



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT · DEPARTMENT OF ENGINEERING

MINUTES

FRANKLIN CITY PLAN COMMISSION

February 23, 2010

Members Present:

Mike Auger	President
Chris Phillips	Secretary
Suzanne Findley	Member
Jim Martin	Member
Kevin McElyea	Member
Dan Murphy	Member
Dr. William Murphy	Member
Bob Swinehamer	Member

Members Absent:

Diane Gragg	Member
Georganna Haltom	Vice President
Tim Holmes	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.

Approval of Minutes:

January 2010 minutes will be presented at the March 2010 meeting.

Report of Officers and Committees:

Todd Wilkerson, Director of Engineering, stated that there is no report as the meeting was cancelled due to lack of business.

Swearing In:

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

Old Business:

PC 2009-30: Ordinance Amendment-Downtown Overlay District

Krista Linke, Planning Director, stated that further revisions are needed for "Exhibit A", the Downtown Overlay. She stated that tonight's meeting is for the public hearing. She requested that anyone that is going to speak needs to sign in and the comments would be taken into consideration.

Randy Jones, 151 N Home, stated that he can't say if he is for or against the proposal. He questioned how much additional cost there would be for homeowners. He inquired about what can reasonably be expected with property value increases. He stated that he would like some sort of mechanism to allow cost to be an evaluating factor with Design Review Board, without it, property owners would be at the mercy of ordinance. He stated that a matching grant program would be a nice for homeowners. Mr. Jones stated that energy efficiency products should be considered versus historic materials in the review process. He stated that there are some great merits overall, it just needs some language changes.

Larry Koenes, President of the RDC and chairman of the FDC, stated that the RDC's first project started with Musicland. He stated that there are now five TIF districts to help generate revenue to bring jobs to the community. Mr. Koenes stated that funds were locked up in these separate TIF districts for years. The RDC had to figure out how to help the community and how to redirect funds to the residential and business community. He stated the RDC extended the TIF district about a year ago. It now goes east from I-65 to past the hospital to the west and on US31 North to US31 South. Mr. Koenes stated the RDC looked at what the standards are downtown and tried to figure out how to move money from the business parks to help community. He stated that the RDC wishes they would have done something like this 25 years ago. He stated the benefit to downtown and the community would be tremendous. Mr. Koenes stated that the FDC was created a year ago by the RDC. Craig Wells was hired as the executive officer. The FDC has a grant and loan program for residents and businesses. Five million dollars has been transferred from the TIF district to provide grants and low-income loans. The programs will not only help the businesses but also the residential community. He stated that the guideline standards are good and reasonable and will help improve property values and help the downtown area. He stated he would encourage the Board to approve them, knowing this is a working in progress, and changes may have to be made as we go.

Dave Stahl, 515 W King, stated that what is hurting most here is the taxes in the county and property values going down. He stated we need the infrastructure repaired and enforcement of the existing codes. He stated that we are surrounded by abandoned and condemned buildings that have been sitting there for years that the City hasn't taken care of. Mr. Stahl stated that he doesn't know why things that we are already paying for are being ignored. He stated that we are getting more taxes and less property rights for the homeowner. He stated that the immediate needs are being ignored while other projects are being started on. Mr. Stahl stated there is a lot of money wasted doing the same things over and over again. He stated we are spending too much money on too much stuff while our needs are being ignored. The sidewalks and storm sewers are a mess. He stated there has been a condemned building behind his property for the past 10 years. He stated we need code enforcement and enforcement of laws for things to be done now. Mr. Stahl stated that he doesn't want to surrender his property rights. That it's one thing to pretty it up, but it's not the buildings; it's the streets, the sidewalks, yards and alleys. He stated that everything that's being talked about is not going to touch everything else that needs to be done.

Drew Smythe, 4510 N 600 E, stated that we have to sell Franklin. He stated that you drive down from Indianapolis on I-65 and all you see is a billboard for Edinburgh. He stated that we have something unique

here. He stated that all the cities he's lived in all over the country have architectural design guidelines. They are par for the course. He stated that people liked to complain about them but realize they were something needed for the town and they benefitted everyone. Mr. Smythe stated that you have to market a town like a mall markets itself. We need to combine the resources of all the businesses in the downtown, not market them individually. Mr. Smythe state that malls have rules, not design guidelines. He stated that the Guidelines are just rules that if people abide by them, we have consistency in the town. He stated that we have to sell the town to potential employers and new residents. Mr. Smythe stated that he was amazed that most of 2nd story floors were dark and empty. We need people downtown to help businesses expand and bring in new businesses. He stated that if we fix up the buildings we can turn the impression of Franklin around. He stated that people will want to come here then and invest here in neighborhoods. He stated that no one is going to come and here and buy a house if no one else on their street is going to invest their homes. He stated that he's seen it before, once one house is fixed up, people around them start to feel guilty and fix their homes and it brings the whole street up. He stated that we are not the first ones to have guidelines and we will only see benefits for it.

Craig Wells, FDC and 54 S. Home Ave., stated that his home is within the area being considered for Guidelines. He stated that he has been a resident of Franklin for 11 years. He stated they moved down here because of the architecture in Franklin. He stated there is really nothing like the homes we have here in Franklin anywhere else in Johnson County. He stated that we all recall the glory days of Franklin, those are some of the things we have let slip over the decades. He stated that the City is going to be investing millions into our community. Mr. Wells stated that it has been carefully thought out process and the reason for it is to promote and preserve our city back to a place for people to live and work and play. If we want to preserve property values in our town, we will have to encourage people to move here and have an attractive town. He stated the Guidelines will do that. He stated that many places already have guidelines in place, home owners associations. Downtown does not and it has seen a lot of decay. Mr. Wells encouraged the Board to vote in favor of the Guidelines. He stated that it has needed to been done for a long time.

Joe Allen, 299 Johnson Ave., stated that he's talked to a lot of unhappy residents that are pretty angry. He stated that the Mayor's getting the blame for it. He stated that people are tired of being governed. He stated that he lives on the edge of a rough area. He stated that people in his neighborhood don't want "Big Brother" watching over them. He stated that he doesn't want people that are appointed, not elected, to come over to his house every time he wants to change a window. Mr. Allen stated that he is all for the downtown area. He stated that the overlay should be brought back down to where it was around Crowell and Walnut and north and south of Jefferson one street or maybe two. He stated that if you don't like the way your neighbor's house looks, when it comes up for sale; buy it so you have total control over it. He stated that it looks like a "nosy neighbor law."

Kenny Young, 195 Maple Lane, stated that he tries to be conscious with what he has done to his home. He stated that he bought a house right next door to him. That house should have been condemned. Mr. Young stated that he fixed it and repaired it and it is now a beautiful home. He stated that if the guidelines had been in place at that time he couldn't have fixed the house. He stated that he doesn't want to speak for businesses downtown, but that the guidelines are going too far for homeowners. Mr. Young stated that some of the housing additions have HOAs. He stated that if he moves into a housing addition I know that there's an HOA going into it. That's a choice he would make. He stated that he doesn't think the houses that do need fixing up will ever be fixed with the new guidelines.

Mr. Auger stated that Maple Lane is not included in any of the districts being considered.

Brian Alvey, 348 West Madison, stated that old houses have a lot of maintenance. He stated that he looked nowhere but downtown Franklin for a house. Mr. Alvey stated that he has not seen a lot of examples of houses that are ridiculously out of order. He stated that we don't enforce our codes in Franklin. He stated that we need to enforce the laws that are there. Mr. Alvey stated that the guidelines are good ideas, but he would

hate to discourage people from fixing up their homes. He stated that people can either spend lots of money to comply with the new codes or they can do nothing. Most people are going to do nothing. He stated that Franklin is not a high income town and is full of middle class families. He is afraid it will do more damage than good.

Mr. Auger stated that the public portion of the meeting is over.

Mr. Murphy questioned if there were any modifications in the overlay from the last meeting? Ms. Linke stated that since the public presentation was last Tuesday, they have taken all the public comments under consideration and are working on revisions.

Kevin McElyea questioned if it was premature to make a recommendation to City Council without the revisions. Ms. Gray stated that nothing requires the Board to take action tonight. She stated there is one thing from a legal standpoint that the Board may want to take into consideration. She stated that if the Board forwards to City Council, there are 3 choices: the Board can forward with a favorable recommendation, an unfavorable recommendation or with no recommendation. The City Council would then have to consider it. If it is forwarded with a favorable recommendation and the Council takes no action, it automatically becomes the ordinance. If the Council modifies the recommendation in any way, it has to come back to Plan Commission. Ms. Gray stated that if the Board has questions about it, chances are the Council is going to have questions about it and it is going to end up right back in Plan Commission. She stated if the guidelines are not in the format that the Board would like, it is better to do it right than to do it over. Dr. Murphy stated that it would be a mistake to send the guidelines on in any form right now.

Mr. Auger asked if there was a motion. Dr. Murphy moved to table the session until the next meeting. Suzanne Findley seconded the motion.

Bob Swinehamer stated that there are several things that still need to be discussed such as the make up of the review committee and the downtown boundaries. Mr. Auger stated that he would be happy to discuss things before taking a vote. Mr. Auger opened the floor for comments on the boundaries and the make up of the design review committee.

Mr. Auger re-polled the Board to find out who was in favor of the different boundaries. Mr. Auger was in favor of the large district. Mr. McElyea was in favor of the medium district. Mr. Swinehamer, Mr. Philips, Ms. Findley, Mr. Murphy and Mr. Martin were in favor of the small district. Dr. Murphy refrained from voting.

Ms. Findley stated that she would like to see the district start small and then grow larger from there. Mr. Auger stated that he would still argue that the Board should go with the larger area. He stated that everyone should be able to identify the Gateway Corridor zones which are important for those coming to and from Franklin. He stated that to limit it to the small area would defeat the purpose of what is trying to be done, which is to make an attractive area for those coming in and out of Franklin. Mr. Auger stated that his proposal is to include at least East King Street as a major thoroughfare. He stated that his understanding is that Martin Place wants to be included within the boundaries. If the Board decides on the small district, one of the oldest and historic areas in town would be excluded. He recommends removing the area that Mr. Swinehamer is concerned about, the areas of West Madison and West King.

Mr. Auger stated that he understands the concerns of big brother. He stated that you have to start somewhere, and right now the Board is spinning their wheels. He stated that in terms of boundaries, we are talking about a difference of a few hundred homes. Mr. Auger stated that East King Street is a major way in and out of town and should be included.

Mr. Philips questioned if the smaller zone was chosen if people outside the zone could still receive the FDC money. Mr. Auger stated it was correct, but they would have to abide by the design guideline ordinance already adopted by the FDC.

Mr. Murphy stated that he hasn't changed his vote or position. He stated that the language needs to be softened and got rid of the "you must" or "you will" and put in "strongly suggest". Mr. Auger stated that he didn't disagree.

Mr. Swinehamer thanked the people that came for the meeting. He stated that he keeps hearing that everyone wants to see improvements and standards; however, it gets to a certain point that the guidelines can be so demanding and restrictive that it becomes negative. He stated that the biggest concerns are guidelines versus requirements. Mr. Swinehamer stated that it was brought up that it is like a home owners association and in a way it is. He stated they are not ordinances. He stated one of the concerns he has is the Design Review Committee. He stated that as proposed, the Planning Director or his/her designee would be a member of the Committee. He doesn't want to put someone on the Committee that's going to say no. He stated that the second person is someone from the City that is placed by the Chamber of Commerce. He stated that the person should be appointed by the mayor, city council, or someone elected, but not the Chamber of Commerce. He stated that there should not be a non-elected person to be on the Committee. Mr. Swinehamer stated that a professional architect should be on the Committee, but not put in place by Franklin Heritage. He also stated that the Johnson County Council should not be on the Committee in his opinion. Mr. Swinehamer stated that his biggest concern on the boundaries is that they are too big but corridors need to be included.

Action taken on case PC 2009-30: Ordinance Amendment-Downtown Overlay District

Mr. Auger stated there is still a motion and a second on the floor to table the discussion. The motion passed unanimously. The case will be continued at the March 16th, 2010 meeting.

Ms. Linke stated that the revisions will be posted on the City website one week before the next meeting. She stated that any written amendments would need to be into the Planning Department within the next week. She stated that she would like to find other examples from other communities of their guidelines and the increase or decrease of property values in those areas. She stated case studies from other communities would be looked into as well.

New Business:

None.

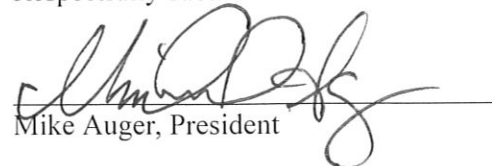
Other Business:

None.

Adjournment:

There being no further business, the meeting was adjourned.

Respectfully submitted this 16th of March, 2010.


Mike Auger, President


Chris Phillips, Secretary