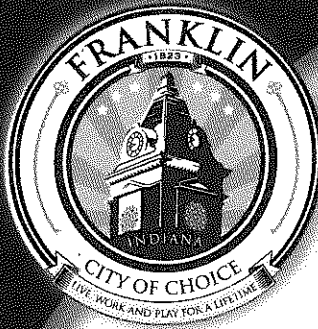




CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT • DEPARTMENT OF ENGINEERING

MINUTES

FRANKLIN CITY PLAN COMMISSION

May 16, 2017

Members Present:

Joe Abban	Member
Jan Giles	Member
Diane Gragg	Member
Georganna Haltom	Member
Tim Holmes	Member
Jim Martin	President
Kevin McElyea	Vice President
Mark Richards	City Engineer
Deb Swinehamer	Member

Members Absent:

Pam Ault	Member
Suzanne Findley	Secretary

Others Present:

Lynn Gray	Legal Counsel
Joanna Myers	Senior Planner II
Alex Getchell	Senior Planner I

Call to Order:

Jim Martin called the meeting to order at 7:00 p.m.

Roll Call & Determination of Quorum

Pledge of Allegiance

Approval of Minutes

Joe Abban made a motion to approve the April 18, 2017 minutes. Kevin McElyea seconded. Passed.

Swearing In:

En masse, Lynn Gray swore in all individuals in the audience presenting testimony.

Report of Officers and Committees

Technical Review Committee Report: April 27, 2017

Joanna Myers reported on the eight items on the agenda for the Technical Review Committee meeting held since the last Plan Commission meeting. The four items to be heard this evening are Homesteads at Hillview PUD, Homesteads at Hillview primary plat and Emmanuel Church's rezoning and site development plan. The remaining items discussed at that meeting were for the development of Lot 5 at the RSW Industrial Subdivision located at 2050 N. Graham Road, the southwest corner of Graham and Commerce. Proposed is the construction of an office building at the site. Lot 8 in the same subdivision at 2000 N. Graham Road was also discussed. This is for the extension of the existing mini-warehouses which is the rezoning heard a couple of months ago allowing for the expansion of the mini-warehouses only. The construction of Barnes Hall on the Franklin College campus at 799 E. Monroe Street was also on the agenda for a site development plan. The project has been reviewed, approved and permits issued to begin construction. Superior Systems and Supply Company proposes to build of a new facility at 1556 Amy Lane. A site plan was reviewed for this industrial property.

Old Business

None.

New Business:

PC 2017-18 (PUD Detailed Plan): Homesteads at Hillview PUD (Updated):

Ms. Myers reported that all agenda items are related. Previously Homesteads at Hillview was presented as a Planned Unit Development (PUD), which goes through Plan Commission and City Council for review and adoption of regulations specific to that development. The southern 14+ acres was proposed for the development of 23 single-family residential lots. The current proposal is to modify the PUD and remove the 14+ acres from the PUD. The resulting PUD boundary would include everything from the southern limit of the right-of-way from Homestead Boulevard and the ingress/egress easement that extends to Hillview Country Club with the east boundary being Hillview Country Club and the north boundary being Upper Shelbyville Road and the west boundary being Eastview Drive. The specifics of the proposed PUD for that remaining property is to remain as previously reviewed and approved. The only request is to remove the southern acreage which is proposed to be constructed for church use, in this case specifically Emmanuel Church. Additionally, the 14 acres needs to be rezoned to Residential: Rural (RR) from the current PUD with standards for the Preserve. A church use is permitted in the RR zoning district. No additional Board of Zoning Appeals approval would be needed for the use itself. As previously approved, the primary plat calls for the 14 acres to be subdivided into 23 individual residential lots and common areas. In order for the proposal to move forward, the primary plat needs to be modified, converting those 23 lots and common area into one lot which would then be developed for Emmanuel Church. In addition to the primary plat and subsequent site development plan for Emmanuel Church, there are a number of waiver requests submitted. The majority are duplicates from what was originally heard with the original primary plat that came before the Plan Commission. A waiver for drainage was added, regarding the pond construction serving Emmanuel Church. With the rezoning, there are a number of commitments that have been offered. They are in line with the landscape requirements previously approved with the PUD currently in effect for that property. There are additional commitments being offered by the petitioner with regards to traffic and the proposed exit on to Eastview Drive. Ms. Myers further explained that the board can hear the cases concurrently but with regards to taking action, staff recommended action be taken on the three waiver requests from 6.15 prior to the detailed plan. Pursuant to that would be action on the detailed plan followed by the waiver requests relating to the primary plat and site development plan. Next would be action on the primary plat itself followed by action on the rezoning to RR. Stephen Huddleston concurred. All notices were timely and correct.

Steve Huddleston, Huddleston & Huddleston, representing the petitioners presented. Mr. Huddleston introduced Emmanuel representatives and other guests involved with the project. He summarized the case and steps already accomplished and going forward. He additionally identified the three main areas to be dealt with at this meeting.

1. Modifying the PUD plan.
2. Approving the changes to the primary plat.
3. Requesting approval of rezoning.

Mr. Huddleston highlighted staff's recommendation for approval with conditions of the items being considered this evening and expressed Emmanuel's agreement to those conditions and spoke of being in compliance with the Technical Review Committee's instructions. Mr. Huddleston outlined the actual build and activity schedule of Emmanuel plans. Mr. Huddleston specifically spoke to traffic concerns previously raised. He stated that Emmanuel expects to have about 100 cars per service on Sunday mornings. Approximately 27% of those in attendance at the first service stay over and don't leave right away, leaving approximately 147 individuals exiting after the first service, less than 100 cars. The exit on to Eastview Drive will be gated and closed at all times other than Sundays and restricted to allow only outgoing traffic. There will also be a traffic control person on duty. Access to Homestead Boulevard from the church property will also be restricted following each service and allow only incoming traffic to the site. Mr. Huddleston stated that if the 14 acres had remained the same and been divided into 23 residential lots, studies show that approximately 230 daily trips would have been made in and out of that subdivision or 1,500-1,600 trips weekly as compared to Emmanuel's traffic for two Sunday services at 200 cars per service. At other Emmanuel locations it takes about eight minutes to get 100 cars emptied out of the parking lot. Emmanuel commits to not letting traffic back up on Eastview Drive. If it does, Emmanuel will stop their exiting to allow the traffic to pass before resuming their exit. The ordinance only requires 200 parking spaces but Emmanuel has designed for 296 spaces.

With regards to amending the PUD detailed plan, the only thing being changed is the deletion of the 14 acres from the PUD. All other lots and standards that apply to the subdivision will remain the same. The reason for the request is that the PUD classification does not allow for a church use. Their additional desire is that the church not be subject to the same restrictions and covenants as the homeowners. Mr. Huddleston maintained Emmanuel meets the criteria for approval. The primary plat complies with Article 6 of the Subdivision Control Ordinance and is consistent with the comprehensive plan, providing the people of Franklin a place to worship and is consistent with the surrounding structures. Mr. Huddleston maintained their belief that this project will have a positive effect on adjacent property values and is responsible growth and development that Franklin promotes.

PC 2017-20 (PP): Homesteads at Hillview (Updated) & PC 2017-21 (SPR): Emmanuel Church:

Mr. Huddleston stated that the only difference with the primary plat is that the 23 lots have been deleted and made into one large lot.

Nine of the waivers requested were the same approved for the PUD in 2014. Only one was for the church only which is related to the detention pond. Four of the nine dealt with street trees. Two dealt with block sizes. One was for the length of a cul-de-sac, one for landscaping islands, one for a utility easement and one for the storm water. Mr. Huddleston presented their belief that granting the waivers would not be detrimental to the public health, would not be injurious to reasonable use and development of other property, it would be a hardship to Emmanuel because under the ordinance they wouldn't be allowed to put the project in and it is consistent with the comprehensive plan in providing places of worship.

PC 2017-19 (R) Emmanuel Church Rezoning:

Mr. Huddleston stated that the project is consistent with the comprehensive plan and many of the criteria for the rezoning is the same as for the waivers. As part of their zoning application he reiterated the commitments the petitioner had made. The first regarding the landscaping of 45 trees on the southern border of the property.

The second is installing a minimum of 45 evergreen trees and mounding south of Homestead Boulevard along the north property line. The last is with regards to the exit on to Eastview Drive which will be gated and closed at all times except dismissal from services on Sundays and religious holidays and will be exit only with a traffic control person. Exit will be prohibited from the main entrance onto Homestead Boulevard. The waiver for the drainage pond deals with the detention pond.

Joe Abban asked what the impact to the community would be as cars are exiting on Eastview Drive. Mr. Huddleston highlighted that the arrival of cars do not all come at the same time as when they exit. A Grimmer requirement for purchase was that the petitioner had to have an exit on to Eastview Drive. Mr. Abban expressed further concern over taking 14 acres away from high end neighborhoods to which people are gravitating as the city grows eastward which will affect schools and government. Mr. Abban inquired to whether the church would offer a daycare facility in the future.

RJ McConnell, an elder at Emmanuel, explained that they do not operate a daycare at any of their locations and have no plans to at any of their locations. Senior Pastor Danny Anderson stated that Emmanuel had had a daycare at the Greenwood campus previously for many years but shut it down as it is not why they exist as a church, either now or in the future. Mr. Huddleston added that the petitioner will commit that they will not operate a daycare or any school facility. Ms. Gray explained that the only thing that prevents petitioners from doing things are the zoning commitments. Ms. Myers highlighted that the request for rezoning is Rural Residential and a daycare is not a permitted use and would require Board of Zoning Appeals approval by ordinance and does not require a commitment to be made. A school is a special exception and would also require BZA approval.

Tim Holmes expressed his thought that if there was a high demand for housing units that Mr. Grimmer would maintain the property as residential and that looking at the number of homes currently built within Homesteads at Hillview it would suggest there is not a significant demand.

Kevin McElyea asked if the increasing truck traffic through this route would create any kind of issue for this type of development. Ms. Myers offered that this had been discussed and noted that it is very similar to other churches on US 31 as it is a truck route also. They also have traffic control officers and are not aware of any specific issues. There has been no specific study, but the city is looking at upgrading the major intersections to roundabouts to assist in that traffic flow. Ms. Gray asked if there is adequate space for the Eastview trail and Ms. Myers assured there is.

Georganna Haltom asked if a gym is anticipated and Mr. Huddleston assured there is not. She asked if the trees were to serve as a buffer, and Mr. Huddleston again confirmed that the 45 trees along the southern boundary were to serve as the buffer per the city's landscaping requirements.

Deb Swinehamer noted that if the church were to reach capacity it would take much longer to dismiss all the cars, and Mr. Huddleston cited this again as the reason for their commitment to a traffic control officer who would not allow traffic to be stopped on Eastview Drive.

Action for PC 2017-18 (PUD Detailed Plan), PC 2017-19 (R), PC 2017-20 (PP), PC 2017-21 (SPR):

Ms. Myers presented staff recommendations. Waiver requests from Article 6.15(A), 6.15(A)(1) and 6.15(B) are all related to street trees. Staff does not provide specific recommendations on waiver requests. However all three waivers were approved with the previous cases. Mr. Holmes made a motion to grant these three waiver requests. Ms. Haltom seconded. The motion passed.

Staff recommended a favorable recommendation that PC 2017-18, the PUD detailed plan, be forwarded with a favorable recommendation to City Council with the PUD standards as outlined in the staff report. Mr. McElyea moved for a favorable recommendation as noted by staff. Ms. Swinehamer seconded. The motion passed.

Waiver requests related to PC 2017-20 and PC 2017-21, Article 6.3(C)(2)(b), 6.4(A)(1), 6.4(A)(2), 6.8(B)(3), 6.8(B)(5), 6.14(C)(1)(c), 6.19(H)(1)(a) and (d), require action. City Engineer Mark Richards moved to approve the waiver requests as presented. Diane Gragg seconded. The motion passed.

Staff recommends approval of the primary plat for PC 2017-20 Homesteads at Hillview with the following conditions:

1. Subject to City Council final adoption process of PC 2017-18 and PC 2017-19.
2. Lot numbers to be consecutive within each phase.
3. A 20 ft. drainage easement be provided from top of bank of all ponds and/or the common areas to be identified as drainage easements (D.E.).
4. The thirty foot (30') gap in the no access easement along Eastview Drive, south of Homestead Boulevard, will be gated and closed at all times, except following the dismissal from services on Sundays and religious holidays.
 - a. The restricted access to Eastview Drive will be exit only.
 - b. Petitioner will provide a traffic control person to assist the exits onto Eastview Drive following services on Sundays and religious holidays.
 - c. Prohibit exit from main entrance onto Homestead Boulevard after each service.
5. Street names to be revised:
 - a. Mill Pond Drive revised to Mill Pond Lane.
 - b. Meadowbrook Road revised to Meadowbrook Lane.

Mr. McElyea made a motion to approve subject to staff recommendations. Mr. Richards seconded. The motion passed.

PC 2017-19, the Emmanuel Church rezoning, staff recommended a favorable recommendation be forwarded to City Council with the following commitments:

1. Petitioner shall install a minimum of forty-five (45) trees along the southern property line as shown on the landscape plan. (This commitment shall not be interpreted as identifying the species of trees, only dictating the minimum number of plantings and location.)
2. Petitioner shall install evergreens (minimum of forty-five (45)) and mounding adjacent to the south side of Homestead Boulevard in accordance with the landscape plan. The evergreens can count towards the required number of site interior trees. (This commitment shall not be interpreted as being in addition to the required plantings per the Zoning Ordinance.)
3. The thirty foot (30') gap in the no access easement along Eastview Drive, south of Homestead Boulevard, will be gated and closed at all times, except following the dismissal from services on Sundays and religious holidays.
 - a. The restricted access to Eastview Drive will be exit only.
 - b. Petitioner will provide a traffic control person to assist the exits onto Eastview Drive following services on Sundays and religious holidays.
 - c. Prohibit exit from main entrance onto Homestead Boulevard after each service.

Ms. Myers continued that if the Plan Commission would like to accept the commitment from the petitioner regarding restricting uses, she recommended that it state that schools and daycare centers as defined by the Franklin City Zoning Ordinance shall be removed from the permitted uses.

Ms. Myers further cautioned on restricting uses that are already currently restricted or outlined as special exceptions in the Zoning Ordinance. In application of those sorts of commitments, there can be an oversight due to staff turnover and documentation of those.

Ms. Gray added that the offer of a commitment pursuant to city ordinance would also be recorded and run with the land.

Mr. Huddleston requested the record reflect that though the petitioner agrees to appear before whatever body is necessary for any future possible requests, they commit to only having to appear before the Board of Zoning Appeals. Ms. Gray and Ms. Myers offered further process information between the Board of Zoning Appeals and Plan Commission. Plan Commission members were favorable towards Board of Zoning Appeals deciding

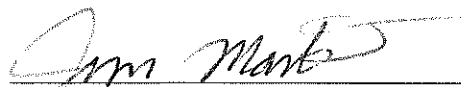
upon any possible future variance requests without the involvement of Plan Commission. As a result, Ms. Myers amended staff's recommendation to remove the commitment listing daycare and schools as prohibited uses. Mr. McElyea moved for a favorable recommendation based on staff recommendations and subject to the commitments. Mr. Abban seconded. The motion passed.

Other Business

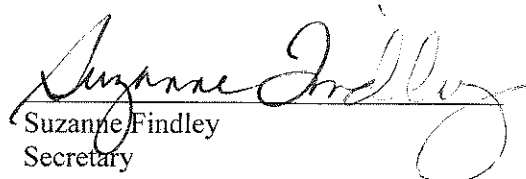
Adjournment:

A motion by Mr. Abban and seconded by Mr. McElyea was made to adjourn. There being no further business, the meeting was adjourned.

Respectfully submitted this 15th day of August, 2017.



Jim Martin
President



Suzanne Findley
Secretary