



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

MINUTES

FRANKLIN CITY PLAN COMMISSION

December 17, 2024

Members Present

Bill Carson	Member
Suzanne Findley	Member
Norm Gabehart	President
Debbie Gill	Member
Georganna Haltom	Vice President
John Kempinski	Member
Jim Martin	Secretary
Matt McElroy	Member
Irene Nalley	Member

Others Present

Lynn Gray	Legal Counsel
Joanna Tennell	Senior Planner II

Members Not Present

Call to Order

President Norm Gabehart called the meeting to order at 6:00 p.m.

Roll Call & Determination of Quorum

Pledge of Allegiance

Approval of Minutes

October 15, 2024 – Georganna Haltom made a motion to approve the minutes as presented. Suzanne Findley seconded. Passed unanimously, 9-0.

Swearing In

City Attorney Lynn Gray swore en masse all intending to speak during the proceedings.

Report of Officers and Committees: October 24 & November 21, 2024 – Joanna Tennell reported on the two agenda items from the October 24th meeting. The first was the Franklin Community School Corporation Earlywood Rezoning which is being heard this evening. The second was for the Secondary Plat & Construction Plans and Site Development Plans for Malarkey Roofing. The property is located at 3540 Essex Drive. It is approximately 138 acres located north of the termination of Essex Drive, east of the railroad and south of Paul Hand Boulevard. The project includes the construction of an approximate 350,000 square foot facility with the extension of Essex Drive which is almost three quarters of a mile in length.

At the November 21st meeting, there were five agenda items. The first project reviewed was the CRBECK Properties located at 91 Linville Way. It is at the northwest corner of Linville Way and Commerce Parkway. The property is zoned IL (Industrial: Light). They proposed construction of a 3,000 square foot industrial facility with future expansion potential. The second agenda item was the Primary Plat for Commerce Point which will be heard tonight. Also reviewed were the Luxury Apartments at Youngs Creek. The property is located at Compass Park and is the second phase of this apartment project. One building is already constructed and occupied. Fourthly was the Compass Park Chapel Addition. They will rebuild the chapel on the south side of the assisted living facility including some parking area extension. The last item was for Cornett Roofing at 1518 Amy Lane. Cornett Roofing is already operating on the property immediately south. They desire to build a separate detached structure to be located north of their facility and south of Superior Systems. The building is approximately 10,725 square feet. The site plan reviewed at that meeting has been substantially revised and will be reviewed at this week's TRC for the redesign of the site.

Old Business

New Business

PC-24-20 (R): FCSC Earlywood Rezoning – Ms. Tennell introduced this rezoning request filed by the Franklin Community School Corporation. The property is located at 500 Earlywood Drive which was the previous location of the Earlywood Education Services facility in operation for over 50 years. FCSC has taken ownership of the property and, with the expansion of some of their services, they look to demolish the existing facility and build a pre-K school with parking on both the north and south ends. They also propose to separate the bus traffic from passenger vehicle traffic. The request is to rezone the property from IG (Industrial: General) to IN (Institutional) which is more in line with how the property has been utilized for over 50 years.

Attorney Roger Young represented FCSC. Attorney Young stated that they agreed with the findings in the staff report and with staff's recommendations. He addressed the decision criteria.

1. **Comprehensive Plan:** The rezoning request and proposed future use of the property is consistent with the comprehensive plan. It anticipates and expects that other government stakeholders will provide necessary services within the city which will improve the quality of life for the citizens. Specific to this petition, the proposed use will provide a needed educational opportunity to the parents of children residing within FCSC's attendance area which includes the City of Franklin. Providing quality education at all levels in modern, well-staffed facilities benefits the community.
2. **Current Conditions:** For 50 years an educational facility has existed on the subject property. Only because of a change in zoning occurring years after an educational facility was constructed, is this petition required. If the current building were to continue to operate, this petition would not be required. The current building has outlived its usefulness. Removal of the existing structure also removes the non-conforming use status as a matter of law. Rebuilding a new structure maintains the status quo of the property. The subject property is in an area that has not been developed for heavy industrial, but for commercial, residential and institutional.
3. **Desired Use:** The property will be developed as a pre-K facility. Such facilities in the City of Franklin are limited. This one will be owned and operated by the FCSC, offering services that meet or exceed those currently available. The site is conveniently located and easily accessed by private individuals and FCSC buses.
4. **Property Value:** Wawa's recent acquisition of the property immediately to the west for the development of a commercial use indicates that the existence of the school building in the immediate vicinity has not had a negative impact upon property values or the desirability of the property for commercial uses. A well-landscaped, new school building will enhance the surrounding properties more than if the site were developed for heavy industrial.
5. **Responsible Growth:** The proposed structure including site work is estimated to cost more than \$20 million. It will be an attractive, state of the art, school building with complimentary landscaping. It won't increase traffic or congestion because the proposed use of the property is a continuation of an existing use

well-accommodated by existing infrastructure. The proposed use will provide educational opportunities currently limited and are to be delivered by skilled professionals.

Superintendent Dr. David Clendening presented the history of the school's early learning program and intended program offerings for this new development. The proposal is for a 300-student pre-school center. Approximately 100 will be in the developmental program. These are students that by age three have determined to have developmental delay with the opportunity to come to school. The corporation would provide transportation and educational opportunities for them. There are currently approximately 100 students in the paid program with 50 parents on the waiting list. Groundbreaking is planned for the spring of 2025 with the starting school year to be 2026-2027. The anticipation is that the building will be full upon opening, so the school corporation is already considering ways they can add to the building in the future with the additional property.

Executive Director of FCSC Operations Benji Betts presented the planned layout and structure of the facility and property with a PowerPoint presentation. The proposed budget was \$25 million, but they are currently coming in under budget by approximately two million dollars.

Mr. Gabehart asked if in recent years they have seen a substantial increase in need for services for developmentally delayed pre-school students. Dr. Clendening confirmed that to be so. Mr. Gabehart expressed his personal affirmation of the school's pursuit of this project. Ms. Haltom asked if the new build will still be a paid program. Dr. Clendening stated it to be a public-private partnership. The developmental students will attend for free. The private partnerships are paid by parents. FCSC also anticipates classroom inclusion models and they are preparing for one developmental kindergarten classroom. Ms. Haltom asked if all necessary teachers are retained. Dr. Clendening assured they are. Commendation was offered to the memory of Sterling Haltom who was instrumental in building the original building.

A public hearing was opened. Being no respondents, the hearing was closed. Bill Carson moved to forward a favorable recommendation to City Council. John Kempinski seconded. Passed unanimously, 9-0.

Ms. Tennell identified the next step to be ordinance introduction to City Council on January 22.

PC-24-24 (PP): Commerce Point – Ms. Tennell introduced this Primary Plat request of a six-lot commercial subdivision. Additionally, there were two waiver requests. One was related to lot frontage for Lot 6. Franklin's Subdivision Control Ordinance states that all lots shall front on either a private or public street. As currently proposed, Lot 6 is not adjacent to either. Private streets are required to be built to public street standards, so the proposed interior drives are classified as shared drives, and the existing shared ingress egress easements running along the north edge of the property is also a private, shared drive. The Subdivision Control Ordinance also states that all detention facilities that are jointly beneficial to a number of lots are to be located in a common area maintained by a lot association. This proposal is providing for a number of underground detention facilities on Lots 1, 2 and 6. As the detention facility on Lot 6 is for the benefit of a number of lots and not located in a common area, it requires a waiver request. The property is located at the northwest corner of Commerce Drive and US 31. It is the former location of Carter Lumber and, most recently, Aaron's. As currently proposed, there are two shared entry drives to be constructed. One is on the east side of the property as a right-in/right-out. The second is on the west side intersecting with Commerce Drive, and it will be full access. In 2015, with the Meijer development, there was a traffic study conducted that considered the future development of this property. Indicated at that time was that a traffic signal was warranted at the location with the center drive of Meijer and the western drive of the subject property. The City of Franklin will install the signal along with extending the current median running from US 31 on Commerce Drive to the new traffic signal. This will alleviate some of the illegal u-turns.

Mr. Gabehart asked for a repeat of the two waiver requests. Ms. Tennell highlighted that the first waiver request is from Article 6.3(B)(2) stating that "Every lot shall abut a public street or private street approved with the primary plat." A private street is classified as a street that is independently maintained by the property owner. However, the construction of the private street has to meet public street standards which includes curbs, drainage, sidewalks

and street trees. The second request is Article 6.19(G)(1) stating that “All detention and retention areas shall be placed in a common area under the responsibility of the lot owner’s association for the subdivision in which they are located.” The need for this is because there is the joint underground detention to be located on Lot 6. If approved, language on the plat or a separate maintenance agreement would be required outlining who maintains it and how, along with who contributes to the maintenance. It would be the same for all interior shared drives because all of the properties benefit from the shared drives. The city wants to insure something is in place that holds everyone accountable and protects the public from deteriorating drives. Ms. Gray queried that the interior drives would not be dedicated city streets, and Ms. Tennell affirmed. She added that the current shared drive running along the north edge of the property already has a recorded ingress/egress easement.

Attorney Dustin Huddleston of Huddleston and Huddleston represented the petitioner. He was accompanied by the property owner Pete Grimmer and developer Steve Schoolcraft. Also in attendance were representatives from four interested businesses, Chick-fil-a, Chipotle, Valvoline and Dutch Brothers. Attorney Huddleston gave an overview of the project progression. The subject property is two parcels. The corner area is owned by the school corporation with the sign for the high school. The property is approximately 6.5 acres across the street from the Meijer development. It is currently zoned MXC (Mixed Use: Community Center) and is in the Gateway Overlay. Surrounding properties are zoned MXC (Mixed Use: Community Center) and MXR (Mixed Use: Regional Center). The property consists of six lots. There are three entrances. There is one ingress/egress entrance to the north in a shared drive with the Jehovah’s Witness church going out to US 31 and from which one can turn south. There are two entrances on Commerce Drive that both align with the entrances to the Meijer development. Based on configuration, Lot 6 does not have the required street frontage, but it is the most enticing lot with the most potential. All detention will be underground, and maintenance agreements for both detention and internal roads will be in place. Mr. Grimmer and Mr. Schoolcraft will develop at their personal cost. Attorney Huddleston presented the benefits of this development to the City of Franklin. Franklin desired and prepared for this site to be developed, and this development fits the plan and supports the traffic signal placement. In conjunction with the city, the development will also have acceleration and deceleration lanes along the south end. The existing middle median will be extended to the traffic signal. The ability to turn left on Commerce Drive will be prohibited apart from at the traffic signal. The petitioner maintained that traffic will be controlled with all these measures and still allow for free-flowing traffic throughout the development. The subject property is in a TIF district. Any enhancements and increase in taxes will be entirely captured by Franklin. The county assessor approximated \$414,256/annum in tax revenue upon full development. This project will also bring six new businesses to Franklin. Lot 2 will be the Chick-fil-a site. Lot 1 will be Chipotle and Lot 4 the Dutch Brothers coffee business. Valvoline will occupy Lot 5. Mr. Huddleston read in to the record a letter of support from Chick-fil-a. Lots 3 and 6, currently unspoken for, have a lot of potential for Franklin. Lot 6 is being considered by Darden Restaurant Group. Mr. Huddleston has met with many city officials and found all to be in support of the project. He maintained their belief that the project is consistent with both the subdivision control and zoning ordinance requirements. He addressed the decision criteria for the two waivers.

1. Public Welfare – They do not believe it will be injurious. The development and increased tax revenue will benefit Franklin. The detention is designed to keep the water within the property to be safe. It will not damage any other part of the public.
2. Adjacent Property – The development will enhance their value.
3. Unique Conditions – With the lot layouts, six lots could not be fit to get the one frontage. The size and configuration of the real estate along with the US 31 and Commerce provides a unique condition.
4. Physical Conditions -- The real estate design requires that the detention be at the established locations in order to capture the water.
5. Comprehensive Plan – This project is in support of the Comprehensive Plan.

Petitioner agreed to comply with all staff’s conditions.

Ms. Haltom asked if the US 31 project has been taken in to consideration. Mr. Huddleston stated that it will not impact this project at all. A public hearing was opened. With no respondents, the hearing was closed. Mr.

Gabehart asked how many large the right-of-way of Commerce Drive was. Ms. Tennell responded that it is pretty substantial in nature. When FCSC built the high school, they went through the process of securing the right-of-way along Commerce Drive. Attorney Gray remembered it to be at the highest level available. Ms. Tennell explained that for this particular development, no additional right-of-way is required. Mr. Gabehart also stated appreciation for staff's work and his personal support of the development. Attorney Gray asked if Ms. Tennell was comfortable with maintenance agreements for interior drives not built to city standards. Ms. Tennell affirmed and explained that it is pretty common for a development such as this. It is comparable to the Franklin Gateway Development including Taco Bell, Starbucks, Culvers and the hotels as they have interior drives as well. Ms. Haltom asked if the language is in place for the interior drives no matter where they may be. Ms. Tennell assured it will be part of the process when the petitioner proceeds with the plat.

Mr. Carson made a motion to approve both waiver requests with staff conditions outlined in the staff report. Mr. Martin seconded. Passed unanimously, 9-0. Ms. Tennell presented staff's conditions for the waivers.

1. "No access easements" to be provided along the entire US 31/Morton Street frontage and along Commerce Drive frontage, with the exception of the location of the interior shared drives to be constructed along Commerce Drive, consistent with the plans received December 3, 2024.
2. Final Lot entrance locations along the interior shared drives will be approved through the Secondary Plat & Construction Plan review process.
3. Each lane of all south bound shared drives intersecting with Commerce Drive shall provide sufficient queue length for storage of a minimum of four (4) vehicles. The starting point for measuring the queue length will be a point located a minimum of four (4) feet from the pedestrian crossings.
4. An entrance to a Lot may not intersect the interior shared drive within the required queue length of the southbound lanes.

Mr. Carson moved to approve the primary plat. Mr. Martin seconded. Passed unanimously, 9-0.

Other Business

Ms. Tennell announced an opening for a building official as Chris Schiewer resigned to take another position. Viable candidates are being interviewed and the city's hope is to fill the position quickly.

Mr. Gabehart commended the city staff for their due diligence and Merry Christmas.

Adjournment

There being no further business, the meeting was adjourned.

Respectfully submitted this 21st day of January, 2025.



Norm Gabehart, President



Jim Martin, Secretary