



PLANNING COMMISSION

Wednesday, December 11, 2024, at 5:30 PM

1 Benjamin Franklin Way Franklin, Ohio 45005

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CLERK'S JOURNAL

1. CALL TO ORDER

The meeting was called to order at 5:34 PM.

2. ROLL CALL

Present: Dr. Sarah Nathan, Paul Ruppert, Christine Pirot, David Hopper, Mayor Brent Centers, Jason Hall

Absent: Brian Rebholtz

Staff: Jonathan Westendorf, Liz Fields, Cindi Chibis

Guests: Tasha Walton, Rod Litteral

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jason Hall.

4. APPROVE THE CLERK'S JOURNAL AND ACCEPT THE TAPES AS THE OFFICIAL MINUTES

The Clerks' Journal was approved, and the tapes were accepted as the official minutes of the November 11, 2024, meeting.

Motion made by Ruppert, Seconded by Dr. Nathan.

Voting Yea: Dr. Nathan, Ruppert, Chair Hopper, Hall

Voting Abstaining: Pirot, Mayor Centers

5. OATH OR AFFIRMATION

The Oath was issued to all guests.

6. OLD BUSINESS

7. NEW BUSINESS

A. PC 24-18 Conditional Use Permit Application - 515 S. Main Street - Serenity Nail Salon - The applicant, Tasha Walton, is proposing to open a personal service use (nail salon) in an existing multi-tenant commercial building located at 515 S. Main Street. The subject property is zoned DC-1, Downtown Core District, and personal services are a Conditional Use in that zoning district.

Referring to the corresponding Staff Report and a detailed Power Point slide deck, Liz Fields shared site photos and floor plans, and led a review of each Conditional Use General Standard for Approval as applied to PC 24-18. No concerns or issues related to conformance with the General Standards were noted.

Fields then led a detailed review of each Specific Standards for Personal Services as applied to PC 24-18. No concerns or issues related to conformance with the Specific Standards were noted.

Fields reminded Commission members that a Conditional Use Permit may not be granted unless the Planning Commission finds it meets the General Standards for Approval and the Specific Standards for Approval.

The Chair opened public comment on PC 24-18 at 5:44 PM.

Rod Litteral owner of the building in question, approached the podium, stated his address, and confirmed that he had been sworn in. He confirmed his support of the Conditional Use Application for the nail salon and offered to answer any questions.

Pirot asked if there were known tenants for the other half of the building.

Litteral explained that he is actively seeking tenants to open a business that is similar in nature to the nail salon to occupy the remainder of the building.

Dr. Nathan asked if the proposed hours are restrictive, or if the hours of operation could be extended at the applicant's discretion based on business needs.

Tasha Walton, applicant, approached the podium, stated her address, and confirmed that she had been sworn in. She thanked Dr. Nathan for her question and confirmed that the salon may need to extend hours during the holiday season in order to meet service demands.

Fields confirmed that these hours serve as a general guideline and may occasionally be altered without concern.

Walton added that as her clientele increases, she hopes to hire additional staff, increase the number of manicure tables, and expand into the remaining available building space.

Hopper complimented the thoroughness and quality of the Application. He closed public comment on PC 24-18 at 5:47 PM and invited additional Committee discussion.

Mayor Centers requested and received confirmation that the moratorium does not apply to the Downtown District and therefore has no bearing on the Conditional Use Application as presented.

Hearing no additional discussion, Hopper called for a motion to approve PC 24-18 Conditional Use Permit Application

Motion to approve made by Hall, Seconded by Dr. Nathan.

Voting Yea: Doctor Nathan, Ruppert, Pirot, Hopper, Mayor Centers, Hall

B. PC 24-19 Amendments to the Municipal Code - The City of Franklin is proposing amendments to the City's Municipal Code Section 1111.08 Signs. The City is requesting that the Planning Commission approve a motion to initiate a text amendment to the City's Unified Development Ordinance (UDO) under Section 1115.04 of the Unified Development Ordinance.

The Chair opened discussion on PC 24-19 and on PC 24-20 as a companion issue at 6:01 PM. None asked to be heard. He acknowledged that PC 24-19 and on PC 24-20 will require separate votes and confirmed that PC 24-21 (Fee Schedule) will be addressed as a separate discussion item.

Referring to a detailed staff report and a supplemental Power Point, Fields provided a detailed review of the proposed amendments including new regulations for signs not previously contemplated in the code, the consolidation of similar sign regulations, and general revisions which aim to increase the accessibility of the sign regulation for both staff and the public.

Fields stated that based on the discussion at the November Planning Commission meeting the following changes were made:

- Internal and external illumination is now permitted for directional signs.
- Murals are now permitted in industrial districts and approval standards were added.
- A 30-day time limit was added for temporary single-family residential signage.
- The only temporary sign which now requires a permit is a banner sign.

Fields provided an overview of the proposed Mural Location, Design and Material Standards, and the proposed Text Amendment Review Criteria.

Mayor Centers asked how signs on entrance and exit ramps are addressed in the proposed revisions.

Fields confirmed that signs in the public right-of-way are prohibited.

Westendorf explained that the City uses a progressive responsive process to address public right-of-way signage including warnings, removal, and fines.

Ruppert requested and received confirmation of a 30-day limit for yard signs. He asked if the 30-day limit applies to political signs.

Westendorf confirmed that the City does not regulate signs based on content. The exception is for political signs which are exempt from City regulations. Stating that under the advisement of legal counsel, political signage cannot be regulated.

The Chair opened and closed public comment on PC 24-19 and on PC 24-20, at 5:57 PM, as none asked to be heard.

Hearing no further discussion, the Chair called for a motion to initiate a text amendment to the City's Unified Development Ordinance (UDO) under Section 1115.04 of the Unified Development Ordinance.

Motion made by Dr. Nathan, Seconded by Hall.

Voting Yea: Dr. Nathan, Ruppert, Piro, Hopper, Mayor Centers, Hall

C. PC 24-20 Amendments to the Municipal Code - The City of Franklin is proposing amendments to the City's Municipal Code Chapter 1103 of the Municipal Code. The City is requesting that the Planning Commission approve a motion to initiate a text amendment to the City's Unified Development Ordinance (UDO) under Section 1115.04 of the Unified Development Ordinance at this time.

In addition to the amendments to Section 1111.08 of the Municipal Code, it is also contemplated that the definitions pertaining to signs in Chapter 1103 will need to be updated as well in order to properly define the new sign types and ensure that the existing definitions are not in conflict with the proposed regulations.

Fields explained that the proposed amendments include changes to definitions pertaining to signs and ensure that the definitions are consistent with the proposed regulations. The proposed sign definitions and the accompanying visual reference of each sign type was reviewed. She pointed out that the definition of a Vehicle Signs was modified.

No questions nor concerns were noted.

Motion made by Dr. Nathan to initiate a text amendment to the City's Unified Development Ordinance (UDO) under Section 1115.04 of the Unified Development Ordinance, Seconded by Pirot.
Voting Yea: Doctor Nathan, Ruppert, Pirot, Hopper, Mayor Centers, Hall

D. PC 24-21 - Amendments to the Municipal Code - The City of Franklin is requesting an amendment to the City's Municipal Code Section 1105.09 Fees.

Fields explained that the City is proposing an updated fee schedule for the City's planning and zoning related applications. She confirmed that the current fees were reviewed against peer cities including Lebanon, Middletown, Mason, etc., to determine if current fees were comparable. Fields stated that overall, Franklin's fees are lower than other communities.

Fields reviewed the proposed fee schedule changes in detail. She shared the research completed to support the recommended changes and explained that the proposed changes are a starting point for discussion. She confirmed that to ensure Franklin's fees are fair to the residents, developers, and City employees the proposed increases remain equal to or less than the peer cities. Fields walked through the Text Amendment Review Criteria.

The Chair opened and closed public comment at 6:10 PM, as none asked to be heard, then moved to Committee discussion.

Mayor Centers asked how the peer cities were selected.

Committee members engaged in discussion regarding the pros and cons of removing the Fee Schedule from the UDO. Committee members acknowledged that while its removal would lead to a small loss of control for the Planning Commission, it could also make the City more flexible in making necessary revisions and could be automatically integrated into the annual COLA increase process.

After discussion related to the potential financial impact on applicants and the City, a consensus was reached to remove the proposed \$5,000 maximum fee for a Planned Unit Overlay District (PUD) Preliminary Development Plan.

Westendorf reminded Commission members that Conditional Use Applications provide the City with the discretion to prevent duplicate business, as market saturation can be argued at some point. He confirmed that the City is trying to diversify business downtown and he is confident this will come with time.

Mayor Centers emphasized that the Fee Schedule should not be designed to encourage or discourage certain types of development. Instead, such fees are a way to recoup a small portion of the administrative costs associated with reviewing and processing development proposals. He stated that he feels that the fee chart as proposed is fair.

The Chair asked for a recommendation of the proposed amendments to Section 1105.09 Fees of the City's Municipal Code with removal of maximum fee for a PUD Preliminary Development Plan.

Motion made by Doctor Nathan, Seconded by Hall.
Voting Yea: Doctor Nathan, Ruppert, Pirot, Hopper, Mayor Centers, Hall

8. DISCUSSION

Overview discussion of upcoming text amendments to the City's Municipal Code resulting from the Moratorium on property along the State Route 73, State Route 123, and Dixie Highway corridors.

Westendorf reminded Commission members that on September 16, 2024, City Council established the 120-day moratorium on the issuance of zoning permits and approvals for new development along State Route 123, State Route 73, and Dixie Highway. On December 2, 2024, City Council extended the moratorium for an additional 90 days to allow adequate time for the UDO amendments to be drafted. The

City plans to present the text amendments to Planning Commission at the January meeting to initiate the adoption process. He further explained that City Council will read the proposed amendments into the record during the January 22nd Council meeting, with a vote to follow at the February 3rd Council meeting, for an effective date of March 5, 2025, thus terminating the moratorium.

Westendorf stated that text amendments may be in excess of 100 pages and will require time to review. Accordingly, he suggested that the Planning Commission consider delaying the January meeting or holding one additional January meeting (January 8 and 15) to ensure ample time to review and discuss proposed revisions.

Fields explained that amendments are designed to improve ease of use, remove duplication, ensure consistency, and consolidate information into efficient table formats where possible. Proposed revisions will include Chapter 1107 Districts and Land Use Standards (zoning district regulations, consolidated use table, use specific standards—principal and accessory, dimensional standards, measurements, lot requirements and downtown district design standard); Section 1111.07 Off-Street Parking and Loading Requirements (consolidated parking requirement table, administrative modifications of parking requirements, stacking space regulations); Chapter 1103 Definitions (removes antiquated definitions, includes updated use definitions); and Chapter 1107 Districts and Land Use Standards (1113.02 Sexually Oriented Businesses, 1113.03 Home Occupations, 1113.05 Accessory Structures and Uses, 113.06 Industrial Performance Standards, 1113.07 Supplementary Regulations).

Westendorf confirmed that these changes are needed prior to lifting the moratorium. He explained that some districts, such as the historic overlay district, will be carved out for purposes of this review and be addressed at a later date.

Westendorf shared that last Saturday's *Franklin In Lights* celebration was a wonderful success. He celebrated the large turnout as well as the enthusiastic support of the holiday windows, lights, music, food and entertainment. He thanked members of the Planning Commission for their support and commitment to making the City's plan a reality.

9. ADJOURNMENT

The meeting was adjourned at 6:55 PM.

Motion made by Pirot, Seconded by Ruppert.

Voting Yea: Doctor Nathan, Ruppert, Pirot, Hopper, Mayor Centers, Hall