



City of Franklin

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

Meeting Minutes

Franklin Municipal Planning Commission

Thursday, April 22, 2021

7:00 PM

Board Room

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

The typical process for discussing an item is as follows:

1. Staff Presentation
2. Public comments
3. Applicant presentation, and
4. Motion / discussion / vote

Applicants are encouraged to come to the meeting, even if they agree with the staff recommendation. The Planning Commission may defer or disapprove an application/request unless someone is present to represent it.

For accommodations due to disabilities or other special arrangements, please contact the Human Resources Department at (615) 791-3216, at least 24 hours prior to the meeting.

The Franklin Municipal Planning Commission Meeting will limit physical access in the meeting room due to current limitations on public gatherings to prevent further spread of COVID-19 and to protect the health, safety, and welfare of the City of Franklin officials, staff, and citizens. Accommodations have been made to ensure that the public is able to participate in the meeting. The public may participate in the following ways: • Watch the meeting on FranklinTV or the City of Franklin website. • Watch the live stream through the City of Franklin Facebook and YouTube accounts. • Call in to the conference meeting 1-312-626-6799; Meeting ID:989 9601 9303 ; Password: 854623. Callers will be unmuted and given the opportunity to comment during the meeting at specific times. • The public may email comments to planningintake@franklintn.gov to be provided in full to the Commission and included in the minutes, but not read aloud in their entirety during the meeting. Emailed comments will be accepted until 12:00 PM (noon) on the day before the meeting. • Limited viewing will be available in the lobby at City Hall for up to ten persons, but in-person comment in the Boardroom will not be available. • City YouTube: <https://www.youtube.com/user/CityOfFranklin> • City Facebook Live: <https://www.facebook.com/CityOfFranklin> • City website: <https://www.franklintn.gov/franklintv>

CALL TO ORDER

Chair Lindsey called the Planning Commission meeting to order at 7:02 PM.

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

1. Consideration Of Resolution 2021-84, A Resolution Declaring That The Franklin Municipal Planning

Commission Shall Meet On April 22, 2021, And Conduct Its Essential Business By Electronic Means Rather Than Being Required To Gather A Quorum Of The Members Physically Present In The Same Location Because It Is Necessary To Protect The Health, Safety, And Welfare Of Tennesseans In Light Of The COVID-19 Outbreak.

Sponsors: Kelly Dannenfelser, Amy Diaz-Barriga

Attachments: 1. 2021-84 RES Declaring Need for Electronic Meeting_FMPC_04.22.21.Law Approved

Chair Lindsey asked for a motion to approve Resolution 2021-84.

Chair Lindsey asked for citizen comments. There were none.

Commissioner McLemore moved, seconded by Commissioner Mann, to approve Resolution 2021-84.

Chair Lindsey asked for a roll call vote.

The motion passed unanimously.

ACTION: Motion to Approve the Resolution 2021-84, Item 1, by Commissioner Alma McLemore second by Commissioner Nick Mann;

Motion Passed 9-0

AYES: Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann

NOES: None

ABSTAIN: None

Chair Lindsey read the following announcement:

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- Watch the meeting on FranklinTV or the City of Franklin website.
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- Call in to the conference meeting 1-312-626-6799; Meeting ID: 98996019303; Password: 854623. Callers will be unmuted and given the opportunity to comment during the meeting at specific times.
- The public could email comments to planningintake@franklintn.gov to be provided in full to the Commission and included in the minutes, but not read aloud in their entirety during the meeting. Emailed comments were accepted until 12:00 PM (noon) on the day before the meeting.
- Limited viewing will be available in the lobby at City Hall for up to ten persons, but in-person comment in the Boardroom will not be available.

APPROVAL OF MINUTES

2. Consideration Of Approval Of The March 25, 2021 FMPC Minutes.

Sponsors:

Attachments: 1. Draft FMPC Minutes March 2021 with Attachments

Chair Lindsey asked for a motion to approve the Minutes from the March 25, 2021 meeting.

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

Chair Lindsey asked for a roll call vote.

The motion passed unanimously.

ACTION: Motion to Approve the Minutes, Item 2, by Commissioner Scott Harrison second by

Commissioner Ann Petersen;
Motion Passed 9-0
AYES: Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann
NOES: None
ABSTAIN: None

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

The Chair asked for citizen comments. There were none.

ANNOUNCEMENTS

The Chair asked if there were any announcements.

Ms. Kelly Dannenfelser, Assistant Director of Planning and Sustainability, stated that the Executive Order which has allowed virtual meetings to be conducted has not been extended after April 30th by Governor Lee. The Planning Commission for May is expected to be in person. The City will follow the CDC guidelines to ensure a safe in-person experience.

VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

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

CONSENT AGENDA

3. Consideration Of Approval Of Items 4, 5, And 14 On The Consent Agenda.

Sponsors:

Attachments:

None

Chair Lindsey stated that the vote for the Consent Agenda would include Items 4, 5, and 14.

Chair Lindsey asked for a motion for the Approval of the Consent Agenda.

Commissioner Harrison moved, seconded by Commissioner McLemore, to Approve the Consent Agenda.

Chair Lindsey called for a roll call vote.

The motion passed unanimously.

ACTION: Motion to Approve the Consent Agenda, Item 3, by Commissioner Scott Harrison second by Commissioner Alma McLemore;

Motion Passed 9-0

AYES: Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann

NOES: None

ABSTAIN: None

SITE PLAN SURETIES

4. Westhaven PUD Subdivision, Site Plan, Section 15, Resubdivision Of Lot 4032 (Live-Work Units); Release The Maintenance Agreement For Landscaping Improvements. (CONSENT AGENDA)

Sponsors:

Paula
Kortas

Attachments:

None

This Item was approved on the Consent Agenda.

5. Westhaven PUD Subdivision, Site Plan, Section 27; Release The Maintenance Agreement For Landscaping Improvements. (CONSENT AGENDA)

Sponsors:

Paula Kortas

Attachments:

None

This Item was approved on the Consent Agenda.

ENVISION FRANKLIN PLAN AMENDMENTS

6. Consideration Of Resolution 2021-26, A Resolution To Adopt An Envision Franklin Plan Amendment For The Properties Located Between Sawyer Road And Lynnwood Way, Known As Map 036 Parcels 04000, 04100, 04200, And 04803 To Change The Design Concept From Conservation Subdivision To Multifamily Residential.

Sponsors:

Kelly Dannenfelser, Andrew Orr, Eric Conner

Attachments:

1. Area Map
2. Resolution 2021-26
3. Buckley Property Treemont Letter
4. City Of Brentwood Letter to City of Franklin re Buckley Property
5. Staff Report
6. Deferral Request

Mr. Andrew Orr, Long Range Planning Supervisor, stated that the Buckley property is located north of Lynnwood Way, along Sawyer Road. It borders rural properties in the County and low density residential in the City of Brentwood. The proposed plan amendment would change the design concept from Conservation Subdivision to Multi-family Residential. Introducing Multi-family uses in this undeveloped corner of the city limits would create an abrupt change in massing, scale, and density, and not provide an adequate transition to the surrounding properties. When comparing this proposal against the plan amendment criteria established by Envision Franklin, the staff does not believe that a change is warranted and believes that single-family residential should remain the primary use of the site, with a supporting mix of duplexes and big houses as Envision Franklin recommends.

Mr. Orr stated that another major concern is the limited access. Sawyer Road is an unimproved county road and the viability of the second access point onto Lynnwood Way has not been determined. Either way, the limited access does not lend itself well to high density residential uses.

The applicant requested a deferral to the May 27, 2021 Planning Commission meeting. The staff did not think additional time will affect the recommendation on a request to change the design concept to Multi-family Residential.

Staff is recommended disapproval of Resolution 2021-26.

Mr. Orr stated that they did receive some additional correspondence that Kelly Dannenfelser would speak on.

Ms. Dannenfelser stated that Staff had received two letters in opposition to this item. One letter is from the City Manager for the City of Brentwood, Mr. Kirk Bednar. This letter has been included in the packet information for the FMPC Commissioners. The second letter is from the Tremont HOA. Both letters support the current Envision Franklin policy. These letters will be included in the minutes.

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

The Applicant was represented by Mr. Greg Gamble, Gamble Design Collaborative. The Applicant stated that they are requesting deferral of this item to the May 27, 2021 Planning Commission meeting. Mr. Gamble stated that at the last Joint Conceptual Workshop, the Board of Mayor and Aldermen (BOMA) and FMPC Commissioners asked for lower density. He stated that they are contemplating a new development plan. They are interested in the new Zoning Ordinance category for Continuum of Care for Senior Living. This use is not considered Institutional Envision Franklin.

Chair Lindsey asked for a motion.

Commissioner Franks moved, seconded by Commissioner Harrison, to defer the item to the May 27, 2021 Planning Commission meeting.

Chair Lindsey asked for any discussion on the motion.

Commissioner Allen asked if these changes had been discussed with Staff.

Mr. Gamble stated that they have additional submittals before the next Planning Commission meeting. He stated that they will be in discussions with Staff.

Mr. Orr stated that, if they seek to do a Senior Assistant Living facility in a Multi-Family form, a change in design concept from Conservation Subdivision to Multi-Family would still be needed. He stated that they have not discussed this at length with the DRT Committee, but it is unlikely this would change the Staff recommendation.

Chair Lindsey asked for a vote on the motion.

Chair Lindsey asked for a roll call vote.

The motion carried by the following vote (6-3). Alderman Petersen, Commissioner Allen, and Chair Lindsey voted against the motion.

ACTION:	Motion to Defer the Resolution 2021-26 to the May 27, 2021 Planning Commission Meeting, Item 6, by Commissioner Jimmy Franks second by Commissioner Scott Harrison; Motion Passed 6-3
AYES:	Jimmy Franks, Scott Harrison, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann
NOES:	Ann Petersen, Marcia Allen, Roger Lindsey
ABSTAIN:	None

VESTED RIGHTS/SITE PLAN EXTENSION

7. Consideration Of A Six-Month Extension Of The Township PUD Subdivision, Site Plan, Section 2, To November 28, 2021.

Sponsors: Kelly Dannenfelser, Amy Diaz-Barriga

Attachments:

1. MAP Township Site Plan extension request
2. Eatherly Letter to Cty of Franklin-Extension Request site plan 7216 Harmony House
3. Pages 1-8 from 7216 - Township, Sec 2 - Approved Full Set_archive
4. Pages 9-16 from 7216 - Township, Sec 2 - Approved Full Set_archive-2
5. Pages 17-24 from 7216 - Township, Sec 2 - Approved Full Set_archive-3
6. Pages 25-32 from 7216 - Township, Sec 2 - Approved Full Set_archive-4
7. Pages 33-40 from 7216 - Township, Sec 2 - Approved Full Set_archive
8. COF 7216 Township, SP, Sec 2 Conditions of Approval_01

Ms. Amy Diaz-Barriga, Current Planning Supervisor, stated that the owner of the property is requesting the first of two allowable site plan extensions for the Township Site Plan Section 2 site plan. The PUD was vested on February 24, 2015 under the 9-24-2014 Zoning Ordinance. The Site Plan for section 2 is currently set to expire on May 28, 2021. The owner has cited two reasons for the extension request: 1) because the completion of Section 1 took longer than expected, and 2) there has been some changes in project management. If the six-month extension is approved, the applicant will have until November 28, 2021 to obtain approval of a Building Permit. The owner has one other opportunity to request a second six-month extension.

Staff recommended Approval of Item 7.

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

The Applicant was not present.

Chair Lindsey asked for a motion.

Commissioner Harrison moved, seconded by Commissioner McLemore, to recommend Approval of Item 7.

Chair Lindsey asked for any discussion on the motion.

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

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION: Motion to Approve Item 7, by Commissioner Scott Harrison second by Commissioner Alma McLemore;

Motion Passed 9-0

AYES: Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann

NOES: None

ABSTAIN: None

ANNEXATIONS AND PLANS OF SERVICES

8. Consideration Of Resolution 2021-70, A Resolution Adopting A Plan Of Services For The Annexation Of Eight Properties West Of Lewisburg Pike And South Of Goose Creek Bypass, By The City Of Franklin, Tennessee.

Sponsors: Kelly Dannenfelser, Amy Diaz-Barriga, Joseph Bryan

Attachments:

1. MAP Southvale PUD POS-Annex
2. RES 2021-70_Southvale PUD_POS_with Exhibits.Law Approved
3. ANNEX Survey - Lewisburg Pk PUD - Pre App

Mr. Joseph Bryan, Principal Planner, stated that the Plan of Services outlines how infrastructure will need to be provided to serve the eight properties consisting of approximately 244 acres.

The Property is located within the City of Franklin water service area. Because of this distance, reclaimed water will not be required to be extended to the property. The properties are located within the Goose Creek Basin and the Hillsboro, Burwood, and Thompson Station Utility District service area.

Access to the property shall be provided from Lewisburg Pike. As properties develop, road improvements and road extensions shall be required in accordance with Connect Franklin. A major collector roadway is designated to cross the property per the City of Franklin Major Thoroughfare Plan. No additional manpower or equipment will be necessary for either Fire, Police Protection, or Sanitation and Environmental Services.

Staff recommended Approval of Resolution 2021-70 to the Board of Mayor and Aldermen.

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

The Applicant was represented by Mr. Greg Gamble, Gamble Design Collaborative. Mr. Gamble stated that they did not have a presentation for the Plan of Services.

Chair Lindsey asked for a motion.

Commissioner Harrison moved, seconded by Commissioner McLemore, to recommend Approval of Resolution 2021-70 to the Board of Mayor and Aldermen.

Chair Lindsey asked for any discussion on the motion.

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

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION: Motion to Recommend Approval to the Board of Mayor and Aldermen of Resolution 2021-70, Item 8, by Commissioner Scott Harrison second by Commissioner Alma McLemore;
Motion Passed 9-0

AYES: Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann

NOES: None

ABSTAIN: None

9. Consideration Of Resolution 2021-71, A Resolution To Annex Eight Properties West Of Lewisburg Pike And South Of Goose Creek Bypass, Consisting Of 244.08 Acres, Located West Of Lewisburg Pike And South Of Goose Creek Bypass And Adjoining The City Limits Within The Southern Part Of The Franklin Urban Growth Boundary (UGB).

Sponsors: Kelly Dannenfelser, Amy Diaz-Barriga, Joseph Bryan

Attachments:

1. MAP Southvale PUD POS-Annex
2. RES 2021-71_Southvale PUD_Annexation_with Exhibits.Law Approved
3. ANNEX Survey - Lewisburg Pk PUD - Pre App

Mr. Bryan stated that this property falls into the Goose Creek drainage basin. The Goose Creek basin was identified as a short-term growth area in the 2018 growth study.

The subject properties requesting annexation are within the Conservation Subdivision Design Concept as defined by the Envision Franklin Land Use Plan. It is the intention of the applicant to develop the property into single-family and attached residential lots. A rezoning and development plan for the subject property are also included on this agenda.

Staff recommended Approval of Resolution 2021-71 to the Board of Mayor and Aldermen.

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

The Applicant was represented by Mr. Greg Gamble, Gamble Design Collaborative . Mr. Gamble stated that there was not a presentation for the Annexation request.

Chair Lindsey asked for a motion.

Commissioner McLemore moved, seconded by Commissioner Franks, to recommend Approval of Resolution 2021-71 to the Board of Mayor and Aldermen.

Chair Lindsey asked for any discussion on the motion.

Alderman Petersen asked for the map to be shown.

Chair Lindsey asked for a vote on the motion.

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION: Motion to Recommend Approval to the Board of Mayor and Aldermen of Resolution 2021-71, Item 9, by Commissioner Alma McLemore second by Commissioner Jimmy Franks;
Motion Passed 9-0

AYES: Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann

NOES: None

ABSTAIN: None

REZONINGS/DEVELOPMENT PLANS

10. Consideration Of Ordinance 2021-08, An Ordinance To Zone 244.08 Acres To Planned (PD 2.09) District, Scenic Corridor Overlay (SCO) District, Hillside Hillcrest Overlay (HHO) District, For Property Located West Of Lewisburg Pike And South Of Goose Creek Bypass, (Southvale PUD Subdivision).

Sponsors: Kelly Dannenfelser, Amy Diaz-Barriga, Joseph Bryan

Attachments:

1. MAP Southvale PUD Zon-DP
2. ORD 2021-08_Southvale PUD_Zone_with Exhibits.Law Approved 2
3. Southvale PUD Survey_Part1
4. Southvale PUD Survey_Part2

Mr. Bryan stated that the applicant is requesting to zone approximately 244 acres as Planned (PD 2.09) District to accommodate the proposed Southvale PUD Subdivision. Envision Franklin places the subject parcels into the Conservation Subdivision Design Concept. Envision Franklin states, "New development should preserve a minimum of 50 percent open space, strategically targeted toward scenic vistas, greenways, pastures, trails, woodlands, or other uses that maintain scenic character, protect habitat value, and contribute to the quality of life for residents." The applicant is proposing 512 total dwelling units through a variety of single-family, duplex, and multiplex building types for a density of 2.09 dwelling units per acre. The associated development plan also preserves the recommended 50 percent open space.

Staff recommended Approval of Ordinance 2021-08 to the Board of Mayor and Aldermen.

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

The Applicant was represented by Mr. Greg Gamble, Gamble Design Collaborative. Mr. Gamble is representing Ford Classic Homes. He stated that the original intent of the annexation request and development plan for this property was to be tied to the Southbrooke PUD. The Southbrooke PUD was approved in February, 2020 which included both the north and south side of Stream Valley. The single family area to the north is called "The Meadows" and "The Villages" is to the south of Stream Valley. The overall area of this proposed development plan is 244 acres. Approximately 150 acres (61%) is being set aside as open space, most of which is located in the HHO. They are proposing 169 single family detached homes, 31 duplex buildings, and 60 multiplex buildings. This number has been reduced since the Joint Conceptual Workshop. The total number of homes will be 512. This includes a mixed income neighborhood, multi-generational homes, which will complement the growing commercial for the Berry Farms area. They are proposing a mixture of architecture, including single family detached homes. They are contemplating multiplex buildings fronting Lewisburg Pike. This Master Plan takes in mind the future widening of Lewisburg Pike. The multiplex buildings will have a setback of 80 feet from the future right of way line on Lewisburg Pike. They have three proposed phases. The north phase includes single family homes and multiplex buildings. They are proposing that the multiplex buildings be grouped in sets of 3, 4, or 5. The single family homes are alley loaded from behind. There are two access points from Lewisburg Pike. The third area to the south, will consist of duplexes, single family and multi-family homes. There will be a start for a collector road that will extend to Goose Creek Bypass in the future.

Chair Lindsey asked for a motion.

Commissioner Franks moved, seconded by Commissioner Orr, to recommend Approval of Ordinance 2021-08 to the Board of Mayor and Aldermen.

Chair Lindsey asked for any discussion on the motion.

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

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION: Motion to Recommend Approval to the Board of Mayor and Aldermen of Ordinance 2021-08, Item 10, by Commissioner Jimmy Franks second by Commissioner Michael Orr;
Motion Passed 9-0

AYES: Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann

NOES: None

ABSTAIN: None

11. Consideration Of Resolution 2021-72, A Resolution Approving A Development Plan For Southvale PUD Subdivision, For Eight Properties Located West Of Lewisburg Pike And South Of Goose Creek Bypass.

Sponsors: Kelly Dannenfelser, Amy Diaz-Barriga, Joseph Bryan

Attachments:

1. MAP Southvale PUD Zon-DP
2. RES 2021-72_Southvale PUD_DP._with Exhibits.Law Approved
3. 7495 Southvale PUD_DP_Conditions of Approval_01
4. Southvale PUD Development Plan Sheet
5. 04-01 Southvale DP Resubmittal Set_Part1
6. 04-01 Southvale DP Resubmittal Set_Part2
7. 04-01 Southvale DP Resubmittal Set_Part3
8. 04-01 Southvale DP Resubmittal Set_Part4
9. 04-01 Southvale DP Resubmittal Set_Part5

Mr. Bryan stated that the proposed Southvale PUD Subdivision plan proposes 512 dwelling units on 332 lots consisting of single-family, duplex, and multiplex building types with both three and four dwelling units per building. The plan further breaks down to 196 single-family lots and 136 attached residential lots.

The plan as proposed incorporates the recommendations and guiding principles of the Conservation Subdivision Design Concept by maintaining 50 percent open space and preserving the hillsides and establishing deep setbacks along Lewisburg Pike.

The plan has a total of 13.78 percent of single-family alley-loaded lots that are less than 40 feet in lot width.

Mr. Bryan stated that a few years ago, a study was conducted to determine the number of lots that could be below the 40 ft. threshold.

The new development is within close proximity to a property that is on the National Register of Historic Places and the architecture directly across from the property should be particularly sensitive to the local historic resource.

Staff recommended Approval, with Conditions, of Resolution 2021-72 to the Board of Mayor and Aldermen.

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

The Applicant was represented by Mr. Greg Gamble, Gamble Design Collaborative. Mr. Gamble stated that there are new guidelines regarding Conservation Subdivision and lot size. The plan has been revised to follow those guidelines. Special consideration will be given to the design of the homes directly across the street from the Historic Sugar Hill property. The homes will be spaced further apart along Lewisburg Pike. They are looking to have an organic rhythm of architecture. Southvale will have a separate HOA from Southbrooke, however, they will share some amenities. Approximately 125 acres of open space will be shared with Southbrooke. There are two accesses from Lewisburg Pike. There will be a pool, a garden site, club house, and trails. The club house will include an event room and fitness center. This proposed PUD is in 3 phases. The first phase is in the middle due to the sewer lines already being constructed. The second phase is to the north. The Meadows sewer line will need to tie into the Berry Farms Chadwell development. Phase three will require a future sewer line that will tie into Stream Valley. Six turn lanes are proposed at the intersection of Goose Creek Parkway and Lewisburg Pike. There will be a new traffic signal installed with Phase 1. This signal will be located at Stream Valley's main entrance.

Several left and right turn lanes will be added along Lewisburg Pike.

Chair Lindsey asked for a motion.

Commissioner McLemore moved, seconded by Commissioner Harrison, to recommend Approval, with Conditions, of Resolution 2021-72 to the Board of Mayor and Aldermen.

Chair Lindsey asked for any discussion on the motion.

Commissioner Mann asked about the cul-de-sac across from the historic property.

Mr. Gamble explained the requirements.

Ms. Diaz-Barriga stated that the cul-de-sac had been removed from the plan in the latest revision. Now, the houses with side facades are facing Lewisburg Pike.

Chair Lindsey asked if the street still existed, but without the cul-de-sac.

Mr. Gamble confirmed that the cul-de-sac had been removed from the developed plan, but the street still exist.

Commissioner Williamson asked if the park will be private.

Mr. Gamble stated that the park will be private and maintained by the Home Owner's Association.

Chair Lindsey asked for a vote on the motion.

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION: Motion to Recommend Approval, with Conditions, to the Board of Mayor and Aldermen the Resolution 2021-72, Item 11, by Commissioner Alma McLemore second by Commissioner Scott Harrison;

Motion Passed 9-0

AYES: Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann

NOES: None

ABSTAIN: None

12. Consideration of Ordinance 2021-09, An Ordinance To Rezone 28.91 Acres From Agricultural (AG) District To Neighborhood Commercial (NC) District For The Property Located South Of Goose Creek Bypass And East Of Goose Creek Drive.

Sponsors: Kelly Dannenfelser, Amy Diaz-Barriga, Joseph Bryan

Attachments:

1. MAP Barrett Prop Rez
2. ORD 2021-09 Barret Prop-Goose Creek Rez.with Exhibits.Law Approved
3. 2021-04-01 Barrett Property-Goose Creek Resubmittal

Mr. Bryan stated that the applicant is requesting to rezone 28.91 acres from Agricultural to Neighborhood Commercial for the property located South of Goose Creek Bypass and East of Goose Creek Drive. Envision Franklin places this parcel in the Neighborhood Commercial Design Concept. Envision Franklin state that property within the Neighborhood Commercial Design Concept, "contains a mix of active uses at key intersections that serve surrounding residential concentrations. These centers must be compatible with and contribute to neighborhood character and livability." Envision Franklin further states that new "Buildings should engage and define the street edge with landscaping, pedestrian walkways, and street furnishings to allow for safe and comfortable movement of pedestrians." The proposed rezoning request is consistent with the recommendation of Envision Franklin. No corresponding site plan or development plan has been submitted for review at this time.

The following Project Considerations are included:

Any development of this property shall require the realignment of Goose Creek Drive to line up with the signalized intersection of Goose Creek Bypass and Captain Freeman Parkway. A traffic impact analysis shall be submitted as a part of a development plan or site plan for the property to determine necessary onsite and offsite improvements. In absence of a proposed development plan or site plan, availability of public utilities cannot be assessed and is not granted with the rezoning. Any development of this property beyond the current agricultural use will require approval of water and sewer availability, with all necessary upgrades and extensions of public infrastructure to extend services to the property, as determined by the utility providers, being the responsibility of the developer.

Staff recommended Approval of Ordinance 2021-09 to the Board of Mayor and Aldermen.

Chair Lindsey asked if there were any citizen comments.

Mr. Brian Davis, 115 Gosling Drive in Goose Creek Estates, commented on the item. Mr. Davis represents the neighbors whose homes (20) border the property. He requested that the item be deferred for 30 to 60 days so that the Applicant could meet with the neighbors to discuss concerns and conditions that they would like to work out. Mr. Davis stated that they would like to discuss setbacks, lighting, loading docks, dumpster locations, and buffers.

The Applicant was represented by Mr. Greg Gamble, Gamble Design Collaborative. Mr. Gamble stated that the property is currently zoned Agriculture. Envision Franklin shows that the Land Use Plan is Neighborhood Commercial. The owners are requesting to rezone the property to align the property with Envision Franklin. There is not a Master Plan at this time. Mr. Gamble stated that they will be happy to meet with neighbors during the design process. Neighborhood Commercial allows for two story building heights. There will be landscape buffers required per the new Zoning Ordinance. He stated that they understand the concern about the access from Goose Creek Estates.

Chair Lindsey asked for a motion.

Commissioner Franks moved, seconded by Commissioner McLemore, to recommend Approval of Ordinance 2021-09 to the Board of Mayor and Aldermen.

Chair Lindsey asked for any discussion on the motion.

Alderman Petersen stated that Neighborhood Commercial was for key intersections. She stated that she did not see this as a key intersection. She stated that the BOMA had approved the Chadwell PUD along the east side of this property. She stated that she was unsure how Neighborhood Commercial would work with the Chadwell PUD.

Ms. Dannenfelser stated that this property had been designated as Commercial site since the 2004 Land Use Plan was adopted. It precedes what Envision Franklin states about commercial locations.

Alderman Petersen asked how to access this property. She stated that she was unsure how the highway would be accessed. She was also concerned that the entrance to Goose Creek Estates would have to be moved.

Mr. Gamble showed where the signalized intersections would be located. He stated there is a way to connect Goose Creek Estates to a signalized intersection for traffic flow. He discussed the details for the connections to Chadwell PUD.

Alderman Petersen asked about Chadwell PUD. She stated that it looks like the eastern area will be detention ponds, recreation or open space. She asked about the connection to Berry Farms.

Mr. Gamble confirmed that the two locations were signalized at this time. He stated that there will be three signalized intersections.

Alderman Petersen asked about the plans for the entrance to Goose Creek Estates.

Mr. Gamble stated that this plan would have to come back before the Planning Commission when a site plan is designed. He stated that there will be buffers and landscape.

Commissioner McLemore asked about the opportunity for neighborhood meetings.

Mr. Gamble stated that neighborhood meetings were not required, but they planned to have them.

Alderman Petersen asked about the placing of public notice signs. She did not see any signs.

Mr. Bryan stated that he had placed a sign one week prior to the meeting, but it was removed. He then replaced it with two signs.

Ms. Dannenfelser clarified the Zoning Ordinance requirement for public notice by mail. The notices must be post marked 15 days prior to the meeting.

Commissioner McLemore asked about the requirements for public notice signs.

Ms. Dannenfelser stated that public notice signs were not required for rezonings. However, the City places them approximately one week before the meetings, as a courtesy.

Chair Lindsey asked for a vote on the motion.

Chair Lindsey asked for a roll call vote.

The motion carried by the following vote (8-1). Alderman Petersen voted against the motion.

ACTION:	Motion to Recommend Approval to the Board of Mayor and Aldermen of Ordinance 2021-09, Item 12, by Commissioner Jimmy Franks second by Commissioner Alma McLemore; Motion Passed 8-1
AYES:	Marcia Allen, Jimmy Franks, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann
NOES:	Ann Petersen
ABSTAIN:	None

SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

13. Morton Subdivision, Preliminary Plat (207 Fairground Street), Creating 3 Attached Residential Lots For Two Duplexes (4 Dwelling Units) And 1 Open Space Lot, On 0.39 Acres, Located West of Columbia Avenue and South Of Fairground Street, At 207 Fairground Street.

Sponsors: Kelly Dannenfelser, Amy Diaz-Barriga, Joseph Bryan

Attachments:

1. MAP Morton Sub_PP
2. 7489 Morton Sub Conditions of Approval_02-207 Fairground St
3. 207 Fairground Street Subdivision, Preliminary Plat - submittal 003

Mr. Bryan stated that the purpose of this preliminary plat is to subdivide the existing single-family residential lot into three attached residential lots and one open space lot. The applicant is proposing two duplexes for a total of four dwelling units. One duplex will be divided by floor horizontally, so this duplex will be contained on one lot. The other duplex will be split vertically, creating a lot for each half of the duplex. The property is zoned Mixed Residential (MR), which supports the proposed attached residential lots. The architecture for future development must meet the requirements in the Transitional Features Chapter of the Zoning Ordinance.

Staff recommended Approval, with Conditions, of Item 13.

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

The Applicant was represented by Mr. Adam Ballash. The Applicant stated that he agreed with Staff's recommendations. He did not have a presentation.

Alderman Petersen asked if the site plan would come to the Planning Commission or just to Staff.

Ms. Diaz-Barriga stated that the site plan would just go before Staff. She also pulled up page four for the Commissioners to review. Some of the Commissioners were not able to open the page in their packet.

Ms. Diaz-Barriga explained the details and layout of the plan, as shown on page four.

Chair Lindsey asked for a motion.

Commissioner Allen moved, seconded by Commissioner Orr, to recommend Approval, with Conditions, of Item 13.

Chair Lindsey asked for any discussion on the motion.

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

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION:	Motion to Approve, with Conditions, Item 13, by Commissioner Marcia Allen second by Commissioner Michael Orr; Motion Passed 9-0
AYES:	Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann
NOES:	None
ABSTAIN:	None

14. Westhaven PUD Subdivision, Final Plat, Section 20, Revision 1, Creating 7 Non-Residential Lots, On 199.026 Acres, Located At The Intersection Of Boyd Mill Pike And Stone Water Boulevard. (CONSENT AGENDA)

Sponsors: Kelly Dannenfelser, Amy Diaz-Barriga, Chelsea Randolph

- Attachments:**
1. MAP 7502 Westhaven PUD Subdivision, Final Plat, Section 20, Revision 1 (Golf Course)
 2. CONDITIONS OF APPROVAL 7502 Westhaven PUD Subdivision, Final Plat, Section 20, Revision 1 (Golf Club)
 3. PLAT 7502 Westhaven PUD Subdivision, Final Plat, Section 20, Revision 1 (Golf Club)

This Item was approved on the Consent Agenda.

ZONING ORDINANCE TEXT AMENDMENTS

15. Consideration of Ordinance 2021-07, An Ordinance To Amend Chapter 23 Of The Zoning Ordinance Of The City of Franklin To Redefine Substantial Damage And Substantial Improvement Related To Cumulative Timeframe And Market Value For Properties Located In The Floodplain.

Sponsors: Tom Marsh, Alex Brown, Shanna McCoy

- Attachments:**
1. Proposed amendments to Chapter 23 of the Zoning
 2. 2021-07 Ordinance Amendment_Floodplain.Law Approved

Ms. Shanna McCoy, Zoning and Floodplain Administrator, stated that staff is presenting an amendment that most are familiar with after discussing this for about 6 months.

Ordinance 2021-07 would amend the cumulative time frame for substantial damage/substantial improvement from 10 years down to 5 years and would allow for the use of independent appraisals as well as the County's assessment + 15%, to

determine market values.

Staff will continue discussions on freeboard and parking in the floodway at a later date, but tonight's proposed amendment only addresses the cumulative time frame and independent appraisals.

If approved by the Commission and BOMA, the ordinance would go into effect on 1-1-2022.

Staff recommended Approval of Ordinance 2021-07 to the Board of Mayor and Aldermen.

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

Chair Lindsey asked for a motion.

Commissioner Harrison moved, seconded by Alderman Petersen, to recommend Approval Ordinance 2021-07 to the Board of Mayor and Aldermen.

Chair Lindsey asked for any discussion on the motion.

Chair Lindsey stated that he could not support this item. He stated that independent professional appraisals would be a positive move. He stated this was advocated by FEMA, and the City of Franklin should do this. However, he stated that the move for reduction from the 10 year to 5 year cumulative time frame still offers the opportunity to invest up to 50% of the value of a property every 5 years without bringing a noncompliant structure into compliance with the Floodplain Ordinance. He stated this would reduce the risk and cost of flood insurance. He stated that he supports the motion to use professional appraisers, but not the reduction in cumulative time frame.

Commissioner Allen asked for clarification about Chair Lindsey's concerns for the reduction in cumulative time frame.

Chair Lindsey stated that when a structure suffers damage in the floodplain (including tornado or fire damage), the damages are cumulatively added up to determine if the damages are 50% or more of the value of the home. If the value is 50% or more, the structure has to be brought into compliance with the Floodplain Ordinance. This may include flood vents or elevating the property. Chair Lindsey discussed some areas of Franklin which recently experienced flooding.

Commissioner Orr asked why Staff was recommending changing the cumulative time frame from 10 years to 5 years.

Ms. McCoy stated that when the City of Franklin was in the process of adopting the new Ordinance (2019), these changes were put into place. The previous Ordinance did not have these stipulations. Many citizens expressed concern that they would not be able to invest into their properties with the 10 year time frame. Many meetings were held with citizens, Staff, Aldermen, and Commissioners to discuss these topics. The citizens expressed support for the 5 year time frame.

Commissioner Orr asked if the 10 year time frame provided more protection for the homeowners over the 5 year time frame.

Chair Lindsey confirmed this. He discussed the requirements in Nashville, Memphis and other cities.

Alderman Petersen stated that a home that had a fire, but did not flood, had to spend their own money to elevate the home. The City of Franklin is partnering with the Corp of Engineers to pay a major portion of the cost for some homeowners to elevate their homes. She stated that very few homes have been demolished to due to flooding.

Commissioner Williamson, Chair Lindsey, Commissioner McLemore, Commissioner Mann and Alderman Petersen discussed the "buyout" program in Nashville for homes in the floodplain.

Commissioner Harrison, Commissioner Williamson, Commissioner McLemore, and Chair Lindsey discussed the real estate requirements for disclosing homes in the floodplain.

Chair Lindsey discussed recent flood levels in the Nashville area.

Commissioner Orr and Commissioner Williamson stated that they would not support Item 15 because of the reduction in time frame.

Ms. Dannenfelser stated that there seemed to be support for part of the Ordinance. She asked if the Commissioners wanted to amend the motion.

Commissioner McLemore and Commissioner Allen stated that they could support amending the Ordinance.

Chair Lindsey stated that the other part of the Ordinance included using a professional appraiser.

Ms. Dannenfelser stated that they could amend the original motion to remove the section about the Substantial Improvement.

Commissioner Harrison moved, seconded by Commissioner McLemore, to amend the main motion to remove the portion to Redefine the Substantial Damage and Substantial Improvement Timeframe.

Chair Lindsey asked for a vote on the motion to amend the main motion to remove the portion to Redefine the Substantial Damage and Substantial Improvement Timeframe from Ordinance 2021-07.

Chair Lindsey asked for any discussion on the motion.

There being none, Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION: Motion to Amend the Main Motion to remove the portion to Redefine the Substantial Damage and Substantial Improvement Timeframe from Ordinance 2021-07, Item 15, by Commissioner Scott Harrison second by Commissioner Alma McLemore;
Motion Passed 9-0

AYES: Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann

NOES: None

ABSTAIN: None

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

Chair Lindsey asked for a roll call vote.

The motion carried unanimously.

ACTION: Motion to Recommend Approval of the Main Motion, as amended, to the Board of Mayor and Aldermen, Item 15, by Commissioner Scott Harrison second by Commissioner Alma McLemore;
Motion Passed 9-0

AYES: Ann Petersen, Marcia Allen, Jimmy Franks, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson, Nick Mann

NOES: None

ABSTAIN: None

NON-AGENDA ITEMS

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

ANY OTHER BUSINESS

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

ADJOURN

Commissioner Orr moved, seconded by Commissioner Harrison, to adjourn.

Chair Lindsey asked for a vote on the motion.

The motion carried unanimously.

ACTION: Motion to Adjourn by Commissioner Harrison second by Commissioner McLemore;
Motion Passed 9-0

AYES: Ann Petersen, Marcia Allen, Scott Harrison, Roger Lindsey, Alma McLemore, Michael Orr, Jenny Williamson,
Nick Mann, Jimmy Franks

NOES: None

ABSTAIN: None

There being no further business, the meeting adjourned at 8:47 PM.



Roger Lindsey, Chair

5/27/2021
Date

RESOLUTION 2021-84

A RESOLUTION DECLARING THAT THE FRANKLIN MUNICIPAL PLANNING COMMISSION SHALL MEET ON APRIL 22, 2021, AND CONDUCT ITS ESSENTIAL BUSINESS BY ELECTRONIC MEANS RATHER THAN BEING REQUIRED TO GATHER A QUORUM OF THE MEMBERS PHYSICALLY PRESENT IN THE SAME LOCATION BECAUSE IT IS NECESSARY TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF TENNESSEANS IN LIGHT OF THE COVID-19 OUTBREAK

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory disease that appears to occur through respiratory transmission, presents with similar symptoms to those of influenza, and can lead to serious illness or death, particularly in the case of older adults and persons with serious chronic medical conditions; and

WHEREAS, the Centers for Disease Control and Prevention has recommended that all states and territories implement aggressive measures to slow and contain transmission of COVID-19 in the United States; and

WHEREAS, on March 12, 2020, pursuant to the authority granted by Tenn. Code Ann. § 58-2-107, the Governor of Tennessee, Bill Lee, issued Executive Order No. 14, declaring a state of emergency to facilitate the response to COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States, Donald J. Trump, declared a national state of emergency with respect to COVID-19; and

WHEREAS, on March 20, 2020, Mayor Ken Moore issued Executive Order No. 2020-01 Declaring a State of Emergency and Civil Emergency; and

WHEREAS, on March 20, 2020, Governor Lee issued Executive Order No. 16, and later issued Executive Order No. 34, Executive Order No. 51, Executive Order No. 60, Executive Order No. 65, Executive Order No. 71, and Executive Order No. 78 allowing electronic meetings while continuing to function openly and transparently; and

WHEREAS, Mayor Moore issued Executive Order No. 2020-03, No. 2020-05, and No. 2020-07, No. 2020-09, No. 2020-11, No. 2020-12, No. 2020-13, No. 2020-14, No. 2020-15, No. 2020-16, and No. 2020-17 continuing the Declaration of a State of Emergency and Civil Emergency; and

WHEREAS, the Franklin Municipal Planning Commission believes it is in the best interest of the City of Franklin to conduct the April 22, 2021, meeting by electronic means.

NOW, THEREFORE, BE IT RESOLVED BY THE FRANKLIN MUNICIPAL PLANNING COMMISSION OF THE CITY OF FRANKLIN, TENNESSEE, AS FOLLOWS:

The meeting scheduled for April 22, 2021, at 7:00 p.m. shall be conducted by electronic means rather than requiring a quorum of the members of the Franklin Municipal Planning Commission to attend in person to protect the health, safety, and welfare of Tennesseans in light of the COVID-19 outbreak. Physical access in the meeting room will be limited. The public can view and participate in the meetings by watching the meeting live or later as a recording on FranklinTV, the City of Franklin website, the City of Franklin's Facebook page, and the City of Franklin's YouTube account. Specific dial-in and website links can be found on the City's website at:

<https://www.franklintn.gov/Home/Components/Calendar/Event/11051/1092>

IT IS SO RESOLVED AND DONE on this 22nd day of April, 2021.

ATTEST:

By:

Kelly Dannenfeller
Emily Wright
FMPC Secretary

(acting)

CITY OF FRANKLIN, TENNESSEE:

By:

Roger D. Lindsay
Roger Lindsay
FMPC Chair

Approved as to Form By:
Shauna R. Billingsley, City Attorney

Kirk Bednar
CITY MANAGER

Jay Evans
ASST. CITY MANAGER



BRENTWOOD

CITY MANAGER'S OFFICE

April 13, 2021

Emily Hunter Wright
Planning and Sustainability Director
City of Franklin
109 3rd Avenue South
Franklin TN 37064

Dear Ms. Wright,

I am writing to express the City of Brentwood's concern regarding the proposed Envision Franklin Land Use Plan Amendment request for the Buckley Property located north of Lynnwood Way off Sawyer Road. We believe the current Envision Franklin Conservation and Conservation Subdivision design concepts are the appropriate concepts for this unique property.

A plan amendment that would allow for a multi-family development of up to 400 units is simply not compatible with the design concepts of the surrounding area and would certainly cause an abrupt change in massing, form, and architecture to this natural valley. The separation created by Lynnwood Way between this property and the denser development in Gateway Village is the appropriate beginning of a transition to lower density, detached single family residential development.

The applicant points to the ongoing widening of Franklin Road as a significant change since the adoption of Envision Franklin that necessitates the proposed amendment. The widening of Franklin Road is intended to address existing congestion and future growth in traffic based on current planning and zoning allowances. Accepting the argument that the widening of Franklin Road now allows for additional density where it is not currently planned will only leave both Franklin and Brentwood perpetually behind in planning for infrastructure improvements.

The applicant's presentation makes no mention of the infrastructure impacts on schools. The area in question is currently zoned for Scales Elementary, Brentwood Middle, and Brentwood High. Williamson County Schools recently completed an expansion of Scales Elementary, is in the midst of the last phase of renovations at Brentwood High and is beginning the planning for a complete rebuild of Brentwood Middle. We feel confident that the school district's future enrollment projections for these schools and

the associated renovation and expansion projects would not have contemplated the additional students from up to 400 multi-family units on this property.

We appreciate consideration of these concerns and respectfully request that Envision Franklin's original concepts for this property be continued.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Bednar", with a long horizontal flourish extending to the right.

Kirk Bednar
City Manager

Cc: Mayor Ken Moore
Eric Stuckey, City Administrator



Please follow-up

February 22, 2021

Mayor Ken Moore
City of Franklin
109 3rd Avenue S, #103
Franklin, TN 37064

Re: Proposed Zoning Policy Change

Dear Mayor Moore:

My name is Jessy Williams and I am the Property Manager for the Treemont Homeowners Association and the 22 property owners therein. I am contacting you at the direction of the Treemont HOA Board of Directors. Recently they were notified that the City of Franklin was considering a policy change relating to the zoning of a nearby property and their request to allow for Multi-Family housing. After careful thought and consideration, the Directors wish to formally notify of their objection to such amendment of policy. Their position, and the collective position of the remaining Treemont property owners, is that our community, and those surrounding us, is almost exclusively, Single-Family properties. The number of units will significantly add traffic congestion to an intersection that already backs up to Treemont Estates on a single lane road during busy commute times. Arguably such a change would adversely affect the character of our neighborhood, its property values, and potentially the overall enjoyment of our homes and common area. Lastly, there has been no indication or renderings provided that would illustrate the quality and appearance of the proposed Multi-Family units, and whether rentals will be permitted or not.

Thank you in advance for your consideration. Please keep us posted directly on the status of this policy change request.

Sincerely,

Jessy Williams
Property Manager
Email: jessy@wmco.net