendor Ridge FP Rev 1
2. 7213_Conditions of Approval_01
3. 7213_T391001_final plat 2_040220fnl-signed

This item was approved on the Consent Agenda.

16. Wood Duck Court PUD Subdivision, Site Plan, Constructing 237 Dwelling Units, On 20.91 Acres, Located East Of The Intersection Of Rosa Helms Way And Carothers Parkway. (CONSENT AGENDA)

Sponsors: Emily Hunter, Amy Diaz-Barriga, Dianna Tomlin

Attachments:

1. MAP 7186 Wood Duck Court, Site Plan
2. COF 7186 Wood Duck COA
3. COF 7186 Wood Duck Court Survey

4. COF 7186 Wood Duck Elevation

This item was approved on the Consent Agenda.

NON-AGENDA ITEMS

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

ANY OTHER BUSINESS

17. Consideration Of Resolution 2020-39, A Resolution To Amend The Note On The Parkway Commons Plat That Calls For Closing The Entrance On Columbia Avenue.

Sponsors: Paul Holzen, Shahad Abdulrahman

Attachments:
1. 2020-39 Resolution_Parkway Commons_with Exhibit.Law Approved
2. 2020-03-06-Kroger U570_Parkway Commons Plat Amendment_coverletter
3. U-570 Amendment to Plat_PC sub-2020-03-06
4. U570_Right In Right Out Exhibit_05-07-19

Chair Hathaway asked for any comments.

Ms. Hunter stated that Mr. Vernon Gerth, Assistant City Administrator, and Ms. Shahad Abdulrahman, Staff Engineer, had comments for Item 17.

Mr. Gerth stated that they had been working on this issue for two years. He stated that when the Parkway Commons was approved and platted, there was an entrance by the service station. This entrance, by the service station, was required to be removed when the work for Through the Green was completed. The developer of Parkway Commons and two of the major tenants, Kroger and Target, have asked that the entrance by the service station stay open. After multiple discussions considering the improvements that will be made to Columbia Avenue in the future, the City of Franklin Engineering Department team had determined that a right in/right out entrance would be appropriate. This Resolution allows the note on the plat, which calls for the entrance to be removed, to be changed to show that the entrance will be a right in/right out entrance. He stated there is an additional Resolution which will be presented to the Board of Mayor and Aldermen. The second Resolution acknowledges the change to the Development Plan.

Staff recommended approval.

Chair Hathaway asked for public comment.

Ms. Hunter stated that there were none.

Chair Hathaway asked if there was someone representing the Applicant. There was none.

Chair Hathaway asked for a motion.

A motion was made by Commissioner Roger Lindsey, seconded by Commissioner Michael Orr to Approve the Resolution.

Chair Hathaway asked for any discussion.

Commissioner Lindsey asked if both entrances were right in/right out.

Ms. Shahad Abdulrahman stated that they were not. She stated that they want to convert the north entrance into a right in/right out if this Resolution is approved.

Commissioner Franks asked about the direction of the entrance leaving Kroger toward Chick-fil-A.

Mr. Gerth stated that because of the proximity of the intersection to the traffic signal, with delivery trucks leaving this entrance, the right in/right out will work. Concerning the other entrance, which is further south, someone leaving Chick-fil-A could use that entrance.

Commissioner Franks stated this was a safety issue, and he agreed with it.

Alderman Petersen stated that there is a signal intersection on both sides of this entrance.

Chair Hathaway asked for a roll call vote.

The motion Passed unanimously.

ACTION:	**Motion to Approve the Resolution, item 17 by Commissioner Roger Lindsey second by Commissioner Michael Orr;**
	Motion Passed 9-0
AYES:	**Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Mike Hathaway, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Szilagyi**
NOES:	**None**
ABSTAIN:	**None**

ADJOURN

A motion was made by Commissioner Scott Harrison, seconded by Commissioner Marcia Allen to Adjourn.

Chair Hathaway called for a roll call vote.

The motion Passed unanimously.

ACTION:	Motion to Adjourn by Commissioner Scott Harrison second by Commissioner Marcia Allen ;
	Motion Passed 9-0
AYES:	Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Mike Hathaway, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Szilagyi
NOES:	None
ABSTAIN:	None

There being no further business, the meeting adjourned at 7:39 PM.

Chair

5.28.2020

Date