

MINUTES
FRANKLIN CITY PLAN COMMISSION
April 19, 2011

Members Present:

Bob Swinehamer	Vice President
Chris Phillips	Secretary
Joe Abban	Member
Suzanne Findley	Member
Georganna Haltom	Member
Tim Holmes	Member
Jim Martin	Member
Kevin McElyea	Member
Dan Murphy	Member

Members Absent:

Mike Auger	President
Diane Gragg	Member

Others Present:

Joanna Myers	Senior Planner
Lynn Gray	Legal Counsel
Todd Wilkerson	Project Supervisor
Jaime Harshman	Recording Secretary

Call to Order:

Vice-President Bob Swinehamer called the meeting to order at 7:00 p.m.

Appointment of Technical Review Committee:

Joanna Myers stated that Jim Martin indicated that he would be willing to represent the Plan Commission on the Technical Review Committee. She stated that no more than 5 members of the Plan Commission may be appointed to the Committee. Mr. Martin was previously a member of the Committee as the representative for Vectren.

Georganna Haltom made a motion to appoint Jim Martin to the Technical Review Committee as a representative of the Plan Commission. Chris Phillips seconded the motion. The motion passed unanimously.

Approval of Minutes:

Bob Swinehamer noted that the year should be changed from 2010 to 2011 in the February minutes. Ms. Gray stated that the additions made to the February minutes were acceptable. Kevin McElyea made a motion to approve the February 2011 minutes with the corrections noted. Jim Martin seconded the motion. The motion passed unanimously.

Mr. Martin made a motion to approve the March 2011 minutes as presented. Tim Holmes seconded the motion. The motion passed unanimously.

Swearing In:

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

Report of Officers and Committees:

Todd Wilkerson stated that there were four submittals reviewed at the last Technical Review Committee meeting. He stated that the McDonald's case was presented, which is the case being heard tonight. In addition, the site development plan for Lots 9 & 10 of Hurricane Industrial Park and the Buyout Project in the South Street Area were also heard at the meeting.

Ms. Myers stated that the rezoning request for Hurricane Industrial Park was approved with conditions by the City Council.

New Business:

PC 2011-05 (SPR): McDonald's:

Ms. Myers stated that a waiver of the rules and procedures was needed as certified mail was sent instead of certificate of mailing.

Dan Murphy made a motion to waive the rules and procedures to accept the mailing as submitted. Chris Phillips seconded the motion. The motion passed unanimously.

Tim Ochs, representing McDonald's, stated that the waivers are being requested because McDonald's would like to replace the current store with a new one. The existing building is currently 35 years old. He stated that it is an inefficient building and the new McDonald's stores are greener and more efficient. He stated the current site is in desperate need of replacement. Mr. Ochs stated that the property size and configuration is constraining and that they must make the property work for that site.

George Lukas, Landwater Group, stated the new building is going to take up the majority of the current site. He stated that there are 13 trees proposed for the site and they are trying to meet the planting requirements. The addition of the 5 street trees is difficult as there are 3 trees proposed in that space already, which is only 50 feet in width. He stated that they are requesting a waiver from the street tree requirement and a waiver from drainage requirements.

Mr. Lukas stated that the ordinance would require them to detain water at 2 different rates. The existing condition 2 year rate would be the limiting factor for the 10 year storm and the existing condition 10 year rate would be a limiting factor for the 100 year storm. He stated there is no room on the site for detention, even if it would have to be underground, it would not work. Mr. Lukas stated the ultimate site design has more green space and less hard surface than what there is today.

Mr. Ochs clarified that the new proposed redevelopment will provide 13 trees, the current site does not.

Mr. Ochs stated the waivers will not be detrimental to the health, safety, or general welfare of the community. He stated that a new store will look nicer and will have more green space and trees. The other existing stores near the vicinity of the McDonald's are White Castle and Burger King and neither of them have street trees. He stated the new store will be helpful to the public as a whole.

Mr. Ochs stated the waivers will not be injurious to the use of the property. It is a redevelopment of the same property on the same site. The adjacent properties are used for commercial purposes and are used similarly.

Mr. Ochs stated the conditions are unique to the property. It is not a new site and to redevelop it and make it better than it is now they have to work with the constraints of the property. He stated they can't put any more on the site than proposed. He stated that with the building, parking and trees, the site is full.

Mr. Ochs stated there will be minimal impact on the comprehensive plan. The site has been there for 35 years. The site will actually improve in two ways; some of the pavement has been crushed and will be fixed when the site is redeveloped and an aqua swirl will be installed between the basins and storm sewers. The aqua swirl cleans the water before it gets into the storm system. This is something that is not in place now. It will keep oil from getting into the storm sewer system. He stated that they would like to have the property remain as a McDonald's.

Mr. Swinehamer questioned if they had addressed the 29 items listed by the Planning Department from the Technical Review Committee. Mr. Ochs stated that new revised site plans were submitted after the initial review meeting and an application for the variances has been filed with the BZA.

Mr. Lukas stated he believes that they addressed all comments made by the Planning Department and the Fire Department. Ms. Myers stated the revised plans were received but she had not been able to review them yet as she was out of town. Mr. Swinehamer questioned if the case should be continued. Ms. Myers stated the Board could proceed and take action, subject to the comments being met.

Larry Nun, 600 Galahad Drive, Vice-President of the Tree Board, stated there has to be reasoning with the placement of trees. He stated that properties should not be cluttered just to fulfill the tree requirement. He suggested that any additional trees not being used on properties be donated by the business to the Tree Board.

Mr. Ochs stated McDonald's prides itself in being a green company. He stated McDonald's would be happy to donate the street trees to the Tree Board. Mr. Holmes questioned if it was legal to do this. Ms. Gray stated that it is fine as McDonald's has made the statement of giving trees in good faith and that it is not a commitment.

Mr. McElyea questioned if the drainage was already sufficient since the land is higher in that area. Mr. Wilkerson stated that most of the drainage is contained on site.

Action taken on PC 2011-05 (SPR): McDonald's:

Joe Abban made a motion to approve the waiver request from the street tree requirements as presented. Kevin McElyea seconded the motion. The motion passed unanimously.

Tim Holmes made a motion to approve the waiver request from drainage as presented. Chris Phillips seconded the motion. The motion passed unanimously.

Other Business:

None.

Adjournment:

There being no further business, the meeting was adjourned.

Respectfully submitted this June 21, 2011.

Mike Auger, President

Chris Phillips, Secretary