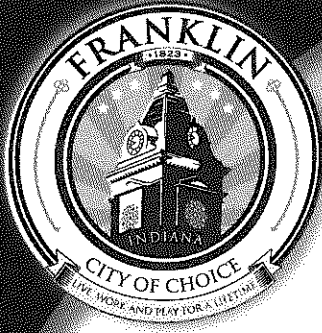




CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT • DEPARTMENT OF ENGINEERING

MINUTES

FRANKLIN CITY PLAN COMMISSION

August 15, 2017

Members Present:

Joe Abban	Member
Pam Ault	Member
Suzanne Findley	Secretary
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

Others Present:

Lynn Gray	Legal Counsel
Joanna Myers	Senior Planner II

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

Kevin McElyea made a motion to approve the May 16, 2017 minutes. Georganna Haltom 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: June 29, 2017 & July 27, 2017

Joanna Myers reported on two meetings. The first was June 29th with one agenda item: Cumberland Trace, Section Three which is located immediately north of Section Two. The north boundary abuts the subdivision to the north and Cumberland Drive will be fully extended from Westview Drive all the way to the north to where it currently terminates.

The second meeting was held on July 27th with four items on the agenda. Two will be heard this evening: Casey's rezoning and the primary plat for Linville Business Park. A third item was for a site development plan for 55 W. Madison Street which is Old City Hall. This is for a modification of the parking lot in anticipation of a restaurant moving into that facility. The last agenda item was for the Shell Building 2 located at 40 Linville Way within the proposed Linville Business Park. It is being developed in conjunction with the Redevelopment Commission and Runnebohm similar to the previous shell building. They are running concurrent with the primary plat and the primary plat will need to go through the full process before any approvals of the site development plans take effect.

Old Business

None.

New Business:

PC 2017-26 (R): Casey's General Store Rezoning:

Ms. Myers explained the notices were sent by certified mail instead of certificate of mailing as stated in the rules and procedures so a waiver is needed to accept the certified mail as sufficient mailing. Ms. Gray reminded that certified mail is more onerous than what is required so the waiver is fairly standard. Deb Swinehamer made a motion to approve the waiver and Ms. Haltom seconded. Passed.

Ms. Gray explained that the obligation of the board on this case is to provide either a favorable or unfavorable recommendation to the City Council who has the ultimate authority on a rezoning decision.

Ms. Myers identified the property to be located at the southwest corner of State Road 144 and State Road 44. The property is currently zoned MXN (Mixed Use Neighborhood Center) and the request is to rezone it to MXC (Mixed Use Community Center).

Patrick Moone with Farnsworth Group introduced others in attendance and began with a history and overview of Casey's. Their request for rezoning is based upon a couple of reasons. The site is 3.44 acres. By definition, MXN zoning's largest lot size to be developed at one time is one acre, so in order to develop this property there had to be a variation or deviation. Twelve of the existing large trees are proposed to remain. Six to seven large trees will have to be removed in order for the site to be developed. He stated that MXC zoning allows for 75% of the lot to be impervious and Casey's development will only have 36-40% of the lot to be impervious. Casey's is willing to commit to a 25-year moratorium on developing the property to the south. He stated that four main issues in a development like this are drainage, traffic, landscaping and lighting.

Drainage – Currently there is a field tile that runs from west to east that may or may not be impacted by site development. They will locate and maintain this drain tile through the site development process. Stormwater management and drainage control also has to be maintained. Two criteria have to be followed for this site. One is the City of Franklin's criteria and the second is because the site drains to the INDOT right-of-way. Drainage design will be done in compliance with the city's criteria as it is the more restrictive of the two. All of the stormwater will be routed to the detention basin, pass through a control structure out to the State Route 44 right-of-way and underneath the culvert.

Traffic – The traffic study looked at two scenarios, full access on both State Road 44 or 144 or restricted access on 144 with full access on 44, which is what INDOT has decided would be appropriate for this location. He stated that they would assure their improvements will not adversely affect the future roundabout. Entrances are set for the far west and south of the intersection. INDOT confirmed their allowance of a center median on the north side to restrict left turn movements from the westbound traffic into the site. INDOT would like to see the median extended to the splitter island at the roundabout when it is constructed. On the south side both right and left turn lanes into the development are planned for at Casey's expense. Questions arose with regards to pedestrian access from the schools and/or neighboring residents to the site. The roundabout construction includes proposals for sidewalks and street crossings. Casey's would plan to connect from the roundabout's public sidewalks to their parking lot at Casey's expense.

Mr. Moone presented a sample traffic study between a Casey's projected traffic numbers vs. two other similar zoning uses for such a site, showing differences between MXN and MXC zoning.

Landscaping – Casey's is proposing the removal of only five to six trees. Sixty-one trees are proposed to be added to the site in addition to those being saved.

Lighting – Site lighting will be self-contained within the development area, minimizing spillage on to the adjacent properties and rights-of-way.

He state that there is a new prototype for the O4 type store. It is brick on the front and sides with a steel sided rear facade.

With regards to the site in relation to the schools and the sale of liquor, Mr. Moone identified that Casey's had sent a letter to the city addressing how Casey's typically handles that. Standard policies include carding those appearing under the age of 27 and the register is frozen upon ring up of alcohol or cigarette sales until ID is checked and scanned or birthdate keyed in.

Ms. Gray asked if written commitments were submitted by the petitioner and Ms. Myers reported they were not. Mr. Moone assured he will provide those.

Gary Reese spoke to the issue of this consideration a few years back. The state said the property could not allow for a gas station due to entrances and exits. He spoke of flood concerns for his property just two lots over. He also expressed concern with regards to getting mail safely with the level of traffic in that area with the roundabout and suggested mailboxes be moved to the other side of the street.

Ruth Caplinger spoke to her concern about the location of the end of the walkway Casey's proposes to build, suggesting they will never get in and out of their driveway and the number of patrons who will turn around to go back to Casey's in their driveway. They are also on septic and well which is at risk for collapse or contamination during construction due to raising the elevation or use of a vibratory roller. She is also concerned about the proximity to the schools. She stated that she does not see the necessity of elementary children being able to walk from school to Casey's.

Jim Caplinger asked if commission members would want it by their house and suggested they would not.

Mr. Reese added that they were not notified by letter. Ms. Gray explained the legality that those who appear at the meeting waive their right that they did not receive proper notice. Ms. Myers explained that the Reese contact information is not a matter of public record.

Mr. Moone explained the drainage issues are their responsibility and care for it appropriately per INDOT and the city guidelines. He is not sure how to overcome the possibility that patrons will potentially have to turn around in the driveways. The compaction equipment only typically goes 100-150 sq. ft. outside of the site, but Casey's will monitor and plan for accordingly. The public hearing was closed.

Pam Ault asked if this has gone before the state. Ms. Myers explained that the state previously denied a full access drive off State Road 144, not a gas station use, and that stance has not changed with INDOT.

Mr. Holmes asked what Casey's peak traffic hours are. Mr. Moone responded that 9-11 a.m. and during rush hour peak. Mr. Holmes responded that upon googling the existing Franklin location peak hours are 6-8 am and 12-3 pm. Mr. Moone responded that perhaps that is unique to that store location.

Mr. Martin asked if they will have city utilities at that location and Mr. Moone identified they will. Ms. Haltom asked if the schools are aware of the build or have provided any feedback to date. Mr. Moone said not yet as he is seeking to get through the hearing process first and will be reaching out to them after this meeting. Mr. Abban asked if anything has been heard from them since the end of today and Ms. Myers responded negatively. Ms. Haltom sought verification that Casey's needed permission from the schools with regards to the sanitary sewer. Mr. Moone confirmed because the sanitary sewer was built on the school property and 30-35 feet off the common property line, Casey's must go to them to receive a sewer easement. She followed up with asking if the water will still be able to be cared for after all the concrete is laid. Mr. Moone said they have studied the numbers and design and upon approval are confident they can care adequately for the water

runoff. Mr. Abban cited the example of the rains of a few weeks back that resulted in flooding. Mr. Moone highlighted the drainage plan using PowerPoint slides and explained the floor of the building will be three feet above the existing grade. It has to be designed for a 100-year rainfall event and hold it back to a 10-year release rate. Ms. Gray offered that Franklin has had three 100-year rains since 2008.

Ms. Haltom asked if there are any plans to build any other facilities on the property. Casey's commits to the design presented and that nothing else will be built for up to 25 years beyond the completion of the build. Ms. Gray explained that written commitments must be included as part of the ordinance in order to be enforced. Ms. Myers asked if the current owner of the property has provided consent to the commitments. Ms. Haltom asked what recourse the commission has upon voting without written commitments. Ms. Gray identified the legal options.

Ms. Swinehamer asked for staff to expound on their unfavorable recommendation. Ms. Myers responded that based on the five criteria outlined in the zoning ordinance: comprehensive plan, current conditions, desired use, property values and responsible growth, Franklin's comprehensive plan identifies this area to be developed as a neighborhood activity center. A MXC zoning is more in line with a community activity center and not a neighborhood activity center. Additionally, the ordinance adopted in 2000 regarding the annexation and rezoning of this property had commitments listing specific uses to be prohibited. She stated that the list of prohibited uses were more in line with the MXN and neighborhood activity center uses and is why the property is currently zoned MXN and the comprehensive plan identifies the area as a neighborhood activity center. The current conditions of the adjacent areas, being on private wells and septic and low density residential, are more in line with the neighborhood activity center (MXN), not a community activity center (MXC), outlined in the comprehensive plan and zoning ordinance. With regards to responsible growth, there are some concerns about the elevation and drainage and access to and from State Roads 144 and 44 with the amount of traffic a proposed MXC use could generate. Staff therefore recommended an unfavorable recommendation be forwarded to City Council.

Ms. Myers clarified that the site plan presented had not been reviewed by Technical Review Committee or by staff with regards to the development standards. The only item before the Commission at the meeting is the zoning alone. Ms. Gray explained that the site review doesn't usually happen until the general use is approved.

Mr. McElyea made a motion to forward an unfavorable recommendation based on staff recommendations with a second from Suzanne Findley. Unanimously passed.

PC 2017-28 (PP): Linville Business Park:

Ms. Myers stated that the Linville Business Park is proposed on the 68+ acres located northeast of the intersection of Graham Road and Commerce Parkway. The property is currently zoned Industrial: Light (IL). The proposal is a primary plat of a three-lot and one block industrial subdivision to include a common area and the construction of Linville Way which will run from Graham Road east, then south to Commerce Parkway.

Greg Ilko, Crossroad Engineers, presented on behalf of Fred and Helen Linville and the City of Franklin Redevelopment Commission. The site is roughly at a mid-point between US 31 and I-65 with access to both Graham Road and Commerce Parkway. The site is currently a cultivated field. There are known users of the lots that have been established. The block is intended to be left for future development. He stated that Lot 1 is located to the northwest corner of the property off of Graham Road and is about 13 acres. The Shell Building is proposed to be constructed on Lot 1. Lot 2, approximately five acres, is for OC Repair, and Direct Conveyor has signed on for Lot 3.

Mr. Ilko stated that the road is being designed concurrently with the platting but is a separate project. The sanitary sewer infrastructure and water line are also being extended into the development. Detention and water quality is being coordinated with the developers of Lots 1, 2, and 3 and will be handled with their designs. Mr. Ilko stated that the proposal meets all the requirements of the Subdivision Control Ordinance.

Ms. Myers presented staff recommendation of approval of the primary plat. Ms. Ault motion for approval and Mr. Abban seconded. Unanimously approved.

Other Business

Ms. Myers stated that the wood structure east of Meijer will be Freddy's Custard and Steakburgers and the one north of it is Buffalo Wild Wings. The third lot that remains vacant has no potential user at this time. Ms. Myers stated that she received confirmation that First Financial Bank plans to complete their structure at the northwest corner of Branigin Road and US 31.

Mark Richards announced that the South Main Street bridge opens tomorrow.

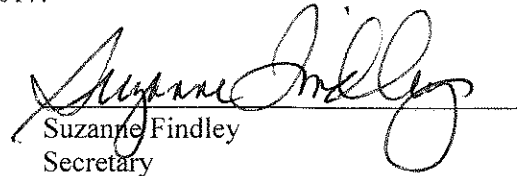
Adjournment:

A motion and second was made to adjourn. There being no further business, the meeting was adjourned.

Respectfully submitted this 19th day of September, 2017.



Jim Martin
President



Suzanne Findley
Secretary