



# PLANNING COMMISSION

Wednesday, May 08, 2024 at 5:30 PM

1 Benjamin Franklin Way Franklin, Ohio 45005

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## CLERK'S JOURNAL

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### 1. CALL TO ORDER

The meeting was called to order at 5:30 PM.

### 2. ROLL CALL

Present: Dr. Sarah Nathan, Paul Ruppert, Christine Pirot, David Hopper, Jason Hall, Brian Rebholz  
Absent: Mayor Brent Centers,  
Staff: Liz Fields, Barry Conway, Jonathan Westendorf, Ben Yoder, Cindi Chibis  
Guests: Billy Estes, Gary Lee, Tony Lee, Gary D. Lee, Cathy Fisher, Robert Fisher Sr., Adam Berner, Russell Miller, Kelli Fromm, Dr. Michael Sander

### 3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Rebholtz.

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

The Clerk's Journal was accepted as the official minutes of the April 10, 2024, meeting.

### 5. OATH OR AFFIRMATION

The Oath was administered to all guests.

### 6. OLD BUSINESS

### 7. NEW BUSINESS

**PC 24-06 Major Subdivision Application - Sixth Street & Riley Blvd., Final Plat** - The City of Franklin is requesting approval of a proposed major subdivision for a lot combination and right-of-way dedication to facilitate future development of the vacant land located along Sixth Street & Riley Blvd. This property is located in the MU-1 zoning district.

Ms. Fields explained that Major Subdivision Application proposes the replat of Lots 596 through 601 and part of Lots 602 and 603 along Sixth Street and Riley Boulevard into one lot that will be approximately 0.8907 acres as well as the dedication of approximately 0.0873 acres along Sixth Street and Riley Boulevard as public right-of-way. Fields confirmed that staff recommends approval of the lot combination and right of way dedication.

Hopper invited questions from the Commission. Hearing none, the Chair opened the floor for public comments.

Robert L Fisher approached the podium, provided his address, and confirmed that he had been sworn in. Fisher explained that he has lived at his home for 49 years and is concerned that he will lose access to his property if the Major Subdivision is approved.

Franklin City Engineer, Barry Conway, reassured Fisher that unrestricted access will remain at the back of the lot through the asphalt alleyway.

Fisher thanked the City for the reassurance.

Hearing no additional public comments, Hopper called for a motion.

Motion to accept the Major Subdivision as proposed, made by Ruppert, Seconded by Rebholz.  
Voting Yea: Doctor Nathan, Ruppert, Pirot, Hopper, Hall, Rebholz  
Motion passed.

**B. PC 24-07 - Major Site Plan - 650 Harrison Avenue** - The applicants Gary D. Lee and Tony D. Lee with Redemption Pentecostal Church, are requesting approval of a major site plan to construct an addition to their existing church located at 650 Harrison Street. This property is located in the TN-1 zoning district.

Fields explained that the proposed site plan includes the development of the building addition located at the front of the existing church facility. The proposed building addition will allow the church to expand their main auditorium by approximately 700 square feet while also providing two ADA accessible bathroom facilities and a Fellowship Hall.

Fields stated that additional landscaping is not proposed as part of this major site plan, as the existing landscaping and buffering was approved as part of a minor site plan in 2023.

Fields explained that with the building addition, the total number of parking spaces required under the UDO is 23 spaces. A total of 19 spaces are proposed as the existing parking lot will be restriped and reconfigured to accommodate the building addition. Fields explained that due to the irregular lot shape and configuration, it would not be feasible for the applicant to meet the parking requirement under the UDO. For this reason, along with the availability of on-street parking along Harrison Avenue, staff recommends that the Planning Commission consider waiving the parking requirement as authorized under Subsection 1107.11(g)(4).

Fields further explained that the design of the addition differs from the existing block building by incorporating light gray vinyl siding along the left, right, and rear elevations and gray brick along the front elevation. The front elevation, which will contain the new entrance for the church, also includes a decorative arched entryway that is mirrored by a similarly styled window to the right of the entrance. Additional ornamentation is included in the form of projecting brick bump outs along the corners of the front elevation that wrap around to the left and right elevations. Fields stated that while vinyl is not permitted as a siding material in the Downtown Districts, the majority of the vinyl is located on the right and rear elevations which are not visible from the right-of-way, and the majority of the left elevation which does face the right-of-way will consist of block. Staff believes that the applicant has largely met the intent of the design standards for the Downtown Districts and the design is consistent with the existing character of the area. As such, staff recommends that the Planning Commission consider waiving the materials requirements as authorized under Subsection 1107.11(d)(7). In summary staff recommends that the Planning Commission approve the Major Site Plan as presented.

Hopper thanked Fields for the information and opened the floor for public comment.

Gary Lee approached the podium, provided his address, and confirmed that he had been sworn in. He stated that the Church is proposing the building addition to allow expansion of the main Fellowship Hall and to provide two ADA accessible bathroom facilities. He also agreed to consider using something other than vinyl on the exterior if needed.

Ruppert complimented Lee on the Church's remarkable job they have done on the renovation and clean-up of the property. Ruppert said that they should be very proud of what they have accomplished.

Hopper asked if the combination of parking in the Church lot and on-street parking is sufficient to accommodate all parishioners.

Lee stated that the parking lot has not yet been filled during a service, and that there is plenty of additional on-street parking available.

Hopper stated that he personally was inclined to provide the requested flexibility regarding parking and use of vinyl on the exterior, noting that the Church Building is on the fringe of the Downtown District.

Rebholtz agreed with Hopper stating that he fully supports the application and is comfortable approving exceptions for parking and use of vinyl on the exterior of the building as proposed.

Hearing no additional discussion, Hopper called for a motion.

Motion to accept the Major Site Plan as proposed made by Piro, Seconded by Hall.

Voting Yea: Doctor Nathan, Ruppert, Piro, Hopper, Hall, Rebholz.  
Motion passed.

**PC 24-08 Major Site Plan Revision - Franklin High School Parking Lot** - Parcels #0431178001, 0431178011, 0431178010, and 0431178003 (140 East 6th Street). The applicant, SHP c/o Mark Demko is requesting approval of a major site plan revision to PC 22-02 in order to demolish the existing 89 space parking lot located to the northwest of the school along parcels #0431178003, 10, & 11 and construct a new 96 space parking lot predominately on parcel #0431178001 and abutting East 6th Street and Anderson Street. This property is located in the MU-1 & CV-1 zoning districts.

Fields explained that the proposed revision rotates the existing parking lot 90 degrees and provides a net increase of six standard parking spaces and one accessible parking space. At this time, no other development is proposed on parcel #0431178003 which will be left as open space. Access to the proposed parking lot will utilize the existing drives along East 6th Street and 7th Street. Fields said that the applicant has not provided information regarding the need to demolish the existing parking facilities and reconstruct them along East 6th Street other than stating that it is to serve the high school.

Fields said that the proposed landscaping plan includes perimeter buffering landscaping along East 6th Street and Anderson Street in the form of evergreen shrubs as well as a four-foot-high decorative metal fence with masonry piers that will match the color and style of the high school. The interior of the parking lot is proposed to contain landscaped islands which include low deciduous shrubs and large deciduous trees.

Fields confirmed that the proposed parking area increases the number of parking spaces over that which was approved by the Planning Commission in PC 22-02 to provide seven additional parking spaces. She stated that the applicant has not provided information regarding the need for additional parking spaces or why the reconfiguration of the parking lot is necessary.

Fields said that significant changes to major site plans must comply with all applicable UDO requirements. Section 1107.11 of the UDO deals with downtown zoning districts and states the intent and purpose of the downtown districts is “to implement the vision and recommendations of the Downtown Franklin Master Plan.” The proposed revision to construct a parking lot that abuts East 6th Street and Anderson Street does not conform with the recommendations of the Downtown Franklin Master Plan which discourages street front parking as a high priority action item for the Mixed-Use Area. Mixed Use Areas are envisioned to be dynamic, walkable districts that include a variety of uses which provide an attractive and engaging gateway into Downtown Franklin. The parking lot at the proposed location does not support this vision.

Fields stated the Franklin Fire Division has requested that the new drive be widened to allow adequate space for fire aerial apparatus set up and passage, as well as sufficient space in the collapse zone in the area of the auxiliary gymnasium.

Fields summarized that staff recommends denial of the Major Site Plan revision for the following reasons:

1. The applicant has not provided sufficient information regarding the need for a parking lot revision that is counter to the recommendations of the Downtown Franklin Master Plan for an increase in seven parking spaces.
2. The applicant has provided no information on the proposed use of the remainder of the parcel #0431178001. Staff requests that the applicant provide additional context to how the remainder of the site is to be developed.

Hearing no questions from Commission members, Hopper opened the floor for public comment.

Dr. Michael Sander, Russell Miller, Kelly Fromm, and Adam Berner approached the podium, introduced themselves, provided addresses, and confirmed that each had been sworn in.

Miller opened discussion with a brief history of the original major site plan approved in 2022.

Dr. Sander explained that the primary focus of the proposed plan revision is not increased parking, but instead improved use of green space for multi-purpose school needs, and improved student safety along 6th street.

Pirot suggested that there may be other creative ways to ensure student safety with the current parking design, such as increasing landscape and/or hardscape buffers. She asked what the school's original plan for outdoor activities was.

Dr. Sanders stated that there was a recognition with the original plan that the school would have limited green space for outdoor activities.

Fromm explained that since the original design was approved, the school purchased additional property including the prior Save-A-Lot property, which has impacted plans.

Hopper asked about the planned width of 6th street and questioned if/how the street widening may impact the proposed design and require further property alterations and expense for the school.

Pirot said that she appreciates the amount of time the City has put into the Downtown Plan. She also recognized the time and work that the school has put into the new building project. Pirot challenged the school to explore alternative solutions that are not in conflict with the Downtown Plan.

Yoder stated that Major Site Plan applications are required to include recreational plans for green spaces. This includes detailing specific activities which help define buffer requirements. These details were not included in the Plan currently under consideration.

Fromm stated that the green space would be used as a multi-use grass field for a wide variety of activities, including but not limited to, band practice, soccer, and peewee football.

Pirot commented that she would not feel comfortable voting on use of the space for loud band activities without first inviting comments from the immediate neighbors.

Hearing no other questions, Hopper closed the floor for public comment.

Hall asked for clarification on the Fire Dept concerns such as widening the drive and ensuring adequate clearance for the collapse zone.

Fields confirmed that approval of the Major Site Plan application could be contingent upon compliance with all Fire Department requests.

Ruppert asked if the proposed use of the green space and parking changes are fully compliant with applicable zoning requirements.

Yoder complimented Ruppert for his question and responded that under the UDO the multiuse field would be considered an accessory use to the school. He pointed out that the field in question is located in two separate zoning districts. Yoder cautioned Commission members that approval for prohibited use under the UDO could not reasonably be granted.

Hopper asked if the Planning Commission was being asked to approve something that was not permitted in the zoning district.

Yoder explained that parking is a permitted use to support the adjoining property, but the question of use of the green space required additional consideration and review.

Hearing no further discussion, Hopper called for a motion.

Motion made by Hall to approve the Major Site Plan as proposed on the condition that all Fire Department requests are fully addressed. Seconded by Hopper.

Voting Yea: Hopper, Hall.

Voting Nay: Doctor Nathan, Ruppert, Pirot, Rebholz

Motion failed.

Yoder reminded Planning Commission members that since the motion failed, additional action on the application was required.

Yoder said that the endgame may be to rezone the totality of the property. Stating that rezoning may be the only way to fully resolve the issue long term. In the short term, because the motion to approve the application failed, the remaining options include a motion to deny the application, or a motion to table the decision and invite the applicant to make changes and reapply.

Based on the options presented, Pirot made a motion to table the issue to encourage the applicant to reconsider how the lot could be changed to address the school's needs, while still complying with the spirit of the Downtown Master Plan within the parameters of the Zoning Code. Pirot encouraged the school and the City to continue to work together to find an agreeable solution.

Seconded by Dr. Nathan  
Voting yea: Hall, Rebholz, Dr, Nathan, Pirot,  
Voting Nay: Ruppert, Hopper  
Motion passed.

## **8. DISCUSSION**

Dr. Nathan announced that Middletown Community Foundation has committed to a \$10,000 grant to help Franklin renovate the old log cabin.

Westendorf thanked Dr. Nathan for sharing the good news. He told the Commission that the addition of the Slipcast Brewery in Franklin has created excitement and spurred additional development in the City. He said that he expects the Planning Commission will receive a Major Site Plan application for residential development in the near future. Westendorf announced that he and Mayor Centers will be traveling attending ICSC Las Vegas, May 19-21, 2024, to work with industry experts to drive retail, restaurant, and other commercial real estate development in Franklin. He shared that City Council members received a presentation on a merchandising plan and approved the Reinvent Franklin 2040 Comprehensive Plan at their May meeting. Westendorf closed his comments by expressing appreciation of the support and time that the Planning Commission continues to provide the City.

## **9. ADJOURNMENT**

Hopper called for a motion to adjourn.

Motion made by Doctor Nathan, Seconded by Ruppert.  
Voting Yea: Doctor Nathan, Ruppert, Pirot, Hopper, Hall, Rebholz  
Meeting adjourned at 7:11 PM.