

MINUTES

FRANKLIN CITY PLAN COMMISSION

August 20, 2024

Members Present

Suzanne Findley	Member
Norm Gabehart	President
Georganna Haltom	Vice President
John Kempinski	Member
Jim Martin	Secretary
Mark Richards	Member

Others Present

Lynn Gray	Legal Counsel
Joanna Tennell	Senior Planner II

Members Not Present

Joe Abban	Member
Debbie Gill	Member
Irene Nalley	Member

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

May 5, 2024 – Jim Martin made a motion to approve the minutes as presented. John Kempinski seconded. Passed unanimously, 6-0.

Report of Officers and Committees: June 20 & July 25, 2024 – Joanna Tennell reported on one agenda item from the June 20th meeting. It was for the Johnson County REMC storage yard located at 752 International Drive immediately north of REMC headquarters. The property had previously been a daycare. REMC had purchased it and leased it to another daycare facility. They need to expand their storage area. A site development plan for the area was reviewed. The building has been demolished. The site development plan has been approved, and construction can begin any time.

The July 25th meeting had two agenda items. The first was Malarkey Mass Grading which will be briefly addressed this evening. The second item was the Malarkey Primary Plat on the docket at this meeting for official action.

Old Business
Swearing In

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

New Business

PC-24-11 (PP): Malarkey Franklin Primary Plat – Ms. Tennell introduced this petition for a Primary Plat for one lot and one block. It is to include right-of-way for the extension of Essex Drive from its current termination to intersect with Paul Hand Boulevard. The property is approximately 138 acres located at 3540 Essex Drive. It is zoned IG (Industrial: General). Previously the subject property was included with the property to the east owned by Kelsay Farms. Al Neyer was the previous developer who came before the Plan Commission for a Primary Plat. It was reviewed and approved at that time. Since then, Al Neyer decided not to develop the property and has withdrawn the request. There were two properties, one being the east property and the second being the subject property before the board at this meeting. As the subject property is a parent parcel, it will be the only one under review for subdivision. Since Essex Drive will go from its current termination point and for alignment purposes then shift to the west before heading north to intersect with Paul Hand Boulevard, it will leave a residual piece of ground on the east side of the right-of-way which needs to be included with the property to the east in order for that property to have direct access to future Essex Drive right-of-way. Both the petitioner and Kelsay Farms are aware of this and have provided consent. This is the reason for the proposed Block One on the east side of Essex Drive. It will be included with the future development of the eastern parcel.

Project engineer Bill Butz presented. The Essex Drive alignment is exactly the same as with the Neyer project. During title research it was discovered that the railroad ownership is somewhat in question, but the Malarkey team has been working with the railroad to get that cleared up. Mr. Butz showed through PowerPoint the future intent of the development. The road design has remained unchanged. The only difference is that now Essex Drive is going all the way to Paul Hand Boulevard which has been coordinated with the City Engineer.

Ms. Tennell pointed out that on the current Primary Plat there is proposed 80' of right-of-way for Paul Hand Boulevard. Once the city's improvements of Paul Hand Boulevard have been designed, the right-of-way need may be less than 80'. In conversations with Mr. Richards and Mr. Butz, the final design of Paul Hand Boulevard will be considered and the requirement for right-of-way dedication should be the minimum right-of-way needed for those improvements. Mr. Richards added that the design for Paul Hand Boulevard is nearing completion, and CrossRoad Engineers agree that 70' will be the minimum necessary amount of right-of-way. Mr. Butz offered to update the file showing 70' instead of 80'. Mr. Gabehart asked if the right-of-way was calculated from the center of the road or the edge. Mr. Richards confirmed the center of the existing roadway. Paul Hand Boulevard is being shifted to the south, so the north edge of pavement will be held where it is currently, and all construction will be to the south. Ms. Gray asked when the city's obligation for Paul Hand Boulevard will be complete. Mr. Richards said the project goes to bid this fall with construction planned for 2025. Mr. Richards stated that the final design is essentially done and right-of-way acquisition is currently underway. Ms. Gray queried as to whether the right-of-way dimension couldn't be identified at the Secondary Plat stage. Mr. Butz responded that the city has asked for the right-of-way to be dedicated as soon as possible prior to grading permits being issued. Ms. Tennell proposed including the language of the right-of-way dedication for Paul Hand Boulevard to be consistent with the minimum necessary to include the improvements as designed for the Paul Hand Boulevard road improvement project. Mr. Butz added that if there is a right-of-entry for some minor city construction needed on the property, it will not be an issue with Malarkey. Petitioner has filed with the Drainage Board and is docketed for the September 3rd meeting. All comments to date have been addressed and no more received. A public hearing was opened and closed with no respondents.

Ms. Tennell gave staff's recommendation for approval with conditions.

1. Final set of plans to be stamped and signed with "not approved for construction" removed.
2. No access easement needs to be provided along the entire frontage of Paul Hand Boulevard.
3. Deceleration and acceleration lanes shall be installed at the intersection of a planned drive with public street (Essex Drive). These lanes shall meet the requirements of the City Engineer and will be

reviewed during the site development plan review process as part of the improvements installed by the developer at that time.

4. Requires Johnson County Drainage Board review and approval. Provide copies of the approvals to staff.
5. Right-of-way dedication for Paul Hand Boulevard shall be consistent with the minimum right-of-way necessary for the final improvements of the design of the Paul Hand Boulevard.
6. The overall western boundary to be consistent with ownership of Herbert Malarkey per the deed received by staff August 19, 2024.

Conditions were acceptable to the petitioner. Ms. Tennell explained why the right-of-way will be dedicated prior to the Secondary Plat. First, the right-of-way dedication has to be granted to the City of Franklin before they are able to do the improvements. Additionally, since Malarkey has filed a mass grading plan to start before the full design, any improvements through the Site Development Plan review process are required to meet the dedication of additional right-of-way for all adjacent, current roads. In order to secure their Land Disturbance Permit, the right-of-way must be dedicated and this will be needed prior to recording the plat.

Mr. Martin made a motion for approval with staff conditions. Suzanne Findley seconded. Passed unanimously, 6-0.

Other Business

Ms. Tennell reported that at a previous City Council meeting, a need to update the downtown overlay zoning standards currently outlined in the Zoning Ordinance was discussed. Any such amendments must be initiated by Plan Commission or City Council. Franklin Heritage and Discover Downtown Franklin brought their concerns regarding historic preservation in the downtown area to Councilman Todd Shuck's attention. Current standards are only suggestive with language such as "may" or "should". In order to make them regulatory, proposed amendments changing to "shall" and "will" are to be made. The reason for these changes is two-fold. There has been a lot of work done in the downtown to maintain Franklin's character, and it is the desire to preserve that character along with being proactive about any new development to insure consistency with the character of downtown. Language will be drafted and brought before Plan Commission for a recommendation to forward to City Council.

Ms. Tennell stated that road improvements were installed adjacent to the proposed Cold Summit development on the east and north sides of existing Graham Road and south of Earlywood Drive where the city made a road connection from the southern 90-degree of Graham Road into Earlywood Drive. Per Indiana Code, the Plan Commission is tasked with naming roads. Staff asked Plan Commission to approve that the new road extension be officially named Graham Bypass. Mr. Richards made a motion for approval. Ms. Findley seconded. Passed unanimously, 6-0.

Adjournment

There being no further business, a motion for adjournment was made by Georganna Haltom and seconded by Mr. Kempfski, passing unanimously 6-0.

Respectfully submitted this 15th day of October, 2024.

Norm Gabehart, President

Jim Martin, Secretary