

**Minutes**  
**Franklin-Simpson Planning & Zoning Commission**  
**Tuesday, March 5, 2024, 6:30 pm.**  
**City Commission Meeting Room**  
**117 West Cedar Street, Franklin, KY.**

Members in Attendance: Madam Chair Debbie Thornton, Justin Henninger, Chad Konow, Ronnie Stilts, Derrick Kepley, John Mayeur and George Weissinger.

Members Absent: Gary Sliger.

Others Present: Robert Link, Carter Munday, Mikala McClain, April Pearson, Kelly Gregory, JD Carver, Darrel Sueets, Josh Jones, Mary Cook, Charles R. Mayes, Debbie Hall, Faye Forshee, Amdanda East, Megan Kepley, Kyle Kepley, Scott Randolph, Jace Caldwell, and Rachel Jarvis.

Madam Chair Debbie Thornton called the meeting to order at 6:30 p.m. Justin Henninger opened with prayer.

A motion was made by Derrick Kepley and seconded by John Mayeur and Justin Henninger to approve the February 20, 2024, meeting minutes. All members voted in favor of the motion.

**J. Jones Builders presented a final development plan for Drakestone Apartments located at the corner of HWY-1008 and Kenneth Utley Drive.**

Jace Caldwell, engineer for the project, stated that this development will have 144 units that are a 16-plex style which is different from the 8-plex style that was presented originally. Mr. Caldwell stated that this layout will allow for more 2-bedroom units. Mr. Caldwell went on to say that there will also be a clubhouse, pool, and garages; furthermore, that they added a buffer to 3 sides of the property.

Madam Chair Debbie Thornton inquired about the number of entrances to the property. Jace Caldwell informed her that there will be 2 entrances both located on Kenneth Utley Drive and that they are making improvements to Kenneth Utley Drive by widening it and adding a turning lane. Madam Chair Debbie Thornton also inquired about a mail kiosk. Mr. Caldwell answered that there will be mailboxes located inside the clubhouse.

Carter Munday stated that the project meets all the zoning regulations, and that Mr. Caldwell is working with Richard Jones, City Engineer, to work out any concerns.

Derrick Kepley inquired if they added 1 trash collection for each unit. Mr. Caldwell confirmed that they did.

A motion was made by John Mayeur and seconded by Derrick Kepley to approve the final development plan presented by J. Jones Builders for Drakestone Apartments located at the corner of HWY-1008 and Kenneth Utley Drive. All members voted in favor of the motion.

**Chris Robertson presented a final development plan for Franklin Flex Space located at 104 State Street.**

Jace Caldwell, engineer for the project, stated that they added storefront windows and doors to the building as the board had requested. Mr. Caldwell also informed the board that he spoke with Richard Jones, City Engineer, and they were able to come up with a buffer and screening that would be suited for the property given that the rear is a basin.

A motion was made by Derrick Kepley and seconded by Chad Konow to approve the final development plan presented by Chris Robertson for Franklin Flex Space located at 104 State Street. All members voted in favor of the motion.

A motion was made by Derrick Kepley and seconded by George Weissinger to exit the regular business meeting and enter into the public hearing. All members voted in favor of the motion.

#### **PUBLIC HEARING**

*NOTE: SEE ATTACHED TRANSCRIPT FOR DETAILED DISCUSSION, QUESTIONS & COMMENTS*

**CG Squared, LLC and Carver Lane, LLC presented a lot line modification for Lots 35 and 36 of the Highlands Subdivision.**

Kelly Gregory, member of CG Squared, LLC, was sworn in and proceeded with testimony. Mr. Gregory stated that CG Squared, LLC and Carver Lane, LLC purchased Lots 35 and 36 of the Highlands Subdivision jointly. Mr. Gregory informed the board that this property was originally two separate lots; however, the previous owner had the lot line removed with the intention of building a house, but that plan did not happen. Mr. Gregory went on to say that they wish to add the lot line back and move it slightly to the west to build two homes.

Madam Chair Debbie Thornton inquired about the removal of the lot line. Carter Munday informed her that the Commission had removed the lot line back in 2022.

Faye Forshee, a resident of 715 Rolling Road Drive, was sworn in and proceeded with testimony. Ms. Forshee expressed concern about the waterway at the edge of lot 36 and that she is concerned about the water flowing onto her property.

Carter Munday informed the board that there is a drainage swell that goes across the property line; however, he assumes that Mr. Gregory will make positive changes to the swell to ensure no runoff onto Ms. Forshee's property, and that there is a city ordinance that states that water can not be taken from one property and dumped onto the adjoining property.

Madam Chair Debbie Thornton inquired if there is currently water that stands on this property. Mr. Munday informed her that water does accumulate there, but that he believes the elevation for the house will allow the water to flow off.

A motion was made by Ronnie Stilts and seconded by Chad Konow to approve the lot line modification presented by CG Squared, LLC and Carver Lane, LLC for Lots 35 and 36 of the Highlands Subdivision. All members voted in favor of the motion.

Derrick Kepley recused himself from the meeting.

**Suellen Gann** presented a **Zone Change** from **B-2 (General Business)** to **I-1 (Light Industrial)** for a parcel located at **703 East Cedar Street**.

Hon. Amanda East, legal counsel for the petitioner, stated that this piece of property is currently owned by Suellen Gann (who could not attend the meeting due to health issues), but it is currently under contract with Kyle Kepley. Ms. East went on to say that Mr. Kepley intends to use this property for storing and maintaining tractor trailers for his trucking company.

Scott Randolph, engineer for the project, was sworn in and Hon. Amanda East proceeded with testimony. Mr. Randolph stated that there is an existing building and gravel lot located on this property, and that they wish to extend the gravel lot and make enhancements to the building; as well as, widening the existing entrance and trimming trees around the entrance to provide more visibility. Mr. Randolph expressed that the existing tree line will act as buffer between this property and the adjoining properties. Mr. Randolph further stated that the water on this property naturally drains to the north-east which is where they plan to locate the basin.

Kyle Kepley, developer for the project, was sworn in and Hon. Amanda East proceeded with testimony. Mr. Kepley stated that he has been around and worked in the AG industry his entire life and started a trucking company with his wife 5 years ago to haul grain and food commodities. Mr. Kepley said that his business is currently located at the corner of HWY-1008 and HWY 31-W, and he would like to relocate to 703 East Cedar Street where he would clean up the property by removing the two smaller existing buildings, enhance the larger existing building, clean up the tree line, add a fence on 3 sides, and replace/move the power lines per a conversation with Franklin Electric Plant Board. Mr. Kepley informed that he does not plan to park any trucks at the back property line because he would like to keep the trucks as far away from the residents as possible. Mr. Kepley went on to say that once they leave the property, they will mainly be travelling along HWY 31-W, HWY-1008, HWY-100, and I-65, and they will try to keep from traveling throughout town.

Madam Chair Debbie Thornton inquired about the fence height and the hours of business in which they would be operating. Carter Munday answered that the maximum fence height is 6 feet, but they could potentially be granted permission for an 8-foot fence. Mr. Kepley answered that they usually start their day early in the morning, stay gone for the majority of the day, and usually return around 5:00 PM – 6:00 PM.

Ronnie Stilts inquired if Mr. Kepley would be hauling to the grain elevators located downtown. Mr. Kepley informed Mr. Silts that he does not haul to said elevators, but he has picked up from there before.

Justin Henninger inquired about the number of trucks and trailers they will be using. Mr. Kepley informed him that they usually run 3-4 trucks a day and he has 6 trailers.

Mary Cook, a resident on Darrell Avenue, was sworn in and proceeded with testimony. Ms. Cook stated that her property backs up to the rear of 703 East Cedar Street and there was a house located on the property, but it was knocked down during a storm. Ms. Cook further stated that she would be fine with this lot being used for residential, but she does not like the idea of a trucking company being located next to her, and that she is worried about what could become of it if Mr. Kepley was to sell it.

Rachel Jarvis, a resident of 706 Darrell Avenue, was sworn in and proceeded with testimony. Mrs. Jarvis stated that she, her husband, and their two young children live at 706 Darrell Avenue, and they are concerned about the noise level and that operating hours would be during the time that her husband sleeps due to him working 2<sup>nd</sup> shift. Mrs. Jarvis also expressed concerned about a decrease in property value. Mrs. Jarvis inquired about the kind of fence Mr. Kepley is planning to build. Mr. Kepley informed her that he is undecided on the material, but wants it to be safe, secure, aesthetically pleasing, and does not want to build anything that will hurt their property value.

Carter Munday informed everyone that a big benefit of this project will be the addition of stormwater maintenance because it will allow for them to contain the water and then have a controlled release. Mrs. Jarvis inquired if containing the water will lead to an increase in mosquitoes. Scott Randolph stated that the water will drain quickly and should not affect the number of mosquitoes.

Mary Cook expressed concerns about the growth of this company and potential growth of another company if they were to sell the property. Mr. Randolph informed her that there is not much room for the impervious surface to increase; therefore, it would be difficult for anyone to have many more trucks located there than what Mr. Kepley has planned currently. Madam Chair Debbie Thornton inquired about the amount of land that can be used. Mr. Randolph informed her that 1.365 acres of the property is useable. Mrs. Jarvis inquired about if the approximately 1 acre that is unusable is being used as a buffer. To which Mr. Randolph answered that the gravel lot will be located 50 feet away from the rear property line.

A motion was made by Chad Konow and seconded by George Weissinger to approve the zone change from B-2 (General Business) to I-1 (Light Industrial) that was presented by Suellen Gann for a parcel located at 703 East Cedar Street and to accept the Findings of Fact and Conclusions of Law. John Mayeur opposed the motion. All other members present voted in favor of the motion. The motion passed.

A motion was made by George Weissinger and seconded by Ronnie Stilts to exit the public hearing. All members voted in favor of the motion.

A motion was by Chad Konow and seconded by Ronnie Stilts to adjourn the meeting at 7:50 PM. All members voted in favor of the motion.

Respectfully Submitted:



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Mikala McClain, Administrative Assistant



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Debbie Thornton, Madam Chair

