



City of Franklin

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

Meeting Minutes

Work Session

Tuesday, July 9, 2024

4:30 PM

Board Room

CALL TO ORDER

Mayor Ken Moore called the meeting to order at 04:30 PM

Board Members Present: Patrick Baggett, Brandy Blanton, Ann Petersen, Clyde Barnhill, Beverly Burger, Matt Brown, Jason Potts, Greg Caesar

Board Members Absent:

Staff Present: Eric Stuckey, Mark Hilty, Vernon Gerth, Shauna Billingsley, Angie Skarp

CITIZEN COMMENTS

Comments on agenda items may be made in person at City Hall or by emailing recorder@franklintn.gov before noon on the day of the meeting. Comments will be submitted for the record.

WORK SESSION DISCUSSION ITEMS

1. Franklin Tomorrow Vision City Conference - October 2024

Sponsors: Eric Stuckey, Franklin Tomorrow

Mindy Tate, CEO of Franklin Tomorrow, and Teresa Ashworth Harris, Board Chair, were present to share updates on the Vision City Conference hosted in Franklin on October 15-17, 2024. They explained that Franklin tomorrow regularly conducts a Vision City visit to a financially sound, similarly sized city every year with growth similar to that of Franklin. For many years, Franklin Tomorrow has wanted to host a "Vision City Conference" in Franklin in place of visiting another city and 2024 is that year, in partnership with Seaside Institute. They anticipate about 150–200 attendees from all over the Southern Region. The registration fee is projected to cost about \$400, which includes meals, tours, and workshops.

Alderman Blanton expressed excitement for this opportunity to show off our community.

2. Growth And Infrastructure Alignment And Future Wastewater Capacity Discussion

Sponsors: Michelle Hatcher

Mr. Stuckey introduced the item. Michelle Hatcher, Director of Water Management, Brian Goodwin, Assistant Director of Water Management, Emily Wright, Director of Planning, and Mark Hilty, Assistant City Administrator for Public Works, were present to answer any questions from the Board.

Ms. Hatcher discussed the Integrated Water Resources Plan (IWRP) completed in 2011, which is essentially the implementable and supported plan to meet Franklin's water resources for the next 30 years. In 2012, the broad recommendations were to upgrade the existing Water Reclamation Facility to 16 MGD and to build a new southeast clean water plant (CWP) initially at 4 MGD with provisions to build out to 8 MGD. The site for the new CWP was identified and acquired in May 2008. It has the capacity to eventually build out to 16 MGD.

In conjunction with this plan, Ms. Wright explained the estimated growth projections, based on historical trends, to look at future capacity and needs with respect to the proposed new southeast facility. While the majority of growth centers around the southeast portion of the City, the growth of the entire City will be a part

of this discussion as wastewater capacity is the limiting factor when discussing growth and future needs of the City.

Then, the team presented five alternatives that ranged in capacity, estimated capital cost, and projected duration of operation of the plant at the proposed capacity.

Mr. Stuckey requested Board guidance on a policy for vesting extensions. He suggested putting a policy in place to reevaluate vested rights for existing investments in an attempt to better allocate capacity.

3. ***Consideration Of Ordinance 2024-21, An Ordinance To Rezone 44.53 Acres From Estate Residential (ER) District To Civic Institutional (CI) District For The Property Located South Of Mack Hatcher Memorial Parkway And East Of Franklin Road. Establishing A Public Hearing On August 13, 2024**

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

Joseph Bryan, Principal Planner, introduced the item. The applicant is requesting to rezone 44.53 acres located South of Mack Hatcher Memorial Parkway and East of Franklin Road from Estate Residential (ER) District to Civic Institutional (CI) District. The property is owned by the City of Franklin and will be utilized for public parkland.

The item is planned for the July 9, 2024 Board of Mayor and Aldermen Meeting for consideration for First Reading.

4. **Consideration Of Resolution 2024-33, A Resolution Initiating The Annexation Process And Draft Plan Of Services, For The Annexation Of 297.17 Acres, Located West Of Hillview Lane, At 1247 Hillview Lane**

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

Joseph Bryan, Principal Planner, introduced the item. The property being considered is located west of Hillview Lane and measures 297.17 acres in size, located at 1247 Hillview Lane. It is noncontiguous to the City limits and is within the City's Urban Growth Boundary (UGB), with the exception of a small southern portion of the parcel that is located outside of the UGB. The parcel is within the Development Reserve Design Concept as defined by Envision Franklin.

The property lies within the SW1 Basin as defined in the City of Franklin Sanitary Sewer Basin Study and was identified as a long-term annexation capability area due to the lack of an established public water and sewer system as well as an overall lack of updated roads. An extensive sanitary sewer basin study update will be required in order to ensure the pump station and force main are sized appropriately and to determine the location of the future force main. No additional density is recommended on this property until additional roadways (where located within the UGB) are annexed by the City and are extended to meet the City of Franklin Zoning Ordinance Connectivity requirements. Some potential street connections may be required to remain in the county due to being located outside the Franklin UGB, and these street connections may require approval by the Williamson County Planning Commission or Highway Commission.

A portion of the property is located outside of the Urban Growth Boundary. While the property lies within the SW1 Basin, which was identified as a long-term growth capability in the 2018 Annexation Study, there is currently a plan underway to revise the Franklin UGB as part of a possible Williamson County Growth Plan Update. The updated plan shows the entirety of this property within the Franklin UGB. Staff recommends that the property be annexed once the Growth Plan is fully adopted, as the property could then be annexed by property owner request.

While the property currently lacks public utilities and necessary external road connections, many of these potential issues can be worked out through the development process. Staff recommends approval of the annexation initiation to further investigate how the property can be served.

Greg Gamble, Applicant, and Adam Ballash, Boyle Investment Company, were present to answer any questions from the Board. They explained potential plans for the land once it is annexed.

The item is planned for the August 13, 2024 Board of Mayor and Aldermen Meeting for consideration for Public Hearing.

5. Consideration Of Resolution 2024-34, A Resolution Amending The West Franklin Park PUD Subdivision To Extend The Vested Rights, For The Property Located North Of McEwen Drive And East Of Interstate 65, Located At 6100 And 6700 Tower Circle. Establishing A Public Hearing On August 13, 2024

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

Chelsea Randolph, Principal Planner, introduced the item. The request is to extend the vesting period for three years, from September 14, 2024, until September 14, 2027, to allow the applicant to secure any necessary permits and commence site preparation. The development plan for the West Franklin Park PUD was approved by BOMA on September 14, 2021. The plan includes 555 multifamily dwelling units, approximately 311,216 square feet of office space, and 8,900 square feet of retail for a site that is composed of 32.43 acres. Staff recommended approval, with conditions, of the overall Development Plan. BOMA approved the Development Plan by a vote of 7-0.

This plan is within the first three-year period and is vested until September 14, 2024. The applicant submitted a site plan for section 1, but it has not yet been approved. If the vesting period is not extended, the project entitlements would cease to exist, stop work orders would be issued, if applicable. A new development would need to be approved and would be reviewed against the current local development standards. In reviewing the plan against the current City regulations, the current plan generally complies. The differences in today's Zoning Ordinance versus their vested Ordinance (12/8/2020) are minor, and could be incorporated into the design without major changes to the plan. A new parkland agreement would need to be approved for any new plan.

Alderman Burger expressed concern about this development plan. She did not support the rentals and would like to see more for sale options.

The item is planned for the August 13, 2024 Board of Mayor and Aldermen Meeting for consideration for Public Hearing.

6. *Consideration Of Resolution 2024-07, A Resolution, As Amended, 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 With Concurrence On Sections VI And VII And Without Concurrence On Section VIII By The Franklin Municipal Planning Commission

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

Joseph Bryan, Principal Planner, introduced the item. On May 28th, 2024, BOMA reviewed the Development Plan based on this Commission's recommendation. The BOMA voted to approve the development plan, by a vote of 7-0, and added additional conditions. The additional conditions stated:

-Lots 1 and 3 to front Rolling Rock Drive

-Remove any streetlights, multi-use paths, and sidewalks along South Berry's Chapel Road from the plans

-Remove Condition of Approval #31 for an emergency access connection to Echo Lane from the plans

At the June 27, 2024, FMPC meeting, the Planning Commission voted to concur only on the first two additional conditions. The FMPC did not agree with the removal of Condition of Approval #31, citing the fact that the Fire Chief came to speak about the importance of this connection for fire and life safety for the area.

Mr. Stuckey stated that this is a procedural step, and the Board can stay the course with the originally approved conditions listed above.

Vice Mayor Brown recommended sticking with the originally approved conditions despite FMPC's disagreement with the condition to remove the emergency access connection to Echo Lane.

The item is planned for the July 9, 2024 Board of Mayor and Aldermen Meeting for consideration.

7. Consideration Of COF Contract No. 2024-0159, With Frank Carney Of Evans Petree For Engagement Agreement For Legal Counsel For Employee Pension Plan

Sponsors: Eric Stuckey, Shauna Billingsley

The item was acknowledged and is planned for the August 13, 2024 Board of Mayor and Aldermen Meeting for consideration.

8. Consideration Of Amendment 1 To COF Contract No. 2019-0122, With SS-CH Franklin, LLC For Parkland Impact Fee And Construction Agreement For Aureum PUD

Sponsors: Lisa Clayton, Heather Eusebio

The item was acknowledged and is planned for the August 13, 2024 Board of Mayor and Aldermen Meeting for consideration.

9. *Consideration Of Resolution 2024-61, A Resolution Authorizing City Of Franklin To Join The State Of Tennessee And Other Local Governments In Amending The Tennessee State-Subdivision Opioid Abatement Agreement And Approving The Related Settlement Agreement

Sponsors: Shauna Billingsley

The item was acknowledged and is planned for the July 9, 2024 Board of Mayor and Aldermen Meeting for consideration.

10. Consideration Of Resolution 2024-59, A Resolution Authorizing The City Administrator To Approve Agreements And The Use Of Condemnation, If Necessary, To Acquire Rights-Of-Way And/Or Easements For The "Mallory Lane, North Royal Oaks And Liberty Pike Intersection Project"

Sponsors: Paul Holzen

Paul Holzen, Director of Engineering, stated that with the CIP approved, staff is now seeking BOMA approval to authorize the City Administrator to approve agreements to acquire easements and/or ROW on behalf of the BOMA. Additionally, staff seeks approval to proceed with condemnation to acquire the necessary property and/or easements, but only if negotiations fail.

Alderman Blanton is opposed to the Mallory Lane, North Royal Oaks and Liberty Pike Intersection Project. Hence, she cannot support this step forward.

The item is planned for the August 13, 2024 Board of Mayor and Aldermen Meeting for consideration.

11. Presentation On New City Hall Interior Design Concepts

Sponsors: Kelly Dannenfelser, Anna Ruth Kimbrough, Malee Cherry

Mr. Stuckey introduced the item. He noted that there is not a significant cost difference between each interior design concept, so he encouraged the Board to really pick the interior that best reflects and complements the character of Franklin's historic downtown.

Anna Ruth Kimbrough introduced Malee Cherry, Owner and Principal Designer of BRAND Interior Design, LLC. She will be the lead on the interior design concepts moving forward. Ms. Cherry covered three concepts: Franklin Charm, Tailored Neutrals, and Corporate Campus.

The Board had varying opinions, but the consensus was a mix of Franklin Charm in the public spaces and Tailored Neutrals in the employee-only areas. Many Aldermen loved the classic and timeless look of Franklin Charm and thought it reflected Franklin's desire to balance preservation and progress.

Mr. Stuckey also noted, for the Board's awareness, that Alderman Baggett expressed an interest in observing the interviews for the Construction Manager at Risk (CMAR).

12. Consideration Of Resolution 2024-45, A Resolution To Approve Harlinsdale Pedestrian Artwork Recommended By The Franklin Public Arts Commission

Sponsors: Heather Eusebio, Monique McCullough, Vernon Gerth

Heather Eusebio, Parks Research & Planning Specialist, Gary Vogrin, Chair of the Franklin Public Arts Commission, and Monique McCullough, Public Outreach Specialist, were all present to introduce this item to the Board. Ms. Eusebio explained that the City of Franklin Public Arts Commission (FPAC) conducted a formal process and sent out a Request for Qualifications nationwide for a qualified artist to be commissioned for original artwork to be installed on the Harlinsdale Pedestrian Bridge at the park at Harlinsdale Farm. The FPAC reviewed submissions and selected up to three (3) artists and finalists to be interviewed on June 20, 2023 and develop a proposal. An artist was selected, Michael McLaughlin, for the commission of public artwork for the Harlinsdale Pedestrian Bridge.

Mr. Vogrin discussed the final four renderings that were selected by the FPAC. They include two whimsical nature scenes and two Tennessee Walking Horse scenes to pay tribute to the origin of Harlinsdale Farm.

Alderman Blanton, member of the FPAC, spoke in support of this project and this artist.

The item is planned for the August 13, 2024 Board of Mayor and Aldermen Meeting for consideration.

13. Consideration Of COF Contract No. 2024-0123, With Michael McLaughlin For Commission Of Artwork For Harlinsdale Pedestrian Bridge

Sponsors: Heather Eusebio, Monique McCullough, Vernon Gerth

The item was heard concurrently to Item 12 and is planned for the August 13, 2024 Board of Mayor and Aldermen Meeting for consideration.

14. Discussion Of The Public Right Of Way For South Margin Street Between Columbia Ave And Cummins Street

Sponsors: Jimmy Wiseman

Paul Holzen, Engineering Director, introduced the item. The Margin District project involves consolidating six existing lots into a single lot to construct six multi-use buildings with an underground parking garage. The project also includes improvements to Cummins Street and the associated utilities for the proposed buildings. The developer is requesting the abandonment of the public right-of-way on South Margin Street between Columbia Avenue and Cummins Street and an existing alley to facilitate the development.

The public process for disposing of unused right-of-way involves two steps. First, the Board of Mayor and Aldermen must pass a resolution declaring the right-of-way surplus. Second, the Board must decide how to dispose of the right-of-way. If its value exceeds \$25,000, it must be sold by sealed bid in accordance with the Franklin Municipal Code. If the value is less than \$25,000, it may be sold or disposed of by negotiated contract, usually by vacating the right-of-way to adjacent property owners. We asked the developer to provide an appraisal, which will be presented to the Board of Mayor and Aldermen at a later date. Based on current right-of-way costs in Franklin, the abandoned right of way area is estimated to be valued at over \$25,000. Additionally, once this land becomes buildable, its value will significantly increase.

Before approving the abandonment of the public right-of-way, we are requiring the developer to complete a traffic impact study to evaluate potential traffic shifts in the downtown area. There is concern that traffic might shift onto East Fowlkes Street, a minor collector roadway that is currently substandard with narrow lanes and limited sidewalks.

15. Discussion Of The Armistead PUD Development Plan And Modifications To The City Of Franklin Street Standards

Sponsors: Jimmy Wiseman

Jimmy Wiseman, Assistant Director of Engineering, introduced this item. He explained that as part of the Armistead Development, the developer is requesting approval to implement two design strategies that are currently not approved in the City of Franklin Street Specifications. These design strategies are:

1. Pervious pavers in the public right-of-way
2. A substandard alley section

Pervious pavers in the public right-of-way can present several challenges, including clogging and maintenance issues, reduced durability and longevity, liability concerns, and various problems associated with public infrastructure.

The proposed substandard alley section was removed from the street standards a few years ago due to maintenance issues related to the construction joint down the middle of the roadway. Inverted asphalt sections are designed to channel water to the center. Over time, water can erode the asphalt joint, leading to various issues that compromise the integrity and longevity of the asphalt surface.

Both of these requests present maintenance concerns for the staff. Therefore, Mr. Wiseman asked for input from the Board of Mayor and Aldermen before moving forward with the development plan process.

Brian Wright, Partner at Character Development LLC, was present to answer any questions from the Board. Alderman Baggett supported the developer's requests, and he thinks we need to update the Street Specifications accordingly.

Alderman Burger expressed concern about putting too much burden on the HOAs for maintenance, as this ultimately falls back on homeowners in the form of higher dues.

Alderman Potts supported the pervious pavers to increase conservation efforts, especially if there is a solution already in place to protect the underground utilities, like Mr. Holzen and Mr. Wiseman discussed.

Alderman Caesar asked if pervious pavers can replace the need for a storm sewer?

Answer: Mr. Wiseman explained that some claim that they can. The City has talked to manufacturers, but staff still has reservations about the product.

Alderman Burger agreed with Alderman Baggett. She supported the developer's requests.

Alderman Barnhill discussed his apprehension with V-shaped alleys and the City's potential long-term maintenance associated with pervious pavers.

16. Discussion Of Request To Authorize Paid Parking At 94-98 E. Main Street, 103 1st Ave N., And 127 2nd Ave N

Sponsors: Tom Marsh, Alex Brown, Shanna McCoy

Tom Marsh, Building and Neighborhood Services Director, introduced the item. He explained that per Section 10.1.24.C of the City of Franklin Zoning Ordinance, "Required parking spaces shall be free and accessible to the public, unless otherwise determined by the BOMA." This requirement became effective on December 30, 2019, and there were existing paid lots established before that date that have nonconforming status and are allowed to continue operating. Staff have received applications for new paid parking at two locations in the downtown Franklin area that propose to use required spaces as paid parking for users who are not customers of a business associated with the parking lot. Each site will be addressed separately.

The property owner of 94-98 E. Main Street and 103 1st Ave N requests approval of new paid parking in these locations. The property has also been known as "The Boathouse". The building is vacant now, but based on the square footage of the building and restaurant use of the site, the minimum parking required is 93 spaces. There are currently only 45 parking spaces available on the two properties combined. The minimum parking requirement is not met with the use of both properties. The parking plan proposed by the applicant would provide a minimum of 60 minutes and a maximum of 90 minutes free parking to patrons of the restaurants. The length of free parking would vary throughout the day. After the specified amount of time, patrons would then be charged a fee that is lower than the fee paid by the public to park at this location. Customers who are not patronizing the associated business(es) will always be charged a greater-than-market rate.

The owner has expressed their intent to begin using the parking area for paid parking while the building is vacant, but continue the operation of paid parking after the building is again occupied.

There are spaces along the frontage of 94-98 E. Main Street that are within or partially within state right-of-way, and as such, will not be permitted for use as paid parking.

The owner of 127 2nd Ave N, has also requested approval of paid parking. There are currently two businesses on the site that require a minimum of 19 spaces. There are a total of 54 spaces on the site. There is an excess of 35 parking spaces on this site. Per the Zoning Ordinance, staff is able to approve use of the 35 excess spaces for paid parking, but the owner and applicant propose to designate all spaces as paid parking and utilize their validation process and vehicle permitting system to enable employees and guests of the two businesses to receive free parking. Anyone parking in the lot would have access to all spaces for a fee, including the 19 spaces required by the Zoning Ordinance for business(es).

In order to act on these requests, staff will prepare a Resolution for vote by the Board of Mayor and Aldermen. The staff recommendation would be to disapprove a request that utilizes required parking spaces as paid parking.

Public Comments:

Steve Bacon, 201 Polk Place Drive, Franklin, TN, applicant, explained his desire for paid parking at his establishment.

Keith Moorman, 3810 Whitland Avenue, Nashville, TN, Franklin, owner of Park Happy LLC, explained the benefits of paid parking in the referenced area. He acknowledge the City's concern with downtown becoming

overrun with paid parking, but that is not the intent for these properties.

Alderman Blanton would ideally like to maintain free parking, but she understands that we will not be able to accommodate that with Franklin's growth. She understood the proposed validation model and expressed how it was light years ahead of what paid parking downtown usually looks like.

Alderman Baggett supported the proposed validation model as well, but he wanted to ensure that employees and customers of that business would be guaranteed free parking in perpetuity.

Alderman Burger believes in property rights for these business owners. If they want to enforce paid parking on their property, that should be their decision. However, the customers should be validated to encourage repeat business.

Jay Franks, applicant and property owner, expressed his commitment to providing free parking for his customers.

17. Discussion Of Board Of Mayor And Aldermen Pay

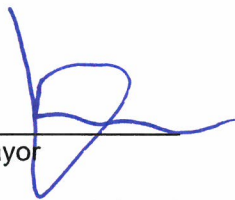
Sponsors: Alderman Beverly Burger

The item will be discussed at a future Work Session.

OTHER BUSINESS

ADJOURN

Work Session Adjourned @ 7:16PM



Dr. Ken Moore, Mayor

Minutes Prepared by Sarah Schilling, Assistant Deputy City Recorder, City Administrator's Office - 7/11/24,
11:20AM