



Meeting Minutes

Franklin Municipal Planning Commission

Thursday, February 22, 2024

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.franklin.tn.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.

CALL TO ORDER

Chair Lindsey called the meeting to order at 7:01 PM.

Commissioners Present: Michael Orr, Roger Lindsey, Marcia Allen, Ann Petersen, Scott Harrison, Alma McLemore, Jimmy Franks

Commissioners Absent: Nick Mann, Jennifer Williamson

Staff Members Present: Shaunna Billingsley, Emily Wright, Amy Diaz-Barriga, Joseph Bryan, Tia Holden, and Jimmy Wiseman

CITIZEN COMMENTS (Open for citizens to be heard on any issue or concern, including those related to items on the agenda. Please submit a Speaker Card at the beginning of the meeting if you would like to address the Commission. If you would like to speak on a non-consent agenda item, the Chair will hold your comment until the public comment period associated with the item. As provided by law, the Planning Commission shall make no decisions or consideration of action of citizen comments for items not on the agenda, except to refer the matter to the Planning Director for administrative consideration, or to a schedule the matter for consideration at a later date. Those addressing the Commission are requested to come to the microphone and identify themselves by name and address for the official record. The Chair may restrict the period for public comment, including the length of the public comment period, the number of individuals who can speak and the length of time each individual may speak. When time allows, the standard individual public comment time is two minutes.)

Chair Lindsey asked for citizen comments. There were none.

Comments on agenda items may be made in person at city hall or by emailing planningintake@franklintn.gov before noon on the day before the meeting. Emailed comments will be provided to the Commission and included in the minutes, but not read aloud in their entirety during the meeting.

APPROVAL OF MINUTES

1. Consideration Of Approval Of The January 25, 2024, FMPC Minutes.

Sponsors:

- Attachments:**
1. FINAL January 25 2024 FMPC Minutes
 2. FINAL FINAL January 25 2024 FMPC Minutes

A motion was made by Commissioner McLemore, seconded by Commissioner Orr, to Approve the Minutes from the January 25, 2024, meeting. The motion carried 7-0.

ANNOUNCEMENTS

Chair Roger Lindsey asked if Staff had any announcements. There were none.

CONSENT AGENDA

2. Consideration Of Approval Of Items 3-10 And 20-22 On The Consent Agenda.

Sponsors:

- Attachments:** None

A motion was made by Commissioner Allen, seconded by Commissioner Orr to Approve items 3-10 and 20-22 as presented on the Consent Agenda. The motion carried 7-0.

SITE PLAN SURETIES

3. Amelia Park PUD Subdivision, Site Plan, Section 4, Revision 1; Accept The Sidewalks And Streets Improvement, Release The Performance Agreement And Establish A Maintenance Agreement For One Year To February 21, 2025. (CONSENT AGENDA)

Sponsors: Melodie Brady

Attachments: None

The item was Approved on Consent Agenda.

4. Amelia Park PUD Subdivision, Final Plat, Section 5; Extend The Performance Agreement For Sidewalks And Streets Improvements To February 27, 2025. (CONSENT AGENDA)

Sponsors: Melodie Brady

Attachments: None

The item was Approved on Consent Agenda.

5. Berry Farms Town Center PUD Subdivision, Final Plat, Section 7; Extend The Performance Agreement For Drainage Improvement To July 19, 2024. (CONSENT AGENDA)

Sponsors: Melodie Brady

Attachments: None

The item was Approved on Consent Agenda.

6. Echelon PUD Subdivision, Final Plat, Section 1; Extend The Performance Agreement For Green Infrastructure Improvement To February 27, 2025. (CONSENT AGENDA)

Sponsors: Melodie Brady

Attachments: None

The item was Approved on Consent Agenda.

7. Lockwood Glen PUD Subdivision, Final Plat, Section 6; Extend The Performance Agreement For Drainage Improvement To February 27, 2025. (CONSENT AGENDA)

Sponsors: Melodie Brady

Attachments: None

The item was Approved on Consent Agenda.

8. Lockwood Glen PUD Subdivision, Final Plat, Section 8; Extend The Performance Agreement For Drainage Agreement To February 27, 2025. (CONSENT AGENDA)

Sponsors: Melodie Brady

Attachments: None

The item was Approved on Consent Agenda.

9. Lockwood Glen PUD Subdivision, Site Plan, Sections 8-1 (MASS GRADING); Extend The Performance Agreement For Drainage Improvement To February 27, 2025. (CONSENT AGENDA)

Sponsors: Melodie Brady

Attachments: None

The item was Approved on Consent Agenda.

10. Stream Valley PUD Subdivision, Site Plan, Section 16; Extend The Performance Agreement For Green Infrastructure Improvement To February 27, 2025. (CONSENT AGENDA)

Sponsors: Melodie Brady

Attachments: None

The item was Approved on Consent Agenda.

PLANS OF SERVICES/ANNEXATIONS/ZONINGS

11. Consideration Of Resolution 2024-05, A Resolution Adopting A Plan Of Services For The Annexation Of Property Located West Of Franklin Road And South Of South Berrys Chapel Road, At 2247 South Berrys Chapel Road, By The City Of Franklin, Tennessee.

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

- Attachments:**
1. MAP The Preserve at Sheridan PUD Subdivision, Annexation
 2. RES 2024-05 Preserve at Sheridan PUD POS_Combined_Law approved
 3. 2247 S Berrys Chapel Rd, Annexation (The Preserve at Sheridan PUD) - submittal 003

Staff Presentation: Joey Bryan. The applicant is requesting a Plan of Services for property located at 2247 South Berry's Chapel Road. The Plan of Services outlines how infrastructure will need to be provided to serve the property of 35.95 acres. The Draft Plan of Services, included in the application materials, details no major concerns in providing infrastructure and services to the property. However, connectivity to the parcels to the southeast of the annexation request is important to the future development of property in the City of Franklin's Urban Growth Boundary. No additional personnel or equipment will be necessary for either Fire, Police Protection, or Sanitation.

Recommendation

Staff recommends that the Planning Commission recommend to the Board of Mayor and Aldermen to approve Resolution 2024-05.

Public Comments

Tony Blaine. Mr. Blaine expressed his concerns about increased traffic and the safety of children walking to and from school if South Berry's Chapel Road connects to the proposed new subdivision, through the Echo neighborhoods, past BGA and finally to Mack Hatcher. Mr. Blaine stated that the road would become a thoroughfare or shortcut to Mack Hatcher. There is a lot of activity on the actual road because of the lack of sidewalks through any of the neighborhoods.

Brandon Baisden. Mr. Baisden stated that his main concern is the potential for the increase in traffic and the safety issues that will accompany this increase. Considering the amount of foot traffic and the lack of sidewalks, Mr. Baisden suggested emergency access only to the new subdivision.

Slayton Gorman. Mr. Gorman echoed the same concerns as previously mentioned and requested the Commissioners consider the consequences of a heavily traveled through road could mean for the for the neighborhoods without sidewalks.

Joan Bledsoe. Ms. Bledsoe stated that there is a traffic concern as she cannot make a turn onto Franklin Road during high traffic times in less than 10 minutes. Ms. Bledsoe asked the Commissioners to consider the outcomes if the property is allowed to be annexed into Franklin.

Kal Vencill. Mr. Vencill noted that Envision Franklin addresses the South Berry's Chapel area fronting Franklin Road as areas that should have development on lot sizes comparable to those that currently exist along the road. Many of the properties are 25 acres, 20 acres, and 10-acre sections. The proposed 16 homes on 36 acres doesn't seem to be compatible with what Envision Franklin recommends for this scenic area of Franklin. Approval of this plan would set a precedent for future developments in the South Berry's Chapel area. Mr. Vencill also noted his concerns about increased traffic to an area not designed to accommodate high traffic volume.

Dr. Brian Berger. Dr. Berger stated that the proposed plan does not appear to be in keeping with the existing large lots along with the inability of the roadway to accommodate more traffic. The roads are narrow without a shoulder on either side and are dangerous. The wait times to make a left turn are often 5-10 minutes.

Keith Casseri. Mr. Casseri stated that there are increased accidents along South Berry's Chapel Road because of the high traffic volume. Mr. Casseri asked the Commissioners to consider residents who have already invested in Franklin and Williamson County by purchasing property in these scenic areas. Once one acre lots are approved, the door will be open to other similar requests. Sustainable growth is needed to protect the quality of life of everyone.

Connie Frasier. Ms. Frasier stated that the traffic and safety are huge concerns as it is almost impossible to make a left turn onto Franklin Road from South Berry's Chapel Road and suggested the applicant be responsible for a traffic light and turn lanes on South Berry's Chapel Road and Franklin Road, should the development be approved. Ms. Frasier mentioned her concerns about the beautiful wetlands and noted that the area being proposed for development was completely flooded during the flood of 2010.

Meredith Kummer, South Berry's Chapel Road. Ms. Kummer stated that she chose to live in the South Berry's Chapel area

because of the large lots and for the peaceful and tranquil environment that is home to many wild animals. Safety issues continue to increase due to more traffic especially for property owners that have horses. It's not uncommon for horses to escape their enclosure and venture onto the road. More traffic resulting from new development will diminish the unique characteristics of this rural area.

Applicant

Troy Gardner, Ragan Smith Associates. Mr. Gardner, Landscape Architect & Land Planner for the applicant, stated that many of the public comments would be addressed during the development plan presentation. Mr. Gardner noted that regarding Envision Franklin guidelines for estate residential, he believes the proposed one and two acre lots are within the parameters of the guidelines.

Chair Lindsey asked for a motion from the Board.

Motion

Commissioner Franks motioned to recommend approval of Resolution 2024-05 to BOMA, seconded by Commissioner Harrison.

Discussion

Commissioner McLemore asked if all the property surrounding the parcel is considered part of the county.

Mr. Bryan stated that the parcel does connect to the city limit but the north, east, and west sides of the parcel are part of the county.

The motion carried 7-0.

12. Consideration Of Resolution 2024-06, A Resolution To Annex Two Properties, Consisting Of 35.95 Acres, Located West Of Franklin Road And South Of South Berrys Chapel Road, At 2247 South Berrys Chapel Road And Adjoining The City Limits Within The Northern Part Of The Franklin Urban Growth Boundary (UGB).

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

Attachments:

1. MAP The Preserve at Sheridan PUD Subdivision, Annexation
2. RES 2024-06 Preserve at Sheridan PUD Annex_Combined_Law approved
3. 2247 S Berrys Chapel Rd, Annexation (The Preserve at Sheridan PUD) - submittal 003

Staff Presentation: Joey Bryan. The property is contiguous to the City limits and is within the City's Urban Growth Boundary (UGB) and was identified as a long-term annexation capability area due to the limited developable area remaining, the topography, and the large-lot development pattern that is expected to remain. The property being considered is within the Large-Lot Residential Design Concept as defined by Envision Franklin. Envision Franklin states that development in the Large-Lot Residential Design Concept, "reflects the established character of existing neighborhoods and often provides a transition between City and County subdivisions. New development should have a minimum lot size of one acre or more to fit contextually with surrounding neighborhoods. Neighborhoods should be designed around natural features to highlight forested areas, hillsides and hilltops, streams, and tree rows." An accompanying zoning, ORD 2024-09, and development plan, RES 2024-07, for this property is also being considered on this agenda.

Recommendation

Staff recommends that the Planning Commission recommend to the Board of Mayor and Aldermen to approve Resolution 2024-06.

Public comment

None

Applicant

None

Chair Lindsey stated that Resolution 2024-06 is a resolution to annex two properties totaling 35.95 acres located in the northern part of the Franklin UGB.

Chair Lindsey asked for a motion from the Board.

Motion

Commissioner Harrison motioned to recommend approval of Resolution 2024-06 to BOMA, seconded by Commissioner Orr.

Discussion

None

The motion carried 7-0.

13. Consideration Of Ordinance 2024-09, An Ordinance To Zone 35.95 Acres Planned (PD 0.30) District, And Hillside Hillcrest Overlay (HHO) District, And To Rezone 16.66 Acres From Residential 1 (R1) District To Planned (PD 0.30) District, For The Property Located West Of Franklin Road And South Of South Berrys Chapel Road, At 2247 South Berrys Chapel Road (Preserve At Sheridan PUD).

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

Attachments:

1. MAP The Preserve at Sheridan PUD Subdivision, Rezoning and Development Plan
2. ORD 2024-09 Preserve at Sheridan PUD Zone_Combined_Law approved
3. The Preserve at Sheridan PUD Subdivision, Rezoning - submittal 002

Staff Presentation: Joey Bryan. The subject property, including land currently within and outside the city limits, consists of 52.61 acres and is currently zoned MGA-1 (County) and R1 (City). Envision Franklin places this parcel into the Large-Lot Residential Design Concept. The accompanying development plan proposes 16 single-family residential lots measuring from a minimum of 1 and up to 2 acres in size, giving an overall density of 0.30 units per acre. The zoning as proposed is consistent with the recommendations of Envision Franklin and maintains the larger lots that are already established in the area.

Recommendation

Staff recommends that the Planning Commission recommend to the Board of Mayor and Aldermen to approve Ordinance 2024-09.

Public Comment

Dr. Brian Berger. Dr. Berger urged the Commissioners to consider a five-acre minimum lot size to reflect the existing lots, otherwise a precedent will be set, creating more issues with traffic and safety on South Berry's Chapel Road.

Sue McKenzie, 2237 South Berry's Chapel Road. Ms. McKenzie stated that during a moderate rainstorm the subject's property, adjoining her property (beautiful wetlands), floods. Ms. McKenzie has concerns about how the new development will affect her property during rainstorms and the potential for flooding.

Cari Lundy, 2139 South Berry's Chapel Court. Ms. Lundy encouraged the Commissioners to protect the beautiful and unique property of South Berry's Chapel. Ms. Lundy also stated that residents were not given enough notice to attend the meeting.

Keith Casseri. Mr. Casseri asked the Commissioners to respect the wishes of the people who have already purchased and invested in Franklin. Mr. Casseri asked the Board to consider slowing the approval process down as many more residents of the South Berry's Chapel area were unable to attend the meeting because of the short notice.

Andrea Lux. Ms. Lux stated that the proposed density is very out of character compared to existing lot sizes. Also, very few people seem to be aware of the meeting other than a small sign that was posted last week. The process appears to be flying through the process without proper consideration. Notification to property owners within 500 feet of the property would only include 3 or four residents.

Meredith Kummer, 2267 South Berry's Chapel Road. Ms. Kummer expressed her concerns about the precedent that would

be set for future developments in the South Berry's Chapel area. Ms. Kummer also stated that many residents were not aware of the proposed changes and suggested more time is needed to properly notify all those affected by the proposed changes. Ms. Kummer stated that she went door to door to notify her neighbors about tonight's meeting because she happened to see the sign.

Troy Gardner (applicant). Mr. Gardner stated that the city's guidelines were followed regarding public notification of proposed changes to the zoning ordinance. Of the three parcels, the southernmost parcel resides in the city of Franklin. The proposed lots, for this area are larger than the current zoning ordinance requires, which is a minimum of 30,000 feet. The application is requesting one and two acre lots which are substantially larger than the current minimum lot size. Regarding the speed of the process, Mr. Gardner noted that the application must be heard three times before the proposal is approved or denied, allowing time for more public input.

Ms. Diaz-Barriga stated that per the zoning ordinance notification requirements, residents living within 500 feet of the property receive a written notification letter and additionally, not required by state law, the city posts a sign listing the meeting time and date.

Commissioner Franks asked Mr. Gardner how many homes are proposed for the parcel within the city of Franklin.

Mr. Gardner stated that he would go through the details during the development plan presentation.

Commissioner McLemore asked if the property owners within 500 feet were notified about the proposed development.

Ms. Diaz-Barriga stated that written notification was provided for this meeting and for the neighborhood meeting, as well.

Commissioner Allen explained that the purpose of the Planning Commission is to recommend approval or disapproval to the Board of Mayor and Alderman. If the Commission recommends approval to BOMA, there will be an opportunity for citizens to speak during the BOMA meeting. Additionally, BOMA has the final ruling or over whether the application will move forward in the process or not.

Alderman Petersen asked if the residents in Echo Estates and Echo Preserve were notified.

Ms. Diaz-Barriga stated that if the residents are within 500 feet of the property, they were notified.

Ms. Billingsley stated that there was not a motion on the floor yet because discussion was reopened so that anyone who wanted to speak was given time to do so and suggested that a motion should be made to continue discussions.

Motion

Commissioner Franks motioned to recommend approval of Ordinance 2024-09 to BOMA, seconded by Commissioner Harrison.

Discussion

Ms. Diaz-Barriga addressed Commissioner Allen's question about lot size by stating that the lot sizes are proposed to be one and two acre lots, but the density would be 0.3 per acre. The next item, the development plan, will go into more detail.

The motion carried 7-0.

REZONINGS/DEVELOPMENT PLANS

14. Consideration Of Resolution 2024-07, A Resolution Approving A Development Plan For Preserve At Sheridan PUD Subdivision With 1 Modification Of Development Standards (Connectivity), For The Property Located West Of Franklin Road And South Of South Berrys Chapel Road, Located At 2247 South Berrys Chapel Road.

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

Attachments:

1. MAP The Preserve at Sheridan PUD Subdivision, Rezoning and Development Plan
2. RES 2024-07 Preserve at Sheridan PUD DP_Combined_Law approved (2)

3. 8383 Preserve at Sheridan PUD_DP_Conditions of Approval_01
4. 1-6 pages The Preserve at Sheridan DP
5. 7-12 pages The Preserve at Sheridan DP
6. Slopes Exhibit MOS
7. 2024.02.01 - Sheridan_Franklin Request for Modification of Standards

Staff Presentation. Joey Bryan. The applicant has submitted a development plan for the Preserve at Sheridan PUD Subdivision, which proposes 16 single-family residential lots on 52.61 acres. Envision Franklin places this parcel into the Large-Lot Residential Design Concept, which states that these areas, "reflect the established character of existing neighborhoods and often provide a transition between City and County subdivisions. The plan as submitted includes lots that range from 1 to 2 acres in size, maintaining the established character of existing subdivisions in the area. The plan also includes green space to protect natural and historical assets as well as a neighborhood amenity center.

There is one Modification of Standards request with this plan. MOS #1: Requesting to remove the required eastern connections of the PUD. The applicant is requesting to remove the required vehicular connections to the parcels along the eastern boundary line of the PUD. Section 9.5.1(B) of the Zoning Ordinance states, "Street connections, street stubs, or internal drives shall be provided in every direction (north, south, east, and west)." There are two eastern access points required to connect to the two parcels along the eastern boundary. After reviewing the submittal, Staff can support removal of the eastern connection to the northern parcel due to the location of the stream and the proximity to S Berry's Chapel Road. For the eastern connection to the southern parcel, Staff will support a Modification of Standard with the following conditions: The ROW for a future road is dedicated, the future road is pre-graded to subgrade and a sign is installed at the end of the cul-de-sac stating, "This roadway shall be extended per the authority of the City of Franklin."

Recommendation

Staff recommends approval, with conditions of MOS #1. Staff also recommends that the Planning Commission recommend to the Board of Mayor and Aldermen to approve Resolution 2024-07 with conditions.

Public Comment

Meredith Kummer. Ms. Kummer stated that because of the large lot sizes, a 500 feet written notification requirement would mean that two homeowners would have been notified. Most of the properties are large, but these changes affect many more homeowners outside the 500 feet requirement.

Tony Blaine. Mr. Blaine restated his concerns about the potential for a throughway or cut through (Echo Estates) being created if the application is allowed to move forward. More information is needed about connectivity and emergency access and how it will affect Echo Estates.

Jan Kapartz, Preserve, Echo Estates. Ms. Kapartz stated that her property backs up to the property proposed for rezoning and she participated in the January meeting along with three others. Most of her neighbors were not aware of the meeting or notified.

David Langhans. Mr. Langhans stated that he owns the property next to the subject property and has concerns about the wetlands, flooding, and connectivity through this area. Mr. Langhan explained that he is not against development and asked the Commissioners to consider all the concerns mentioned.

Kanu Kaushal, 1161 Echo Lane. Mr. Kaushal agreed with the previous concerns of homeowners and added his concerns about the lack of sidewalks and streetlights in the Echo neighborhood. Battle Ground Academy presents a unique situation with the number of children who walk and ride bikes to and from school. Emergency access through this area may be necessary but not all will adhere to emergency access only. There will be some people who will ignore the barriers.

Applicants

Troy Gardner and Josh Lee. Mr. Gardner referred to a map showing how the homesites (.3 dwelling units/acre) would not interfere with the natural features of the property. Mr. Gardner noted their stormwater management plan, a proposed ROW that could be connected to the BGA property and proposed access points. Those include two access points to the north onto South Berry's Chapel Road, one stub to the west for a potential future connection to Amesbury Lane and one proposed ROW and emergency access to the BGA campus.

Mr. Lee highlighted the changes to the proposal, based on requests of the city, since the FMPC/BOMA joint conceptual workshop. As mentioned, the proposed ROW and emergency access to the BGA campus meets the zoning ordinance requirement for connectivity. The modification of standards also supports connectivity if the Meadows property is ever developed. Lastly, Mr. Lee requested the removal of one of the conditions of approval required by the city regarding emergency access to BGA. It is requested that the connection to Echo Estates be removed, as noted by the public input received this evening, the connection into Echo Estates is not supported by the community. With the addition of the emergency access through the cul-de-sac/south of the proposed development, access is no longer needed into Echo Estates. Mr. Lee requested removal of the condition and stated he would be glad to answer any questions.

Andy King, Franklin Fire Marshall. Mr. King stated that he wholeheartedly does not support the removal of the emergency access to Echo Lane. The emergency access point to BGA through the PUD to the track is a difficult grade for the fire truck to navigate and it provides access to the track only. The challenges of Mack Hatcher to Spencer Creek to Ernest Rice present traffic issues during school start and end times. It is very reasonable to keep and require the emergency access to Echo Lane. Mr. King recommended not to remove the emergency access requirement connection to Echo Lane. The location of the access road would be in the vicinity of the proposed amenity area of the proposed PUD to a vacant lot in Echo Estates.

Mr. Wiseman confirmed that a bridge would need to be built over the wetland area from the proposed development to Echo Lane.

Chair Lindsey restated that the recommendation to BOMA includes a request for a MOS to eliminate the emergency access point from the PUD to Echo Lane (East).

Ms. Diaz-Barriga confirmed that there are two access points to the east of the proposed development. Staff recommends approval of the northern most access point closest to South Berry's Chapel Road and staff recommends approval with conditions the southern access point to the "Meadows" property. The condition, Mr. King, spoke about was condition 31 which does not have a modification of standards.

Mr. Wiseman also clarified that the access point to the "Meadows" property be pre-graded so that if the Meadows property develops, the city can decide if a connection should be made.

Ms. Diaz-Barriga also noted that the applicant, not staff, requested that the Board make a motion to remove the access from the PUD to Echo Lane on the east side.

Main Motion

Commissioner Harrison motioned to recommend approval of Resolution 2024-07, with staff conditions to BOMA, seconded by Commissioner Allen.

MOS Motion

Motion: Modification of Standards to remove the required eastern connections of the PUD.

Commissioner Allen motioned to approve the Modification of Standards with conditions, seconded by Commissioner Harrison.

Commissioner Allen asked what the purpose of the pre-grading and signage for the pre connection to the Meadows property.

Mr. Wiseman stated that the signage is a notification that when/if the property develops, the city may or may not choose to consider a through access point.

Commissioner Allen noted that the reason the MOS is recommended is because of the location of the stream proximity to South Berry's Chapel Road (protection of natural resources).

The MOS motion carried 7-0.

Main Motion Discussion

Commissioner Allen stated that one citizen had concerns about flooding, and she wanted to ensure that the Commission appropriately considers all the potential issues regarding flooding.

Mr. Wiseman stated that all the jurisdictional features of the property were identified appropriately as part of the application process, per the state and local requirements and regulations. (60-foot buffers on natural features).

Commissioner Orr stated that he cannot support the development plan because of the lack of transition from the smaller lots to the larger lots along South Berry's Chapel Road.

Commissioner Franks stated that he agrees with Commissioner Orr about the lack of transition to the larger properties within the county. Mr. Franks asked staff to confirm the process if one of the related items is denied.... would all four items be required to be heard again?

Ms. Billingsley stated that whatever recommendation the Planning Commission sends to BOMA, those recommendations would be voted on.

Main Motion

The motion carried 5-2 (Commissioners Franks and Orr voting against).

15. **Consideration Of Ordinance 2024-08, An Ordinance To Rezone 16.81 Acres From Neighborhood Commercial (NC) District To Planned (PD 96,000) District For The Property Located South Of Goose Creek Bypass And East Of Goose Creek Drive (Goose Creek Bypass PUD Subdivision).**

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

Attachments:

1. MAP Goose Creek Bypass PUD Subdivision, Rezoning and Development Plan
2. ORD 2024-08 Goose Creek Bypass PUD Rez_Combined_Law approved
3. 2024-02-01 Goose Creek Bypass (In-N-Out) Rezoning - Technical Sheets
4. Envision Franklin Letter, 4881-8081-8338, 1

Staff Presentation: Joey Bryan: The subject property is located south of Goose Creek Bypass and East of Goose Creek Drive and the accompanying development plan proposed a one-story restaurant building with drive-through window service and a 3-story office building with 96,000 square feet of nonresidential space. Envision Franklin places this property in the Neighborhood Commercial Design Concept, which contains a mix of active uses at key intersections that generally serve surrounding residential concentrations. These centers should be compatible with and contribute to neighborhood character and livability. These centers should be defined by building frontages and an activated street. They should be pedestrian-friendly places with high-quality architecture that creates active, connected gathering places. In keeping with this vision for the Neighborhood Commercial design concept, Envision Franklin specifically states that conventional drive-through window uses are discouraged, and that drive-through window uses may only be appropriate if integrated into the side or rear of multi-tenant buildings without the need for a front drive aisle between the primary structure and the street it faces. The proposed site layout of the development plan is in direct conflict with this policy of Envision Franklin, and therefore, staff must recommend disapproval of the rezoning to Planned District as it is tied to the development plan. Staff acknowledges that the context of this Neighborhood Commercial designation is different from most in the City. Rather than a commercial node serving a large concentration of nearby residential units, this site is along a wide, major arterial street, and there are stand-alone drive-thru uses that exist directly across the street. This site may not lend itself to this policy in Envision Franklin, due to context and location of the site.

Recommendation

Staff recommends that the Planning Commission recommend to the Board of Mayor and Aldermen to deny Ordinance 2024-08 because the accompanying development plan does not comply with Envision Franklin. However, as stated in the staff report, the FMPC may find that the site does not lend itself to this policy on drive-through window uses in Envision Franklin, and therefore, may wish to recommend approval.

Public Comment

Brian Davis. Mr. Davis stated that for the most part, Goose Creek residents support the development. In-N-Out Burger appears to be a fair and honest group that is willing to (and has already) worked with the neighborhood on concerns about

the proposed development. Mr. Davis stated that the main concern is the proposed private access drive adjacent to Goose Creek Estates.

Leigh Ann Cates. Ms. Cates stated that her main concern is the access drive that will be located behind the trees and buildings. There is an old quarry behind the homes on one side of Goose Creek Blvd. Ms. Cates noted that kids park in front of the homes and walk between the home and through the trees to meet and have parties. Ms. Cates requested that the access road be removed from the proposed application, or an alternative be explored.

Vicky Crigger, 124 Gosling Drive. Ms. Crigger stated that she also has concerns about the access road and would like to hear the reasoning and/or purpose of the access road.

William Bailey, 509 Downy Meade Drive. Mr. Bailey explained that the Goose Creek neighborhood is covered on all sides and connectivity is a real concern. It appears that the proposed access road doesn't connect to anything other than Goose Creek Bypass. Mr. Bailey requested that the commission consider removal of the access road. Mr. Bailey also mentioned the light glare that will need to be considered along with the proposed berms that may interfere with the neighborhood tree line.

Ryan Anderson, Goose Creek Estates. Mr. Anderson noted his concerns about traffic congestion in the area and the issues created by the access road. Making a left turn from Goose Creek Blvd. onto Goose Creek Bypass can be very dangerous, according to Mr. Anderson. Mr. Anderson thanked the Commissioners for their service and asked for consideration of an alternate route for the proposed access road.

Tristina Craft, Goose Creek Estates. Ms. Craft also noted her concerns about traffic/safety, light pollution, and the existing congestion on Goose Creek Bypass. She echoed the sentiments about the needless access road that neither the residents nor applicant seem to support. Ms. Craft expressed her concerns about the speed of growth in Franklin.

Jeff Hoyt, Goose Creek Estates. Mr. Hoyt also expressed his concerns about the noise and light pollution and about the access road proposed. Mr. Hoyt asked for more information about why the road is proposed in the current location.

Dale Bukowski, Goose Creek Estates. Mr. Bukowski explained that the proposed access road will be 25 feet from his property line and will directly impact his property value. Mr. Bukowski also mentioned the existing noise and light pollution from Berry Farms and is concerned about the increase considering the proposed development. Mr. Bukowski thanked the Commissioners for their work on behalf of the city.

Krista Sartore. Ms. Sartore stated that she understands the importance of connectivity but in this situation, it appears that the road does not really provide access to anywhere.

Betsy Hester, Williamson 2nd District Commissioner. Ms. Hester stated that she is speaking in support of the residents of Goose Creek and requests that the Commission and In-N-Out Burger carefully consider the difficulties the Goose Creek residents will contend with regarding this project. During high traffic times, traffic can be at a complete standstill and nearly impossible to make a left turn onto Goose Creek Bypass from Goose Creek Estates. The Goose Creek neighborhood has been patient over the years about traffic congestion on Goose Creek Bypass and have also been great neighbors to Berry Farms. Everyone recognizes the integrity of In-N-Out Burger and looks forward to having access to the burgers at their fingertips. Lastly, Ms. Hester requested specific consideration on site lighting, fencing, and the proximity of the access road to adjacent neighbors in Goose Creek Estates.

Applicant Presentation

Shawn Finnegan & Greg Gamble. Mr. Finnegan stated that In-N-Out Burger continues to be excited to have Franklin as the home as their eastern expansion headquarters. As a result of neighborhood and city meetings, changes have been made to the proposed application. Mr. Finnegan explained that the following items had been agreed upon between neighborhood residents and In-N-Out Burger. Those included dumpster pick up times, perimeter landscaping around the perimeter of the site during the first phase of the project, speed humps along the access road, if permitted, landscape to buffer lighting between the restaurant and the neighborhood and a 24-hour security present on the site.

Greg Gamble

Mr. Gamble stated that the request for rezoning from Neighborhood Commercial to Planned District was to accommodate

specific requests of the development plan. These requests will allow the office building and restaurant design to blend contextually with the surroundings without compromising the In-N-Out brand. Examples of the requests include gabled roofs and increased width of drive isles, among others.

Motion

Commissioner Harrison motioned to recommend approval of Ordinance 2024-08 to BOMA, seconded by Commissioner McLemore.

Discussion

None

The motion carried 7-0.

16. Consideration Of Resolution 2024-08, A Resolution Approving A Development Plan For Goose Creek Bypass PUD Subdivision With 14 Modifications Of Development Standards (Commercial Building, Office Building, Materials, Signage, Fencing), For The Property Located South Of Goose Creek Bypass And East Of Goose Creek Drive.

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

Attachments:

1. MAP Goose Creek Bypass PUD Subdivision, Rezoning and Development Plan
2. 8381 Goose Creek Cypass PUD_DP_Conditions of Approval_01
3. 1-7 Goose Creek Bypass Development Plan
4. 8 to 14 Goose Creek Bypass
5. 15-21 Goose Creek Bypass
6. Envision Franklin Letter, 4881-8081-8338, 1
7. RES 2024-08 Goose Creek Bypass PUD DP (In n Out)_Combined_Law approved (2)

Staff Presentation: Joey Bryan. The applicant has submitted a development plan for the Goose Creek Bypass PUD Subdivision that proposes a one-story restaurant building with drive-through window service and a 3-story office building, totaling 96,000 square feet of nonresidential space. Envision Franklin places this property in the Neighborhood Commercial Design Concept, which contains a mix of active uses at key intersections that generally serve surrounding residential concentrations. While the proposed plan meets many of the recommendations for the Neighborhood Commercial design concept, the proposed site layout of the development plan and stand-alone, drive-thru restaurant is in direct conflict with this policy of Envision Franklin, and therefore, staff must recommend disapproval of the development plan. Staff acknowledges that the context of this Neighborhood Commercial designation is different from most in the City. Rather than a commercial node serving a large concentration of nearby residential units, this site is along a wide, major arterial street, and there are stand-alone drive-thru uses that exist directly across the street. This site may not lend itself to this policy in Envision Franklin, due to context and location of the site.

Modification of Standards

There are fourteen Modification of Standards requests in this plan that address building design, primary materials, signage, and fencing. The following is the list of MOS requests included in the application and staff's recommendations for each, should the development plan be approved.

MOS #1: Requesting to modify Commercial/Mixed Use Building ground floor height to 10 feet.

The applicant has added additional architectural elements, such as towers, to the design to help accentuate the overall height and meet the intent of the ground floor height regulation. Staff recommends approval of MOS #1.

MOS #2: Requesting to increase standard driving aisle width to 28 feet.

Staff is comfortable with the additional 4 feet in width proposed by the applicant. Staff recommends approval of MOS #2.

MOS #3: Request to allow gable and pitched roofs on Commercial/Mixed-Use Buildings.

The proposed gable and pitched roof forms on the building help accentuate the vertical articulation of the building and help provide a transition in architecture to the adjacent residential neighborhood. This MOS can be supported by Staff. Staff recommends approval of MOS #3.

MOS #4: Request to allow window recesses of 2.5" for the drive-thru window and 1" for kitchen windows.

The applicant has indicated that the only windows with the proposed modifications are for the drive-thru window and kitchen windows that will be underneath the drive-thru colonnade. Staff can support the request due to the limited view of the windows with this MOS request. Staff recommends approval of MOS #4.

MOS #5: Request to alter standards for monument signage.

The applicant is requesting to increase the maximum height for monument signage to 7.5, add stucco as a primary material, and increase the overall height to 8.5 feet above the street centerline. The exhibits supplied by the applicant show that the proposed height and location of the sign still meet the intent of the ordinance by maintaining a pedestrian-friendly scale. The sign design also incorporates masonry into the base of the sign, so the addition of stucco in this limited capacity can be supported. Staff recommends approval of MOS #5.

MOS #6: Request to allow wall signs to be located above the roofline of the uppermost floor.

Given the tower elements on the restaurant building, the wall signs would not appear to be spaced correctly with substantial empty space above the sign. Staff can support this request but are limited to the wall signs specified in the development plan. Staff recommends approval of MOS #6.

MOS #7: Request to defer connection of cross access between adjacent properties until they are developed.

Section 9.5.3(A) of the Zoning Ordinance states that, "internal vehicular circulation shall be designed to provide cross access to each adjacent property." The applicant has shown that cross access between the eastern and western parcels is included in the development plan. However, they have requested to defer construction of the drive aisles until those properties are developed. Staff can support this request, provided that the applicant plat easements for those future connections with a recorded final plat. Staff recommends approval, with conditions of MOS #7

MOS #8: Requesting to allow for irregular shaped signage.

Irregularly shaped signs have been approved with previous MOS requests. The shape of the In-N-Out Burger logo is difficult to fit into a regular shaped sign and still have visual prominence. Staff recommends approval of MOS #8.

MOS #9: Request for the use of Halo-style signage.

While no halo-style lighting has been allowed in the past, the applicant is limiting the halo lighting request to solid white light that is not overly bright. Granting halo-style lighting with this MOS may set a precedent for future requests, but staff is considering a future Zoning Ordinance update to permit halo-style lighting with certain regulations. Staff can support this request. Staff recommends approval of MOS #9.

MOS #10: Request to allow stucco as a primary material for the Commercial/Mixed-Use Building Type.

Section 6.8 of the Zoning Ordinance limits primary materials for commercial/mixed-use buildings to brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding. Stucco is not included in this list as it is not an established primary material that one would find in the City of Franklin or Middle Tennessee region. Stucco can be used as an accent material under the Zoning Ordinance. Staff recommends disapproval of MOS #10.

MOS #11: Request to allow stucco as a primary material for the Office Building Type.

Section 6.9 of the Zoning Ordinance limits primary materials for commercial/mixed-use buildings to brick, natural stone, or cultured stone. Stucco is not included in this list as it is not an established primary material that one would find in the City of Franklin or Middle Tennessee region. Stucco can be used as an accent material under the Zoning Ordinance. Staff recommends disapproval of MOS #11.

MOS #12: Request to remove the requirement of a defined base for the Office Building Type.

Section 6.9 of the Zoning Ordinance for horizontal articulation for the Office Building Type requires that a building shall have a base, middle, and cap. The applicant is requesting to limit the removal of a base to the portions that have stucco treatment. However, as they are requesting that stucco be a primary material, that would be a substantial amount of the building and cannot be supported by Staff. Staff recommends disapproval of MOS #12.

MOS #13: Request to increase front yard fencing maximum height to six feet.

The applicant has provided exhibits to show that additional plantings and berm will help conceal the fencing and the additional height. Given the additional landscaping and proposed location of the fencing, Staff can support this request.

Staff recommends approval of MOS #13.

MOS #14: Request to remove required masonry columns for commercial fencing.

The applicant has provided exhibits to show that additional plantings and berm will help conceal the fencing and the additional height. Given the additional landscaping, the proposed location of the fencing, and that masonry columns may bring more attention to the taller fence; Staff can support this request. Staff recommends approval of MOS #14.

Recommendation

Staff recommends that the Planning Commission recommend to the Board of Mayor and Aldermen denial of Resolution 2024-08 because the development plan does not comply with Envision Franklin. However, as stated in the staff report, the FMPC may find that the site does not lend itself to this policy on drive-through window uses in Envision Franklin, and therefore, may wish to recommend approval.

Public Comment

William Bailey. Mr. Bailey referred to a board visual noting fencing relating to the access road and emergency access points as they relate to Goose Creek Estates.

Vicky Crigger. Ms. Crigger referred to the visual board pointing out that there is considerably more protection (landscaping) for the office building fronting Goose Creek Bypass than to the area adjoining the property of the Goose Creek Estates.

Applicant Presentation

Greg Gamble. Mr. Gamble provided a tabbed guide of the 14 Modification of Standards, requested in the application, to the Commissioners. Mr. Gamble stated that In-N-Out Burger is excited to call Franklin home for their eastern expansion operational offices which is the first office east of the Mississippi River. They have thoughtfully and intentionally designed their office and restaurant to reflect comments received during the joint conceptional workshop while maintaining the In-N-Out Burger feel and blending into the Franklin community character. A brick base has been added to the restaurant per the feedback of FMPC and BOMA joint work session. The third floor of the office building is recessed with brick and stucco as the exterior materials. Mr. Gamble explained that, from a distance, the office building reads as a brick building. As part of the master plan of a PUD and in compliance with zoning ordinances, a landscaping plan is required, as well as parking at the rear and side. Also, part of the zoning ordinance requirements includes cross access to any adjacent property. One of the proposed modification of standards is to delay construction of the access roads until the Chadwell development is completed. Once development of Berry Farms, Chadwell is completed, Goose Creek Boulevard will be realigned to connect with Captain Freeman at a signalized intersection.

Alderman Petersen requested more information regarding the Berry Farms, Chadwell property development relating to the floodplain.

Mr. Wiseman explained that a hydraulic study had been conducted as part of the development plan. Developers would be required to address the floodplain area prior to development of the property. Access to the Chadwell development would also require a signalized intersection that would eventually connect to the Goose Creek neighborhood.

Commissioners Franks and Alderman Petersen both asked what the purpose of a boulevard between Goose Creek Estates and the subject property. In other words, how is this road helpful to Goose Creek Estates?

Mr. Wiseman stated that any opportunity to keep cars off Goose Creek Bypass, by providing alternate routes, reduces congestion and meets the zoning ordinance requirement for connectivity. Eventually, intersection realignment will occur creating a signalized connection between Goose Creek Drive and Captain Freeman Parkway. The In-N-Out development is split into two parcels, the restaurant, and the office building, per the zoning ordinance, connectivity is required. Staff supports the MOS to defer connection of cross access between adjacent properties until those properties are developed.

Alderman Petersen stated that Goose Creek Estates doesn't connect to anything and then having the In-N-Out Burger access road proposed extremely close to the property line of Goose Creek residents seems to be very intrusive.

Mr. Wiseman stated that the zoning ordinance requires connectivity, but it doesn't indicate where connectivity should be.

Commissioner Franks stated that the access road adjacent to Goose Creek Estates, on the proposed plan, doesn't go

anywhere and doesn't seem to have a purpose.

Ms. Billingsley suggested the Commissioners make a motion for deliberations and discussions.

Main Motion

Commissioner Orr motioned to recommend approval of Resolution 2024-08 to the Board of Mayor and Alderman, seconded by Commissioner Franks.

Chair Lindsey explained that each of the 14 Modifications of Standards, part of the overall/main motion, would require a separate motion and discussion.

Modification of Standards (Motions)

MOS #1: Requesting to modify Commercial/Mixed Use Building ground floor height to 10 feet. (Staff recommends approval)
Commissioner Harrison motioned to approve MOS #1, seconded by Commissioner McLemore. The MOS #1 motion carried 7-0.

MOS #2: Requesting to increase standard driving aisle width to 28 feet. (Staff recommends approval)
Commissioner Harrison motioned to approve MOS #2, seconded by Commissioner Orr. The MOS #2 motion carried 7-0.

MOS #3: Request to allow gable and pitched roofs on Commercial/Mixed-Use Buildings. (Staff recommends approval)
Commissioner Harrison motioned to approve MOS #3, seconded by Commissioner Allen. The MOS #3 motion carried 7-0.

MOS #4: Request to allow window recesses of 2.5" for the drive-thru window and 1" for kitchen windows. (Staff recommends approval)
Commissioner Harrison motioned to approve MOS #4, seconded by Commissioner McLemore. The MOS #4 motion carried 7-0.

MOS #5: Request to alter standards for monument signage. (Staff recommends approval)
Commissioner Harrison motioned to approve MOS #5, seconded by Commissioner Orr. The MOS #5 motion carried 7-0.

MOS #6: Request to allow wall signs to be located above the roofline of the uppermost floor. (Staff recommends approval)
Commissioner Harrison motioned to approve MOS #6, seconded by Commissioner Franks. The MOS #6 motion carried 7-0.

MOS #7: Request to defer connection of cross access between adjacent properties until they are developed. (Staff recommends approval with conditions)

Mr. Wiseman clarified that the condition of approval is that cross access connection be delayed until development occurs on adjacent properties (east & west parcels) to allow for better organization and alignment in the future.

Commissioner Harrison motioned to approve MOS #7 with conditions, seconded by Commissioner McLemore. The MOS #7 motion carried 6-1 (Alderman Petersen voting against).

MOS #8: Requesting to allow for irregular shaped signage. (Staff recommends approval)
Commissioner Harrison motioned to approve MOS #8, seconded by Commissioner McLemore. The MOS #8 motion carried 7-0.

MOS #9: Request for the use of Halo-style signage. (Staff recommends approval)
Commissioner Harrison motioned to approve MOS #9, seconded by Commissioner McLemore. The MOS #9 motion carried 7-0.

MOS #10: Request to allow stucco as a primary material for the Commercial/Mixed-Use Building Type. (Staff recommends disapproval)

Commissioner Franks motioned to approve MOS #10, seconded by Commissioner Harrison.

Ms. Wright stated that the applicant did not have a chance to discuss or explain MOS #10 & #11 during his presentation, due to the number of questions being asked. If the Commissioners have any questions regarding the MOS, Chair Lindsey could recognize the applicant to explain the two MOS.

Commissioner Harrison stated that there have been changes to the amount of stucco proposed compared to the last presentation and it would be nice for staff to comment on whether the changes are enough to consider the stucco as an accent material.

Mr. Gamble stated that the plans were resubmitted with changes and should be available in the packet of information provided for tonight's meeting.

Applicant Presentation: Jeff Bryant. Mr. Bryant stated that quality is part of In-N-Out Burger's DNA throughout the company. At the end of construction, the stucco will be painted with a high-quality gloss paint that will help minimize the amount of dirt and materials. Once a month the pressure wash and steam clean team will clean the exterior of the restaurant from top to bottom including the concrete, building stucco, awnings, and the drive through lane. The exterior stucco is painted every five years or when deemed necessary from corner to corner by an in-house painting department. All In-N-Out restaurants are important, but many eyes will be on this flagship store and it will be monitored and maintained by an in-house department that includes maintenance, service, operations, pest control and landscaping. The in-house department will be constantly monitoring the needs of the store from updates to repairs and anything else that will enhance the customer experience.

The MOS #10 motion carried (Commissioner Allen voting against).

MOS #11: Request to allow stucco as a primary material for the Office Building Type. (Staff recommends disapproval) Commissioner Orr motioned to approve MOS #11, seconded by Commissioner Harrison. The MOS #11 motion carried 6-1 (Commissioner Allen voting against).

MOS #12: Request to remove the requirement of a defined base for the Office Building Type. (Staff recommends disapproval)

Mr. Gamble noted that this MOS does not remove the brick requirement for walls only the removal of the brick base requirement for some of the exterior stucco walls.

Commissioner Harrison motioned to approve MOS #12, seconded by Commissioner Franks. The MOS #12 motion carried 6-1 (Commissioner Allen voting against).

MOS #13: Request to increase front yard fencing maximum height to six feet. (Staff recommends approval) Commissioner Allen motioned to approve MOS #13, seconded by Commissioner Harrison. The MOS #13 motion carried 7-0.

MOS #14: Request to remove required masonry columns for commercial fencing. (Staff recommends approval) Commissioner Harrison motioned to approve MOS #14, seconded by Commissioner Orr. The MOS #14 motion carried 7-0.

Main Motion (recommend approval of Resolution 2024-08 to the Board of Mayor and Alderman)
The motion carried 7-0.

17. Consideration Of Ordinance 2024-06, An Ordinance To Rezone 26.27 Acres From Planned (PD 0.71) District To Residential 1 (R1) District For The Property Located South Of The Intersection Of Crossway Drive And Castlewood Drive, At 2208 Crossway Drive.

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

Attachments:

1. MAP 2208 Crossway Drive, Rezoning
2. ORD 2024-06 2208 Crossway Dr Rez_Combined_Law approved
3. 2024-02-01 Rezoning - Cross property
4. Citizen Comment 01
5. Citizen Comment 02

Staff Presentation: Joey Bryan. The applicant is proposing to rezone 26.27 acres from Planned (PD 0.71) District to Residential 1 (R1). This property was formerly part of the Tuck Away PUD Subdivision and is being removed with ORD 2024-07 and RES 2024-09, which are also on this agenda. The proposed zoning of R1 maintains the larger lots of the surrounding

neighborhoods with any new future lots required to be a minimum of just under an acre in size (30,000 square feet).

Project Consideration

Any subdivision of this parcel under R1 zoning would be required to submit a plat to the Planning Commission for approval.

Recommendation

Staff recommends that the Planning Commission recommend to the Board of Mayor and Aldermen to approve Ordinance 2024-06.

Public Comment

Melissa Littich, 2526 St. James Drive. Ms. Littich stated that she is concerned about the proximity of the proposed road in relationship to her property line. Light pollution and noise from the proposed outdoor pavilion are also concerns. Ms. Littich finished by saying that her normally quiet neighborhood will no longer be peaceful and quiet if the application is approved.

Jay Shields, 2530 St. James Drive. Mr. Shields also noted his concerns about the proposed road running along his property line, the proposed large parking lot along with the increased congestion and traffic that a church campus can bring.

Applicant Presentation

Greg Gamble. The applicant deferred his presentation to the next item.

Motion

Commissioner Orr motioned to recommended approval of ordinance 2024-06 to BOMA, seconded by Commissioner Harrison.

Discussion

None

The motion carried 7-0.

18. Consideration Of Ordinance 2024-07, An Ordinance To Rezone 25.64 Acres From Planned (PD 0.71) To Planned (PD 120,000) District For The Property Located At 1190 Lewisburg Pike (Tuck Away PUD Subdivision).

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

- Attachments:**
1. MAP Tuck Away PUD Subdivision, Rezoning and Development Plan
 2. ORD 2024-07 Tuck Away PUD Rev 1 Rez_Combined_Law approved
 3. 2024-02-01 Rezoning-Tuckaway (Fellowship) resubmittal
 4. Citizen Comment 01
 5. Citizen Comment 02

Staff Presentation: Joey Bryan. The applicant is proposing to rezone 26.27 acres from Planned (PD 0.71) District to to Planned (PD 120,000) District to accommodate the proposed revision to the Tuck Away PUD Subdivision. The Envision Franklin Land Use Plan places the subject parcels into the Single-Family Design Concept, which allows for institutional uses such as churches. Envision Franklin provides a special consideration for institutional uses at this location, which states, "Development should be designed in a manner which compliments the rural character of this corridor and its surrounding neighborhoods. Institutional uses should maintain a minimum front setback of 200' to preserve the rural and pastoral viewsheds along Lewisburg Pike, and buildings should maintain a height of two (2) stories or less. Adaptive reuse of existing dwellings for institutional uses may be appropriate when accompanied by a development plan". The proposed zoning is consistent with the recommendations and consideration given to this property by Envision Franklin.

Public Comment

Melissa Littich, 2526 St. James Drive. Ms. Littich expressed her concerns about the number of people who will use the space daily. By the size of the parking lot and the three large buildings proposed, it appears there could be hundreds and hundreds of people entering and exiting on a consistent basis. Ms. Littich mentioned light and noise pollution along with

safety as other causes of anxiety and nervousness regarding the church campus proposal.

Applicant Presentation

Greg Gamble. Mr. Gamble noted the benefits of the large setback proposed is complementary to the rural and open feel that the city of Franklin tries to preserve. Mr. Gamble also stated that there are no plans for any sort of school on the church campus.

Motion

Commissioner Orr motioned to recommended approval of ordinance 2024-06 to BOMA, seconded by Commissioner Harrison.

Discussion

Commissioner Allen stated that she cannot support a recommendation of approval for another church in this location. This stretch of Lewisburg Pike has several churches and on Sunday mornings the traffic congestion creates safety concerns. Commissioner Allen supports the design and the long-term goals of the church, but not in the location that it is proposed.

The motion carried 6-1 (Commissioner Allen voting against).

19. Consideration of Resolution 2024-09, A Resolution Approving A Revised Development Plan For Tuck Away PUD Subdivision, With 1 Modification Of Development Standards (Connectivity), For The Property Located West Of Lewisburg Pike And North Of Saint James Drive, Located At 1190 Lewisburg Pike.

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

- Attachments:**
1. MAP Tuck Away PUD Subdivision, Rezoning and Development Plan
 2. RES 2024-09 Tuck Away PUD Rev 1 DP_Combined_Law approved
 3. 8389 Tuck Away PUD _DP_Rev 1_Conditions of Approval_01
 4. 1-7 pages Tuck Away DP Rev 1
 5. 8-14 pages Tuck Away DP Rev 1
 6. 15-21 pages Tuck Away DP Rev 1
 7. 22-28 pages Tuck Away DP Rev 1
 8. Citizen Comment 01
 9. Citizen Comment 02

Staff Presentation: Joey Bryan. The applicant is proposing a revision to the Tuck Away PUD Subdivision development plan to allow for institutional use and the construction of a new church campus. The Tuck Away PUD was previously approved in March 2021 and had 37 single family residential lots on 52.0 acres. This revision proposes changing the boundaries of the PUD and removing all residential use from the property. Additionally, it entitles the property to 120,000 square feet of institutional space. The Envision Franklin Land Use Plan places the subject property into the Single-Family Design Concept, which allows for institutional uses, such as churches. The plan as proposed maintains the 200-foot setback from Lewisburg Pike and re-purposes the existing house for administrative purposes. The plan is in two phases and the proposed architecture is a 2-story scale and compliments the rural nature of the area. The plan overall meets the guiding principles of Envision Franklin and the specific notes about this special consideration for the Single-Family Design Concept.

There is one Modification of Standards request with this plan. MOS #1: Requesting to remove the required southern vehicular connection. The applicant is requesting to remove the required vehicular connections to the parcels along the southern boundary line of the PUD. Section 9.5.3(A) of the Zoning Ordinance states, "Internal vehicular circulation shall be designed to provide cross access to each adjacent property." Staff supports extending connectivity whenever possible to plan for future road network connections, to help disburse traffic throughout an area and provide multiple connection points for emergency services. Staff recommends disapproval of MOS #1.

Recommendation

Staff recommends that the Planning Commission recommend to the Board of Mayor and Aldermen to approve Resolution 2024-09 with conditions.

Public Comment

Jay Shields, 2530 St. James Drive. Mr. Shields stated that St. James Drive cannot accommodate two-way traffic and requests that the Commissioners do not consider St. James Drive as a potential road for connectivity to the church campus. The drainage ditches and the lack of side walks make the road unfit for high traffic volume.

Applicant Presentation

Mr. Gamble highlighted main points of the master plan. The plan proposes a 200-foot setback along Lewisburg Pike. The existing house on the property will be repurposed for use by the church but all new construction will be behind the home. The southern drive isle along the property line is proposed to be a 16-foot exit only drive. Entrance to the campus would be from the north and from the rear of the parking lot. To reduce light exposure to neighboring properties, the parking lot lights would be pointed down and away from adjacent property lines. The only modification of standard requested is the removal of southern vehicular connection. Mr. Gamble also noted that the closest building to the southern property line is 75 feet, and the existing tree line will be maintained and supplemented with additional trees.

Main Motion

Commissioner Orr motioned to recommend approval of resolution 2024-09 to BOMA, seconded by Commissioner Harrison.

MOS Motion

MOS #1 Requesting to remove the required southern vehicular connection. (Staff recommends disapproval)

Commissioner Franks motioned to approve MOS #1, seconded by Commissioner Harrison. Commissioner Allen stated that she does not support removal of the vehicular connection. The MOS 1 motion carried 6-1 (Commissioner Allen voting against).

Main Motion

The motion carried 6-1 (Commissioner Allen voting against).

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

20. Carter House Visitors Center Subdivision, Final Plat, Creating One Residential Lot And Dedicating Easements, On 8.75 Acres, Located West Of Columbia Avenue And South Of West Fowlkes Street, At 1140 Columbia Avenue. (CONSENT AGENDA)

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

- Attachments:**
1. MAP 8386 Carter House Visitors Center Subdivision, Final Plat
 2. CONDITIONS OF APPROVAL 8386 Carter House Visitors Center Subdivision, Final Plat
 3. FINAL PLAT COF 8386 Carter House Visitors Center Subdivision

The item was Approved on Consent Agenda.

21. Creekside Home Site Subdivision, Final Plat, Creating One Residential Lot And One Open Space, On 48.36 Acres, Located East Of Franklin Road And South Of Mack Hatcher Memorial Parkway, At 370 Franklin Road. (CONSENT AGENDA)

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

- Attachments:**
1. MAP Creekside Home Site Subdivision, Final Plat
 2. CONDITIONS OF APPROVAL 8385 Creekside Home Site Subdivision, Final Plat
 3. FINAL PLAT 8385 Creekside Home Site Subdivision

The item was Approved on Consent Agenda.

22. Poplar Farms PUD Subdivision, Final Plat, Section 1, Creating 87 Residential Lots, 5 Open Space Lots, And Dedicating Right-Of-Way, On 44.45 Acres, Located South Of Clovercroft Road And West Of Market Street, At 4099 Clovercroft Road. (CONSENT AGENDA)

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

Attachments:

1. MAP Poplar Farms PUD Subdivision, Final Plat
2. CONDITIONS OF APPROVAL 8390 Poplar Farms PUD Subdivision, Final Plat, Section 1
3. FINAL PLAT COF 8390 Poplar Farms PUD Subdivision, Final Plat, Section 1

The item was Approved on Consent Agenda.

ZONING ORDINANCE TEXT AMENDMENTS

23. Consideration Of Ordinance 2023-44, An Ordinance To Amend Several Chapters of The Franklin Zoning Ordinance Regarding Frontages, Building Types, Performance Agreements, And Overlay Zoning Districts.

Sponsors: Emily Wright, Kelly Dannenfelser

Attachments:

1. REVISED 2.06.24 2023-44 An Ordinance to Amend Several Chapters of the Zoning Ordinance_LAW APPROVED (2)

Staff Presentation: Kelly Dannenfelser. In December, an Envision Franklin Plan Amendment for the Margin District on Columbia Avenue was approved, resulting in a need to update the Ordinance for building height in part of the Columbia Avenue Overlay District to reflect the approved Plan Amendment. Feedback from the January Joint Conceptual Workshop was included in the text amendment regarding the Overlay District for FMPC and BOMA consideration. There will be a larger update brought forward for consideration this summer. This Ordinance update also includes several small other proposed changes. A change is proposed to the naming convention in the references to Certificates of Occupancy to Certificates of Use and Occupancy (CUO), as well as defining whether the reference should be to a Temporary or Final CUO. This is the result of a recent Municipal Code update. Another change will provide additional flexibility in selecting the time frames for performance agreement extensions. Another change will address open space along the Scenic Corridor Overlay District for new development and will allow for additional courtyard open space designs in new developments. Staff recommends approval of Ordinance 2023-44.

Public Comment

Devon McClendon, NAI Nashville. Mr. McClendon stated that he is speaking in support of the text amendment, recommended by staff, with a requested addition of property. In September, a project being referred to as the Margin District was approved for properties located along the 700-800 block of Columbia Pike adjacent to Church Street and Cummins Street. In addition to what was approved in September (Plan Amendment to Envision Franklin), Mr. McClendon would like the Board to consider the property known as Bobby's Automotive and the Woodard Property to be included in the Margin District, as those properties have since been acquired. If the Commission agrees, the applicant is requesting that those properties be included as part of the Margin District project.

Jere Pewitt. Mr. Pewitt owns property located at 705 Columbia Avenue and requests that his property be included in the proposed zoning edit as his property is surrounded by the development known as the Margin district. Otherwise, the parcels surrounding his property would be zoned differently.

Ms. Dannenfelser explained that Envision Franklin is general in nature, but the zoning ordinance is what provides the details and standards to reach the broad goals of Envision Franklin. The main impact of including the additional properties discussed would be that three and a half story buildings would be allowed instead of two-story buildings.

Ms. Billingsley stated that the Board could motion to approve the ordinance, then create an amendment to add the areas discussed.

Main Motion

Commissioner Orr motioned to recommend approval to the Board of Mayor and Alderman, Ordinance 2023-44, seconded by Commissioner Harrison.

Ms. Billingsley noted that the Board could defer the request to the next meeting if more information is needed.

Ms. Wright clarified by stating that the first request includes the 2 parcels north of the blue boundary indicated on the overhead map. The second request includes the L shaped property. The text amendment can be amended to include these parcels up to Church Street or the Board can defer the item to the next meeting so that staff can provide a more detailed map or the parcels to be included.

Amendment

Commissioner Allen amended the motion to include the parcels located at 705, 713 & 717 Columbia Avenue, seconded by Commissioner Orr. The motion to amend carried 7-0.

Main Motion, As Amended

The motion as amended carried 7-0.

ANY OTHER BUSINESS

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

ADJOURN

A motion was made by Commissioner Orr, seconded by Commissioner Harrison to Adjourn. The motion carried 7-0.

There being no further business; the meeting adjourned at 10:25 PM.


Chair

March 28, 2024
Date

