

MINUTES

FRANKLIN CITY PLAN COMMISSION

October 15, 2024

Members Present

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

Others Present

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| 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

Swearing in new Plan Commission Members

Mr. Gabehart thanked Joe Abban for his committed service. Bill Carson, mayoral appointment, and City Engineer appointment, Matt McElroy (Assistant City Engineer) were sworn in as new members.

Appointment of Citizen Member of Plan Commission to Board of Zoning Appeals

Ms. Gray explained that Mr. Carson previously served as the mayor's appointment to the Board of Zoning Appeals. He had to resign that position to be appointed to the Plan Commission. He is willing to serve as the PC appointment to BZA. Suzanne Findley made a motion to appoint Mr. Carson as the PC appointment to BZA. John Kempfski seconded. Passed unanimously, 9-0.

Approval of Minutes

August 20, 2024 – Jim Martin made a motion to approve the minutes as presented. Irene Nalley 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: August 22 & September 19, 2024 – Joanna Tennell reported three agenda items at the August 22 meeting. The first was for Rumble buildings located at 1401 Amy Lane. It is the northeast corner of Amy Lane and Eastview Drive/Arvin Road. The request was for developing four independent buildings, three just under 3,000 square feet and one a little over 4,000 square feet. They are to be marketed for small, startup industrial businesses. The second item reviewed was for I-65 South Logistics Center at 81 and 89 Forest Road. It is the current location of N-Group. The petition has been withdrawn. The third item was for Winterfield, Section 3. It is approximately 57 acres on the west side of Hurricane Road just north of Heritage Subdivision. It is for the third section and is 117 lots. Sections 1 and 2 are currently under construction. It is anticipated that Section 1 will be recorded in the near future.

There were four agenda items reviewed at the September 19 meeting. Two of them are being heard this evening. The first is RaceTrac Annexation and Rezoning. The second is the Wawa Rezoning. The third was for Kingsbridge, Section 3 located west of US 31, just south of Knollwood. It is approximately 7.26 acres and will be 19 lots. The fourth item was for Johnson County Court Services located at 1071 and 1081 Hospital Road, just east of the jail. The proposal is to construct a 73,000 square foot facility for a number of the court services including the probation office and community corrections.

Old Business

New Business

PC-24-15 (A) & PC-24-16 (R): RaceTrac Annexation & Rezoning – Ms. Tennell introduced these requests for annexation and rezoning. It was filed by the property owners, the Changs, along with RaceTrac. The property is located at the southeast corner of Bartram Parkway and State Road 44. It is approximately 5.3 acres. The request is to annex the property in addition to zoning the property MXR (Mixed Use: Regional Center) with the Gateway Overlay. It is a voluntary annexation as 100% of the petitioners are the owners and it also meets the contiguity as the entire property is surrounded by existing city limits. Mr. Gabehart asked if the parcel to the east was another five-acre tract. Ms. Tennell confirmed and identified it to be currently in the city and zoned IL (Industrial: Light). The property of this case is the only piece not in the city limits.

Attorney Russell Brown with the Clark Quinn law firm presented with a PowerPoint. He was accompanied by Zach Senn and Daniel Brown of RaceTrac and also Steve Fairbach with A & F Engineering. RaceTrac is a privately owned and operated, fueling centers and convenience stores located primarily in southeastern United States. They own and operate more than 550 corporately owned, operated and managed locations. Since 2020 they have been in the process of expanding their corporate footprint in to Kentucky and Indiana. RaceTrac opened their first Indiana store in December 2023 on the north side, their second location on the west side near the Holt Road interchange along with multiple other locations under either entitlement or construction. This location would employ approximately 25 individuals and would represent an eight-figure investment. RaceTrac offers not only fuel but a variety of food and convenience options. This location would offer a small amount of outdoor seating and in-store wifi capabilities. RaceTrac stores do not offer truck stop amenities such as showers, sit down dining or onsite repair opportunities. This site in particular would have both a diesel and a passenger vehicle canopy. There will be no truck scales or truck parking. The petitioner's stated request was for the Commission to send a favorable recommendation for both the annexation and rezoning. The applicant was willing to commit that the only permitted use at this site would be the gas station use. The 5.3 acres is under different ownership from the similarly sized parcel immediately adjacent. The parcels are approximately 350 feet deep north to south from edge of right-of-way to the southern boundary. It would be an approximately 6,800 square foot building, slightly smaller than other RaceTrac locations constructed in the market. The site would be accessed from a proposed cut on Bartram Parkway. There would be a right-in, right-out nearest the Bartram Parkway and State Road 44 intersection and a full cut near the eastern boundary of the site in and out from State Road 44. The diesel canopy would be separated

from the majority of the auto traffic and parking area and provides for ease of exit off State Road 44 directly in to the site and re-entry at that location or via the Bartram Parkway light. These traffic improvements have been reviewed by INDOT and petitioner believed would be approved by INDOT as presented. As part of the PowerPoint presentation, a depiction of the façade was given that the petitioner maintained was in compliance with Franklin's Gateway Overlay standards. With regards to the rezoning request, petitioner addressed the decision criteria.

1. Comprehensive Plan: Petitioner believed the plan to be in support of this development. Since it's issuance, the RDC has developed an economic development plan laying out desired uses for the I-65 corridor providing commercial or retail uses should be on the west side of the interchange and industrial only on the east side. Petitioner disagreed with staff's position that the economic development plan supersedes the comprehensive plan. The 2015 resolution of this body and the City Council provided that the economic development plan does not conflict with nor replace the comprehensive plan. Therefore the petitioner argued that this petition is in compliance with the comprehensive plan that currently exists.
2. Current Conditions: RaceTrac's Indiana developments, specifically with the separate diesel canopy, have deliberately focused on locating in, adjacent to or nearby larger, industrial developments. RaceTrac's typical diesel customer is not a national or regional fleet driver but more often a local or regional driver, often serving box trucks, landscaping contractors, local building construction trade users and those supportive of or engaged in or with the neighboring industrial uses. Semi usage was also deemed to be less due to the absence of truck parking and a truck scale. There are no dedicated diesel canopies in this general vicinity of the city. RaceTrac thus believed this to be a missing component of responsible growth and development at this interchange. Staff noted there to be a commercially zoned property to be developed west of I-65. One concern heard when considering a RaceTrac development was a strong community desire not to attract larger truck traffic closer into the city. The petitioner further believed that an industrial supportive user located in or near industrial uses would allow for employees and visitors to those uses who reach them in a passenger vehicle to often have an easier and shorter route to obtain those conveniences and services offered at a RaceTrac location.
3. Desired Use: Many IL (Industrial: Light) users would find development on a parcel of this size and smaller dimensions to be challenging considering compliance with design requirements and other standards within Franklin's ordinance. RaceTrac would overcome the challenges created by site dimensions.
4. Property Values: Petitioner concurred with staff that this is met at this location.
5. Responsible Growth: See #2 above.

Petitioner concluded with three points.

1. A favorable recommendation would allow for infill development on an otherwise slow to develop parcel by an established regional corporate operator with a use supportive to many nearby logistics and industrial uses.
2. The petitioner was willing to be bound by a commitment either to substantial conformance with the site plan of record or by use.
3. The petitioner understands the requirements of the overlay district and will work to meet them to deliver a high-quality product to the Franklin community.

Mr. Gabehart opened a public hearing. Stefan Arsich from Cushman Wakefield USA spoke in favor. Mr. Arsich started working on marketing Franklin Tech Park in 2020 and worked with Steve Tressler selling 218 acres to Sunbeam Development. They are also assisting the current sellers and owners of the property with the transaction with RaceTrac. He maintained this to be a great use for the property and a big amenity for the east side of I-65. Diesel canopies don't just service trucking but also individual owners of boats and equipment. Assessed value and created jobs are assets for Franklin. Mr. Arsich didn't believe the property would sell to an industrial user due to the seller's expectations combined with lot size. Their study of highest and best use for this site resulted in retail as the highest and best use. Mr. Gabehart asked if consideration had been given to flex space use on the property. Mr. Arsich responded in the negative. There has been no interest and the sellers have retail pricing. They have had high demand from retailers and no demand from industrial users. Mr. Arsich was also glad to see the annexation request come before the commission. The hearing was closed.

Ms. Tennell gave staff's recommendation that an unfavorable recommendation be forwarded to City Council for failure to meet criteria one, two, three and five as outlined in the staff report.

Mayor Steve Barnett stated that there is interest from box or flex space, but they are dissuaded by the fact that the property is not annexed. There are a couple industrial parties interested in five-acre spaces to build smaller units. Mayor Barnett is not in favor of having trucks. A lot of money has been invested in the truck route. No industrial occupant in the area has stated a need for a truck fueling station. Mayor Barnett expressed his agreement with the staff report. Mr. Gabehart described another government entity that had three incumbent truck stops, not fueling centers. It was challenge for economic development because of the footprint in the area. Franklin has invested a lot in to the east side gateway corridor. Mr. Gabehart also suggested that when you locate one such establishment, the market dictates another. He believed there are fueling opportunities on the east side without truck parking.

Mr. Martin made a motion to forward an unfavorable recommendation to City Council on the annexation based on staff's report and the mayor's presentation. Mr. Kempinski seconded. Mr. Gabehart suggested that no one stated a lack of support for the annexation. Passed unanimously, 9-0.

Debbie Gill made a motion to forward an unfavorable recommendation for rezoning to City Council in accordance with staff's recommendation. Ms. Nalley seconded. Passed unanimously, 9-0.

Ms. Tennell explained that they will draft the ordinances to be docketed for introduction at the November 4th City Council meeting.

PC-24-18 (R): Wawa Rezoning – Ms. Tennell presented Wawa's rezoning request for 10.4 acres from IG (Industrial: General) to MXR (Mixed Use: Regional Center) with the Gateway Overlay to remain. The property is located north of Earlywood Drive, east of US 31 which is also Morton Street and south of Sloan Drive. Included in the packet to the commission members was a copy of the proposed subdivision and a concept plan for the development of Wawa itself on approximately 3.65 acres. The property immediately to the east is currently owned by the Franklin School Corporation, and they have also filed a rezoning request as they plan on demolishing the existing structure and rebuilding another school facility. Their request will come before the commission in November. They will be requesting an institutional rezoning of the property. Mailings went out and public notice ran in the Daily Journal. However, petitioner sent the mailings by certified mail in lieu of certificate of mailing. Rules and Procedures state certificate of mailing is required. Certified mail is above and beyond certificate of mailing, but it does require a waiver of the Rules and Procedures to be acted upon by the Plan Commission. Bill Carson made a motion to waive the certificate of mailing requirement and accept the certified mailing. Ms. Findley seconded. Passed unanimously, 9-0.

Civil engineer Paul Hanson with CESO presented. He was accompanied by Patrick Moone with Wawa. There is an additional lot, undetermined use, with storm water basin. Access would be from Earlywood Drive to an internal road and also from Sloan Drive. Wawa's drive will also pick up the school in their rezoning. There will be one entrance at the southern end of Earlywood Drive to create a combined entrance. They will extend the sanitary sewer to the north where water is already available. There will be some roadway improvements on Earlywood Drive for passing blisters. Mr. Hanson reviewed the decision criteria.

1. Comprehensive Plan – They meet the plan.
2. Current Conditions – The building will follow within the conditions set forth.
3. Desired Use – They believed Wawa to be a great fit to the community as far as services offered to residents on their way to and from work.
4. Property Values – They will not go down with this use in a commercial area.
5. Responsible Growth – They believe this to be a great use and a use that will benefit Franklin and its residents.

Mr. Hanson added that it is proposed to be a 6,300 square foot store with a pick up window for mobile ordering. Ms. Nalley asked what type of food. It is made-to-order hoagies and breakfast sandwiches predominantly along

with coffees and drinks. There are eight pumps for 16 stations for the fueling station. The gas canopy is sloped, rising up towards the store. Site lighting meets the photometrics. There is no menu board or on-site drive-through ordering. There will be future charging stations through Tesla on the east side.

Ms. Haltom asked how many employees were anticipated. Mr. Moone responded typically between 35 and 50 part-time and full-time employees. The operation is 24/7 with three to five employees at any one time. Morning and evening rush hour times could staff up to nine at one time. It is larger than a Village Pantry. There is nothing comparable to Wawa in the current market. The Midwest is Wawa's next expansion area. Wawa began as a dairy store and moved in to the deli market with a kiosk inside the store where a full made-to-order menu for breakfasts, lunches and suppers can be ordered including specialty drinks. There is also a self-service coffee bar.

Attorney Gray sought confirmation that petitioner could comply with all the components of the Gateway Overlay, and Mr. Moone definitively affirmed. All stores are company owned. There are no franchises. All employees end up owning a share of the company through their employee stock program. Every seven to 10 years Wawa does a complete refresh and remodel of their stores. Mr. Moone is the project engineer for Indiana.

Mr. Gabehart opened a public hearing. Mayor Barnett asked if they will do catering. Mr. Moone assured they will. People will be coming in to the area in November to begin hiring and training with a store opening in May. The public hearing was closed.

Ms. Tennell gave staff's recommendation that a favorable recommendation be forwarded to City Council. Ms. Nalley made a motion to forward a favorable recommendation to City Council. Mr. Carson seconded. Passed unanimously, 9-0.

Other Business

Approval of 2025 PC Calendar of Meeting Dates – Mr. Martin moved for approval. Ms. Haltom seconded. Passed unanimously, 9-0.

Adjournment

There being no further business, the meeting was adjourned.

Respectfully submitted this 17th day of December, 2024.

Norm Gabehart, President

Jim Martin, Secretary