

## MINUTES

### FRANKLIN CITY PLAN COMMISSION

March 17, 2015

#### **Members Present:**

Jim Martin	President
Kevin McElyea	Vice-President
Chris Phillips	Secretary
Joe Abban	Member
Pam Ault	Member
Suzanne Findley	Member
Tim Holmes	Member
Debbie Swinehamer	Member

#### **Members Absent:**

Steve Davis	Member
Diane Gragg	Member
Georganna Haltom	Member

#### **Others Present:**

Joanna Myers	Senior Planner
Travis Underhill	City Engineer
Lynn Gray	Legal Counsel
Jaime Shilts	Recording Secretary

#### **Call to Order:**

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

#### **Election of Officers:**

Chris Phillips made a motion to nominate Jim Martin as President. Suzanne Findley seconded the motion. The motion carried.

Jim Martin was elected President.

Chris Phillips made a motion to nominate Kevin McElyea as Vice-President. Pam Ault seconded the motion. The motion carried.

Kevin McElyea was elected Vice-President.

Tim Holmes made a motion to nominate Chris Phillips as Secretary. Pam Ault seconded the motion. The motion carried.

Chris Phillips was elected Secretary.

**Appointment of Legal Counsel:**

Jim Martin made a motion to appoint Lynn Gray as Legal Counsel. Chris Phillips seconded the motion. The motion carried.

**Approval of Minutes:**

Joe Abban made a motion to approve the December 16, 2014 minutes as presented. Kevin McElyea seconded the motion. The motion carried.

**Swearing In:**

En masse, Ms. Gray swore in all individuals in the audience who were going to be presenting testimony.

**Reports of Officers and Committees:**

Joanna Myers, Senior Planner, stated the last Technical Review Committee meeting was held on February 26, 2015. She stated there were three cases heard at the meeting. The first case was for the Kroger subdivision plat. The case will be heard this evening. She stated a site plan review for Kroger at 970 N. Morton Street was heard. A brief presentation will be heard on it this evening. Ms. Myers stated the third case was for Interstate Warehouse at 675 & 700 Bartram Parkway. She stated they are looking at doing a number of miscellaneous site improvements that include a passenger vehicle parking lot, conversion of the existing staging lot into passenger vehicle lot and a proposed office addition on the northeast corner of the existing facility.

**Old Business:**

None.

**New Business:**

**PC 2015-01 (PP): Kroger Subdivision:**

Ms. Myers stated the notices were sent by certified mail instead of certificate of mailing and a waiver from the Plan Commission Rules and Procedures would need to be obtained.

Chris Phillips made a motion to accept the waiver for the mailing send by certified mail. Pam Ault seconded the motion. The motion carried.

Russell Brown, Attorney for Kroger, stated they have been before the BZA and obtained approval for the variances requested. He stated Lot 1 is where the construction of the new Kroger will be. Three access drives will be provided from Mallory Parkway and they will maintain the existing drive off of US Hwy 31/Morton Street. He stated the lack of street frontage is the only waiver request being sought. The 22 acre site is an infill development. Mr. Brown stated there is commercial development to the east and commercial and residential development to the west.

Mr. Brown stated there is an outstanding item that relates to the conditions outlined in the staff report. They continue to work with Canary Creek Cinema on an existing easement. He stated they have the necessary variances to allow the site plan to be developed as is today. The primary plat meets conditions and is

consistent with the subdivision control ordinance and zoning. The approval of the Plan Commission will allow infill development to all of it to move forward very quickly.

Mike Rembusch, Canary Creek Cinemas, stated that the notices had been sent to the previous owner which was CC Cinemas, LLC located in Carmel, IN. He was just made aware of it today. He has been in touch with Ross Beyer to come up with a solution to the easement. His biggest concern is the lighting in the parking lot that would cause issues with the drive-in theatre. They have also had talks about connectivity between the parking lots. Mr. Rembusch stated they were originally promised their name on the sign on US 31 when Presnell owned the lot. He stated their visibility will go away on US 31 with the new existence of the store as it will block their building. They support the project but continue to have some concerns with the project.

Mr. Brown stated the records of the county did not show the updated transfer in ownership. He stated there is a lighting plan and they believe it complies with the ordinance. He stated at the property line there is zero spillage but do have to light the rear of the store due to safety concerns. There is landscaping on the western border. Mr. Brown stated the signage and easement are part of negotiations.

Mr. Holmes questioned how many lots would come in for future developments. Mr. Brown stated they do not know as there is not an end user to his knowledge right now. Mr. Holmes questioned if the north lot would allow a road. Mr. Brown stated the pond will take a large portion of the northern parcel. Ms. Myers stated there is a separate parcel that is privately owned that does not allow for direct connectivity to Canary Creek Drive. She stated the current owners stated that in regard to the total number of lots, Block A would not be divided into more than 8 lots. Mr. Phillips questioned who would be taking care of the initial drive off of US 31. Mr. Russell stated it is part of the Kroger acquisition and they will upgrade it as part of the construction of Lot 1. Mr. McElyea questioned if the current plan takes away the drive from the cinema. Mr. Brown stated that they would be providing an independent, separate drive off of Mallory Parkway which would decrease the comingling of vehicular and truck traffic. Ms. Gray clarified that this is only if an agreement is reached with Mr. Rembusch.

Mr. Abban questioned if public sidewalks were going to be provided. Mr. Brown stated there will be sidewalks along Mallory Parkway and there will be crosswalks as well to the store.

Staff recommends approval of the primary plat with the following conditions:

1. If an agreement is reached to relocate the Canary Creek Cinemas entrance drive on Mallory Parkway, petitioner shall provide a copy of the agreement with Cinema Amusements, LLC, to Planning Staff prior to Site Development Plan approval.
2. A minimum of 10 linear ft. of waterline shall be located onsite of each lot divided within the area of Block A, meeting the review and approval of Indiana American Water.
3. Block A is to be divided into no more than 8 lots total.

**Action taken on PC 2015-01 (PP): Kroger Subdivision:**

Kevin McElyea made a motion to approve the waiver request. Joe Abban seconded the motion. The motion carried.

Tim Holmes made a motion to approve the primary plat with the conditions listed by Staff:

1. If an agreement is reached to relocate the Canary Creek Cinemas entrance drive on Mallory Parkway, petitioner shall provide a copy of the agreement with Cinema Amusements, LLC, to Planning Staff prior to Site Development Plan approval.

2. A minimum of 10 linear ft. of waterline shall be located onsite of each lot divided within the area of Block A, meeting the review and approval of Indiana American Water.
3. Block A is to be divided into no more than 8 lots total.

Suzanne Findley seconded the motion. The motion carried.

**Other Business:**

Ross Beyer, Kroger, made a presentation on the site development plan of Kroger. He stated Kroger has been in Franklin since 1957. The current store went into its location in 1993 is 54,000 sq ft. Mr. Beyer stated the new store will be over 123,000 sq ft. He went over the landscaping of the new building. He stated they will have larger produce and bakery areas. They are not relocating the gas station at present.

They will have two and a half to three times the number of employees they do now.

**Adjournment:**

There being no further business, the meeting was adjourned.

Respectfully submitted this 21st day of April, 2015.

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Jim Martin  
President

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Chris Phillips  
Secretary