



# PLANNING COMMISSION

Wednesday, October 09, 2024 at 5:30 PM

1 Benjamin Franklin Way Franklin, Ohio 45005

[www.FranklinOhio.org](http://www.FranklinOhio.org)

## 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 Piro, David Hopper, Mayor Brent Centers, Jason Hall, Brian Rebholz

Staff: Jonathan Westendorf, Liz Fields, Cindi Chibis

Guests: Dustin Bailey, Matt Allen, Brian Quinn, Jeff Baumgardner, Antonio Pagano, Orfeo Finocchi, Mark Garrett

### 3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Centers.

### 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 September 11, 2024, meeting.

Motion made by Hall, Seconded by Dr. Nathan.

Voting Yea: Dr. Nathan, Ruppert, Piro, Hopper, Hall, Rebholz

Voting Abstaining: Mayor Centers

### 5. OATH OR AFFIRMATION

The Oath was issued to all guests.

### 6. OLD BUSINESS

- A. PC 24-08 Major Site Plan Revision - Franklin High School Parking Lot -** Parcels #0431178001, 0431178011, 0431178010, and 0431178003 (140 East Sixth Street). The applicant, SHP c/o Mark Demko, on behalf of Franklin City Schools, 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 Sixth Street and Anderson Street. This property is located in the MU-1 & CV-1 zoning districts. (This Item to Remain Tabled.)

Hopper acknowledged that PC 24-08 Major Site Plan Revision - Franklin High School was to remain tabled and asked about the reasonableness of retaining the items on future agendas.

Westendorf will request that the school voluntarily withdraw the item from the agenda and resubmit a Major Site Plan Revision under the updated Zoning Code.

## 7. NEW BUSINESS

- A. **PC 24-16 Major Site Plan - 5000 Commerce Center Drive, Modula** - The applicant, MV Commercial Construction, LLC, is requesting approval of a major site plan to construct a 170,000 square foot building addition to the existing Modula facility.

Fields explained that the proposed site plan includes the development of the building addition located at the north end of the existing facility. The purpose of the proposed building addition is to consolidate their off-site warehouse and distribution operations that are currently located in a leased facility outside of the area. Additional loading docks are proposed to support the building expansion.

*Landscape Plan:* Fields reviewed the landscape plan explaining that additional landscaping is proposed as part of this major site plan which includes interior parking lot landscaping, increased buffer yard landscaping, and building foundation plantings along the expansion. While the interior parking lot landscaping requirements and building foundation requirements are not fully met by the proposed landscaping plan. Fields stated that staff believe that the site is appropriately landscaped due to the location of the expansion, which will not be readily visible from the public right-of-way, the increase in buffer yard plantings, as well as the planting of the trees along the foundation. As such, staff recommends that the Planning Commission consider waiving the landscaping requirement as authorized under Subsection 1111.06(m).

*Parking Plan:* Fields reviewed the parking plan explaining that with the building addition a total of 226 parking spaces are required. She stated that the applicant is providing 233 parking spaces, confirming that the parking requirements have been met.

*Lighting:* A lighting plan was submitted by the applicant which indicates that there will be little if any light intrusion on adjacent properties. While the types of lights were included in the photometric plan, the sample cut sheets for the new lights were not included. As a condition for approval staff recommend that the Planning Commission require the applicant to submit the cut sheets for staff review and approval.

*Building Design:* Fields confirmed that the applicant is proposing to continue the barrel roof in an effort to build off of the existing architectural features. While the proposed building design does not fully meet the exterior façade design standards, the addition will have minimal visibility from the public right-of-way other than from I-75 which will contain the continuation of the barrel roof. As such, staff recommends that the Planning Commission consider waiving the materials requirements as authorized under Subsection 1115.08(h)(2)(A).

*Variance:* The applicant will need to apply for a variance for building height as the maximum allowable height in the I-1 District is 45 feet and the proposed addition's maximum height is 63 feet.

Fields reviewed the Site Plan Standards for Approval and reminded Commission members that the Major Site Plans shall only be approved if the Planning Commission finds that all applicable standards are met. She confirmed that the applicant has requested waivers for the requirements not met and will request a variance from the Board of Zoning Appeals for the building height.

She concluded with a recommendation that the Planning Commission conditionally approve the Major Site Plan with the requested waivers with the following conditions:

1. The applicant shall apply for a variance for maximum building height.
2. The applicant shall comply with the comments for the City of Franklin Fire Department.
3. The applicant shall comply with any comments for the City of Franklin Engineer.
4. The applicant shall provide sample cut sheets for all lighting fixtures to staff for review and approval.

Hopper opened staff comments and noted that reoccurring waivers may be more effectively addressed through Code changes. He provided samples of frequently requested waivers for items such as building facades, additions and renovations, as well as items related to distinctions between industrial, commercial and residential properties.

Hopper opened public comment at 5:54 PM.

Mr. Dustin Bailey approached the podium, provided his address of 9349 Water Stone Blvd, Cincinnati, Ohio 45249, and confirmed that he had been sworn in. He answered questions from Commission members related to the height of the building and the primary use of the building's rear entrance. He confirmed that the rear entrance was currently located in Franklin Twp and expressed interest in annexing that parcel of land into the City of Franklin.

Hopper closed public comment at 5:59 PM.

Hearing no further discussion nor objections, the Chair called for a motion to approve Major Site Plan PC 24-16 with the appropriate waivers, conditional upon compliance with all staff recommendations, and with a recommendation of approval to the Board of Zoning Appeals for building height.

Motion made by Mayor Centers, Seconded by Dr. Nathan.

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

Motion passed.

- B. PC 24-17 - Initiation of Amendments to Code** - The City of Franklin 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. Section 1115.04(b)(1) permits text amendments to be initiated by, *"the adoption of a motion by the Planning Commission"* or by *"the adoption of a motion by Council and referral to the Planning Commission."*

The City of Franklin is specifically requesting the Planning Commission to consider are the following amendments to Table 9: Uses in the Office Districts:

- Changing "Elementary Schools" from permitted to conditional in the O-I Office and Institutional District.
- Changing "Junior and Senior High Schools" from permitted to conditional in the O-I Office and Institutional District.

Fields reminded Commission members that currently "Elementary Schools" and "Junior and Senior High Schools" are conditional uses in the districts in which they are permitted except for

the O-I District where they are a permitted use. Due to the nature of these uses, the City believes that they are more appropriately permitted as conditional in the O-I District.

Westendorf explained that as a conditional use in the O-1 district, schools will fall under increased scrutiny by the Planning Commission, and will be subject to discretionary review to ensure compliance with all applicable Standards For Approval, increasing accountability.

Hopper opened and closed public comment 6:07 PM, as none asked to be heard.

Mayor Centers stated that the change will provide continuity among Franklin schools, as most Franklin schools are currently located in the O-I district.

Westendorf confirmed and reviewed the City zoning map showing all O-I districts.

Reinholtz noted that colleges and universities also fall under the same provision of the Code.

Hopper made a motion to recommend to City Council approval of the requested text amendments to Section 1115.04 of the Unified Development Ordinance (UDO). Seconded by Dr. Nathan.

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

Motion passed.

## 8. DISCUSSION

- A. Discussion Item - Amendments to Municipal Code** - The City of Franklin is proposing amendments to the City's Municipal Code Chapter 1103 of the Municipal Code. At this time the item is being brought forward for discussion to share the proposed changes with the Planning Commission. The City is not 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.

The Chair stated that discussion items A and B regarding amendments to Chapter 1103 (Signs) of the Municipal Code, would be handled as a single agenda item.

- B. Discussion Item - Amendments to Municipal Code** - The City of Franklin is proposing amendments to the City's Municipal Code Section 1111.08 Signs. At this time the item is being brought forward for discussion to share the proposed changes with the Planning Commission. The City is not 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.

Fields explained that the City of Franklin is proposing changes to meet the intent and purpose of the Municipal Code through amendments which include 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 provided a high level overview of the City's proposed changes to sign types and definitions, and provided supportive visual references. She asked that Commission members closely review the proposed amendments and forward questions/comments. She offered to hold a working session to aid the review process, if helpful, and explained that once the proposed amendments are finalized, they will be presented for Council consideration.

Westendorf said that the City's current sign code is a point of contention for both administration and for prospective businesses. He confirmed that City staff members spend an inordinate amount of time interpreting and applying the Sign Code. He stated that there is a need to revise the Code to make it more business and user friendly.

Mayor Centers asked if yard signs, including political signs, were addressed in the proposed amendments.

Fields explained that cities generally cannot regulate the content of signs, stating that content-based sign regulations are regularly viewed by the courts as unconstitutional for both commercial and noncommercial signs. Proposed amendments are designed to be content-neutral.

Westendorf recognized the complexity of the sign code and discussed the challenge of striking the right balance between artistic creativity and uniformity. He also emphasized the focus on design quality within the proposed amendments.

Discussion related to the sign quality, temporary signage, A-frame sidewalk signs, window signs, banners, murals, and duplication within the proposed amendments, ensued.

Hopper encouraged Commission members to review the amendments closely and come prepared to discuss in detail at the next meeting.

- C. Discussion Item – City Manager Update** – Westendorf shared that things are generally progressing on schedule downtown. However, there will be an unavoidable delay in the installation of the Downtown Chandelier, causing a delay in the grand celebration.

Westendorf stated that on September 16, 2024, City Council established a moratorium on the issuance of zoning permits and approvals for new development along State Route 73, State Route 123 and Dixie Highway corridors for a period of 120 days. The Moratorium excludes downtown development.

## **9. ADJOURNMENT**

The meeting was adjourned at 7:03 PM.

Motion made by Hall, Seconded by Pirot.

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