

City of Franklin
Community Development Authority
Meeting Minutes
September 17, 2009

Approved

I. Call to Order and Roll Call

The Thursday, September 17, 2009, Community Development Authority meeting was called to order at 6:05 PM by Vice-Chairman Alderman Taylor in the Common Council Chambers at Franklin City Hall. Present were Members Vice-Chairman Alderman Taylor, Ryan, Spitzer, Mullarkey and Holpfer. Members Mayor Taylor and Kass were excused. Also present was Executive Director Wesolowski.

II. Citizen Comment Period

Vice-Chairman Alderman Taylor opened the Citizen Comment period at 6:06 PM. One citizen, John Nowicki (phonetic), spoke in support of the Ryan Road Enterprises LLC Site Signage Package agenda item. The Citizen Comment period was closed at 6:09 PM.

III. Approval of Meeting Minutes

Meeting Minutes from July 30, 2009.

Member Ryan moved and Member Spitzer seconded a motion to approve the July 30, 2009 Community Development Authority meeting minutes. Upon voice vote, all voted “aye”. Motion carried: 5-0 (with Vice-Chairman voting).

IV. Business

- A. Application for a Site Signage Package approval for the Ryan Road Enterprises LLC Retail Development at 4202 and 4203 West Oakwood Park Court.

Applicant representative Tariq Akmut of Synergy Property Management submitted a 5 page written response to the Department of City Development staff report on the subject to the Authority Members, in addition to an on-screen PowerPoint presentation to the Authority, supported by an 8 page paper copy submitted to the Authority Members. Mr. Akmut spoke upon each of the PowerPoint items as set forth thereon. Department of City Development Planner I Orrin Sumwalt addressed the Authority upon the Department’s report, recommending denial pursuant to the Franklin Business Park Design and Construction Guidelines; recommending certain conditions as set forth in the staff report if the site signage package were to be approved by the Authority; and informing the Authority that while specific signage was not approved by the Authority in the original approval for the development, that building specification exhibit materials incorporated into the Authority’s original approval did provide for a “band of signage” noted and depicted in the renderings and which “band of signage” is part of the building as constructed. J. Michael Mooney, Chairman of MLG Commercial, appeared on behalf of MLG Development, Inc.; he noted that the Franklin Business Park Review Board received the applicant’s original proposal including signage, and approved the same as set forth in the approvals checklist forwarded to the City with the original application; he stated that it was always the intention of MLG that the retail use developments in the Employment Center Services Area in the Franklin Business Park be allowed signage on buildings; that the Employment Center Services Area is a separate area from the rest of the Park and is served by a separate road; that the essence of this retail structure requires signage for

**City of Franklin
Community Development Authority
Meeting Minutes
September 17, 2009**

identification; that a band of signage is provided for; and that the site signage package application is a quality and tasteful proposal. Upon questioning by Member Holpfer, Bruce Lasko of MLG Development, Inc. informed the Authority that the only other area within the Franklin Business Park which would qualify for the signage criteria as discussed by Mr. Mooney would be the approximate 2 vacant acres remaining in the Employment Center Services Area. Representatives of the building tenants advised the Authority of their specific needs and reasons for signage. Msrs. Mooney and Lasko advised the Authority of their opinions that the Guidelines are guidelines and intended to provide for discretion and flexibility. The Executive Director advised the Authority of the potential requirement for a strict application of the Guidelines, while noting that the Authority may waive or vary from the same under the provisions of the Protective Covenants. Upon question from Member Ryan, Mr. Mooney informed the Authority that there are no other planned multi-story retail developments for the Park, except perhaps one in the remaining undeveloped portion of the Employment Center Services Area. Member Spitzer informed the Authority of his recollection that the Authority always held to a standard of no wall signage for the purpose of developing a high-quality business park and that it was absolutely necessary to continue to hold to that standard and that only monument signs should be permitted. Mr. Mooney agreed with Member Spitzer that no wall signage had been previously approved, but disagreed that any such signage approval in the Employment Center Services Area would conflict with prior decisions because everyone knows that the Employment Center Services Area is unique from the rest of the Park. Mr. Mooney stated that there existed no other 3 story multi-tenant retail building development in the Park. Member Spitzer moved to deny the application based upon staff's recommendation. Member Ryan questioned staff as to whether the Employment Center Services Area has a different function than the rest of the Park. Mr. Sumwalt responded that "yes", the area is unique. Upon question from Member Ryan, the Executive Director advised the Authority of the standards for the grant of a waiver or variance by the Authority. The Vice-Chairman inquired as to whether there was a second to Member Spitzer's motion; there was none; motion failed for lack of a second. Member Holpfer inquired of the Executive Director as to whether an approval of the proposal would create any "precedent" for other areas of the Park. The Executive Director responded in the negative based upon the unique facts of record of a 3 story multi-tenant retail use building in the Employment Center Services Area. Member Ryan moved and Member Mullarkey seconded a motion to adopt A Resolution Approving a Site Signage Package for Ryan Road Enterprises LLC Retail Development (4202 And 4203 West Oakwood Park Court) (Ryan Road Enterprises LLC), subject to the Resolution including all of the Department of City Development staff report recommendations; and that such approval shall also constitute and grant any waiver or variance from the Guidelines as may be required. Upon roll call vote, Members Vice-Chairman Alderman Taylor, Ryan, Mullarkey and Holpfer voted "aye"; Member Spitzer voted "no". Motion carried: 4-1.

B. Harley-Davidson Notice Regarding Reduction in Force at Franklin Distribution Center Facility.

The Executive Director presented the subject matter to the Authority. Member Ryan moved and Member Holpfer seconded a motion to receive the subject notice and to place

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Community Development Authority
Meeting Minutes
September 17, 2009**

the same on file. Upon voice vote, all voted “aye”. Motion carried: 5-0 (with Vice-Chairman voting).

V. Next regular meeting date

The Vice-Chairman advised that the next regular meeting would occur on October 22, 2009 or at the call of the Chairman.

VI. Adjournment

Member Ryan moved and Member Holpfer seconded a motion to adjourn the Thursday, September 17, 2009 meeting of the Community Development Authority at 7:07 PM. Upon voice vote, all voted “aye”. Motion carried: 5-0 (with Vice-Chairman voting).