



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT · DEPARTMENT OF ENGINEERING

MINUTES

FRANKLIN CITY PLAN COMMISSION

January 26, 2010

Members Present:

Mike Auger	President
Chris Phillips	Secretary
Suzanne Findley	Member
Diane Gragg	Member
Tim Holmes	Member
Jim Martin	Member
Kevin McElyea	Member
Dan Murphy	Member
Bob Swinehamer	Member

Members Absent:

Georganna Haltom	Vice President
Dr. William Murphy	Member

Others Present:

Krista Linke	Planning Director
Todd Wilkerson	Engineering Director
Rachel Pendleton	Associate Planner
Lynn Gray	Legal Counsel
Jaime Harshman	Recording Secretary

Call to Order:

President Mike Auger called the meeting to order at 7:00 p.m.

Election of Officers:

On a motion by Chris Phillips and a second by Dan Murphy, the members voted unanimously to elect Mike Auger as President.

On a motion by Jim Martin and a second by Dan Murphy, the members voted unanimously to elect Bob Swinehamer as Vice-President.

On a motion by Tim Holmes and a second by Suzanne Findley, the members voted unanimously to elect Chris Phillips as Secretary.

On a motion by Bob Swinehamer and a second by Jim Martin, the members voted unanimously to elect Tim Holmes as Buffer Zone representative.

On a motion by Mike Auger and a second by Suzanne Findley, the members voted unanimously to retain Lynn Gray as Legal Council.

Approval of Minutes:

Suzanne Findley made a motion to approve the December 2009 minutes. Jim Martin seconded the motion.

Report of Officers and Committees:

Todd Wilkerson, Engineering Director, stated that Second Missionary Baptist Church project, 400 W. Madison Street, was brought before the Technical Review Committee on January 7, 2010 as a conceptual plan for a new church building and parking lot.

Old Business:

PC 2009-30: Ordinance Amendment-Downtown Overlay District

Mr. Auger stated that the Board needs to decide to whom the Overlay District would apply and discuss the guidelines at the February meeting. Ms. Gray stated that the Board would also need to determine the type of notice that would be given to the public to notify them of the next meeting.

Krista Linke stated the map (Exhibit A) has the original area proposed is outlined in black. The second proposal is outlined in orange and includes the commercial district and corridors. The third proposal is outlined in red and is the smallest boundary area and includes the core commercial downtown area. Ms. Linke stated all members were provided with copies of the Johnson County Interim Report to explain the definition of the historic districts.

Mr. Auger opened the floor for discussion on the boundaries. Dan Murphy questioned how the church addition mentioned in the Tech Review report would be treated in accordance with the design guidelines. Rachel Pendleton stated that they would have to receive a special exception to build in the proposed location based on the current zoning ordinance requirements. She stated the side elevation plan has modern windows, but that the church is open to incorporating design elements to be sympathetic to their original building located across the street.

Mr. Swinehamer questioned whether or not you are eligible for the low interest loan if you do not live in the Overlay District. Ms. Linke stated that if you live within the economic integrated area and meet the design guidelines, you are eligible for the loan whether or not you are in the Overlay District. Mr. Swinehamer questioned the additional benefits of living within the overlay district. Ms. Linke stated the homeowners within the overlay district are guaranteed that the property owner next to them will have to go through the guidelines and the design review board. She stated that is like an HOA in the fact that certain standards must be followed by homeowners. Mr. Swinehamer questioned whether homeowners outside the Overlay District would be ineligible for the low interest loans. Craig Wells, FDC, stated that they would not be ineligible, but it would be on a case by case basis. Mr. Swinehamer stated that he is concerned about the homeowners that will be replacing items that do not currently need a building permit but will under the new guidelines. He stated that maybe the Downtown Overlay District should start small with the commercial area and increase as time goes on.

Scott Graham, Generations Collision and Discover Downtown Franklin, stated that a lot of thought has gone into the design guidelines. He stated that it isn't designed to be a problem for people. The idea is to put incentives and assets into peoples' hands. He stated the Discover Downtown Franklin Design Committee would be available to give residents free architecture advice and guidance for their homes. Discover Downtown Franklin (DDF) can also work with people on a case by case basis.

Ms. Linke stated that the Design Review Board will use the same format as tech review currently does. All decisions by the Design Review Board can be appealed to Plan Commission. She stated that the Plan Commission needs to decide when there is a disagreement on an interpretation of the ordinance, does it come to the Plan Commission or BZA?

Ms. Gray stated there is a lack of definition with regard to the procedures in the proposals that are before the Plan Commission. She questioned whether the design overlay is in addition to everything else and what are the criteria for the Design Review Board members to utilize for determining guidelines. Ms. Linke stated that the design overlay is in addition to the existing zoning districts and that the administration of the overlay district would be forthcoming.

Mr. Murphy stated that one of the answers might be to go with a smaller area of the downtown. Ms. Linke stated the Board needs to decide who is going to make up the Design Review Board. The Board also needs to decide if a certified architect is needed on the Design Review Board and who appoints that person. She stated that there is a rotation of engineers on tech review. She questioned if the Design Review Board should have architects rotated in the same manner. Ms. Gray questioned whether the ordinance itself should have some general guidelines to meet statutory criteria.

Mr. Auger stated that the main thing to determine is who the guidelines are going to apply to and at the next meeting iron out the details. Mr. Murphy questioned the Planning Department about the staff report referring to several potential downtown investors that have been discouraged from bringing businesses in because of the look of downtown. Ms. Linke stated that the areas were mainly along Jefferson Street. Kevin McElyea questioned if it could start on a smaller scale. He stated that maybe it would be best to start small and then go bigger. Details could be worked out starting with the smaller districts before the bigger district is in place. Ms. Gray stated that could be done and the overlay zone amended as needed. Ms. Linke stated that in order to amend the boundaries the entire process would be required again.

Mr. Auger stated that he did not think that there would be that many more people in the black district verses the red or orange districts. Mr. Holmes stated that it is a whole different sector of community. Mr. Auger stated that he did not think having the other houses included would be that much more burdensome for the Planning Department. Mr. McElyea stated that his concern is for homeowners and by starting with the smaller commercial area it would give homeowners more time to plan.

Mayor Paris stated that there are several things to consider. The Redevelopment Commission is spending money on the gateway, overlay and plans for the southwest redevelopment quadrant downtown. He stated that Martin Place asked to be brought into the area and the city is falling short of protecting their investment. He stated that we need to protect the value of real estate by continuing to make the homes better. Mr. Paris stated that the gateways are critical to people coming into the community. He stated that the homeowners should always have the right to appeal the Design Review Board's decisions. He recommended that if a property owner doesn't like the decision made they should be able to go to the BZA to appeal the decision.

Mr. Auger stated that we are going to shoot ourselves in the foot if we don't include the black district. He stated that the FDC money can go into the smaller red and orange districts, but outside that area people can do what they want to. He stated it doesn't make sense to go with a smaller district when the FDC has money to help the situation.

Mr. Graham stated that not a lot of building going on right now anyway. If you set guidelines now you will start from square one. Mr. Holmes questioned what happens if there is a competition for funds? Mayor Paris stated that funding for the FDC is 5 million over next 2 years. He stated that not all the money is going to be grants; some will be loans that can be re-loaned out. More grants will be applied for and more revolving loan fund money as well. Mayor Paris stated there is a lot of bonding capacity but he would rather not use that.

Rob Shilts, Franklin Heritage, Inc. stated that the whole concept is trying to improve properties that have not been improved. He stated there have not been a lot of projects going on in the past 10 years in regards to improvements on Jefferson Street. The whole program is about incentivizing. He stated you don't have to get into the area of color on houses. You can leave color out of the guidelines completely but you can make sure window openings are the same size as was on the house originally. Mr. Shilts stated that he has talked to 3 different business people that have considered opening businesses here. They did not stay because they don't have the guarantee here that their neighboring properties will be held to standards like other towns have. He stated that we are trying to improve the quality of life and what you see in Franklin. The assessed values of properties will go up as improvements are done. Commercial downtown buildings are what we need to get started on. He stated that people base things on first impressions and by improving the corridors people will want to come to Franklin.

Mr. Shilts stated that it is a win-win situation for the City and for property owners. If you don't want to improve your house, you don't have to, but if you do, you can have a low interest loan. The property owner wins with the loan and the City wins by improving its situation. One of the Plan Commission members asked Mr. Shilts if he was saying that the only improvements were done by FHI in last 10 years. Mr. Shilts stated there have been about 6 other properties other than FHI houses that have been fixed. He stated that in the last 10 years, we haven't done a lot, the downtown has been neglected. What Franklin does have is authentic urbanism, which is what other communities are trying to build new. But Franklin already has it, we just have to fix it up.

Mr. Swinehamer stated the Board all seems to feel that the downtown needs attention. He questioned why certain properties were left out of the black district boundaries. Mayor Paris stated that the black district is the economic TIF boundary area. Mr. Swinehamer questioned why the area was drawn the way it was. Mayor Paris stated that when the boundaries were drawn, they had to draw a legal description of properties and it was easier with the more defined boundaries. He stated that it probably is not a perfect map, but it is the easiest for engineering purposes. Mr. Wells stated that you are going to get residents that won't invest in their homes out of pride of ownership, but only for maintenance. He stated that King Street is also a corridor. He stated to restrict the area only to commercial instead of residential and then we never will have a significant number of homes being fixed up. The only way to do it is to have a carrot and a stick.

Mr. Auger stated that he thinks the black district should be adopted. It will improve the residential area and redo the old historic homes that are actually here. We want to invite people here and invest their money.

Mr. Murphy stated that he is concerned about residential area. He stated there is no way you can guarantee that you wouldn't spend more money following the guidelines than you would without them. He stated that to require the homeowners to make their garages look similar to their homes is a bit too much. Mr. Murphy stated it will affect a lot of people. Mr. Auger stated there is not that great an administrative difference between the red and orange districts and the black district. Mr. Holmes asked Mr. Auger if he could poll the Board members to see which district they would be inclined to vote for. Four members preferred the medium (orange) district, four members preferred the largest (black) district, and one member preferred the smallest (red) district.

Ms. Gray stated that the Board must determine how to do notice. This includes determining who should be in boundaries and what form the notice will be in.

Ms. Gray stated that the Board can notify everyone in the black district. Ms. Linke stated that they send the notifications by a certificate of mailing which includes the date the mail was sent out. Mr. McElyea stated that based on response we get back from the mailing, maybe we could determine what areas we want to impose the guidelines on. Mr. Swinehamer stated that he agreed that the Board should notify everyone in the black district as long as the area could be modified in the future. Ms. Gray stated that it could.

Diane Gragg made a motion to notify the entire black district by certificate of mailing. Mr. McElyea seconded the motion. The motion passed unanimously.

Ms. Gray stated that at the next meeting there will be a proposal brought forward by the Staff. There will be a public hearing for all the persons that have been notified in the black district.

Ms. Linke stated that the Plan Commission should be more knowledgeable on the Design guidelines and the Overlay than the BZA. There would have to be a lot more education to the BZA before they could hear any variance request. She questioned if there should be a formal presentation at the Public Hearing. She questioned if the meeting should be at Beeson Hall or the Artcraft and each section of the Guidelines gone through.

Mr. Auger stated that he would want to have a presentation. Ms. Gray stated that this would be for a separate meeting and open house. The notification for the presentation and the public hearing will be in the same mailing. Mr. Auger stated the presentation should be at the Artcraft. Mayor Paris stated that Craig Wells should also have his documents ready too regarding the incentives that would be available and present them at the public meeting.

Discussion was held about different articles in the proposed design guidelines. Mayor Paris stated that the Board needs to allow leeway for different materials than what are listed. He stated that we have to be careful how things are worded. Mr. McElyea questioned what happens to asbestos siding. Ms. Linke stated that anything of that nature is the responsibility of the Johnson County Health Department. Mr. McElyea questioned if there was relief money for the disposal of such things. Mr. Wells stated that the FDC money is for exterior residential.

Mr. Auger questioned why there is a county representative on the Design Review Committee. He stated he did not feel there needed to be a county representative on the Committee. Ms. Linke stated that they were included because they are the biggest property owner downtown. She stated that the county does not have to be represented if the Board chooses not to.

Ms. Linke questioned if the Planning Department pays for the review of each application by a licensed architect or does the Board find a volunteer. Ms. Findley stated that maybe the appointments on the Design Review Committee should be appointed by the Mayor or a government entity appoint them rather than having someone from the Chamber of Commerce or Franklin Heritage. Mr. Auger stated that perhaps 2 people on the Design Committee could be property owners. Ms. Gray suggested having a resident from downtown appointed by the Mayor.

Ms. Linke stated that if the meeting is held at the Artcraft, she would appreciate having Plan Commission members there as well as City Council, RDC, EDC & BZA in addition to the people invited within the black district.

New Business:

None.

Other Business:

None.

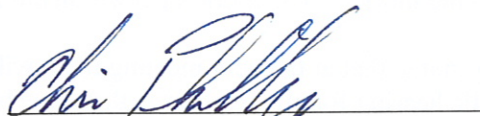
Adjournment:

There being no further business, the meeting was adjourned.

Respectfully submitted this 16th day of March 2010.



Mike Auger, President


Chris Phillips, Secretary