



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

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Plan Commission Staff Report

To: Plan Commission Members

From: Joanna Myers, Senior Planner

Date: November 13, 2014

Re: Case PC 2014-20 (A) & PC 2014-21 (R): Meijer Annexation & Rezoning

REQUEST:

Case PC 2014-20 (A) & PC 2014-21 (R)...Meijer Annexation & Rezoning. A request by Woolpert, Inc. to annex 3.33 acres and rezone 22.8 acres from Mixed Use: Community Center (MXC) and Residential: Suburban One (RS-1) to Mixed Use: Regional Center (MXR), with Gateway Overlay (GW-OL) to remain. The property is located south of Commerce Drive and west of N. Morton Street (US 31).

ADJACENT PROPERTIES:

Surrounding Zoning:

North: MXC, RS-1, GW-OL
South: RSN, MXC, GW-OL
East: MXR & GW-OL
West: RS-1

Surrounding Land Use:

North: Agriculture & Commercial
South: Residential & Auto Sales
East: Commercial
West: Agriculture

CURRENT ZONING:

The “MXC”, Mixed Use: Community Center zoning district is intended to provide locations for a variety of small-to-midsized businesses and institutional facilities that serve the entire Franklin-area community. This district should be used alone and in combination with other zoning districts to create areas for community shopping, entertainment, services, and public gatherings.

The intent of the Gateway Overlay (GW-OL) district is to require development at the City’s entrances that is aesthetically consistent, responsive to development pressures, and proportional to the area’s traffic management issues.

PROPOSED ZONING:

The “MXR”, Mixed Use: Regional Center zoning district is intended to provide locations for a variety of business and institutional land uses that either serve a regional market, or require convenient access to high-volume transportation routes. This district is intended to permit a mixture of compatible land uses in close proximity to appropriate transportation routes and other necessary infrastructure.

CONSIDERATIONS:

1. Woolpert, Inc. is requesting that 3.33 acres located south of Commerce Drive and west of N. Morton Street (US 31) be annexed into the City of Franklin and that 22.8 acres be rezoned to MXR (Mixed Use: Regional Center), with the GW-OL (Gateway Overlay) to remain, for the future development of Meijer.
2. Parcel B shown on the attached ALTA survey identifies the area requested to be annexed.
3. Indiana Code requirements (IC 36-4-3-5) for voluntary annexation are:
 - a. Consent of 51% of the property owners or owners of 75% of the total assessed value of the land for property tax purposes.
 - b. At least one-eighth (1/8 or 12.5%) of the aggregate external boundary of the proposed annexation area must be contiguous with the existing city limits. A strip of land less than one hundred fifty (150) feet wide is not considered contiguous. (IC 36-4-3-1.5)
4. The proposed annexation area is 49.98% contiguous to the City of Franklin and 100% of the property owners are parties to the petition.
5. Utilities are readily available at this location
6. Parcels A & B are proposed to be rezoned from MXC to MXR. Parcel A is also currently zoned GW-OL which is proposed to remain unchanged.
7. The proposed use, Meijer, is a permitted land use in both the MXC and MXR zoning districts. The development standards and land use lists are attached for both zoning districts.
8. The Technical Review Committee reviewed the petition at their October 30, 2014 meeting. Woolpert, Inc., presented the petition to the committee and there were no adverse comments at the meeting.
9. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Community Activity Center and Neighborhood Activity Center. "Community activity centers area intended as areas of mixed land uses that provide gathering places and goods and services for the entire community. Community activity centers may include churches, schools, community parks, grocery stores, gas stations, shopping centers, offices, banks and restaurants. Community activity centers may also include residences located on the upper floors of otherwise commercial buildings. Community activity centers are generally located along major streets and at prominent intersections where they are readily accessible by people from throughout the community."

"Neighborhood activity centers are intended to fill a unique role by establishing gathering spaces and/or convenience goods and services in close proximity to neighborhoods. Common uses in neighborhood activity centers may include neighborhood scale churches, schools, parks, and commercial centers. Appropriate commercial activities in neighborhood activity centers include convenience stores, cafes, coffee shops, and other providers of day-to-day convenience goods and services. Residential uses, in the form of apartments located on the upper floors of businesses, are encouraged in neighborhood activity centers."

PC 2014-20 (A): MEIJER ANNEXATION

PLAN COMMISSION ACTION – ANNEXATION :

Plan Commission action (either *favorable*, *unfavorable*, or *no recommendation*) is a recommendation to the City Council, which takes action on the annexation petition.

STAFF RECOMMENDATION – ANNEXATION:

Staff recommends a *favorable recommendation* be forwarded to the City Council.

PC 2014-21 (R): MEIJER REZONING

CRITERIA FOR DECISIONS – REZONING:

In taking action on rezoning requests, the Plan Commission shall pay reasonable regard to the decision criteria outlined in Article 11.6 (I) of the City of Franklin Zoning Ordinance.

1. ***Comprehensive Plan: The City of Franklin Comprehensive Plan and any other applicable, adopted planning studies or reports.***

Staff Finding:

The long term land use plan of the 2013 Comprehensive Plan identifies the subject property as Community Activity Center and Neighborhood Activity Center. The request to rezone the property to MXR is consistent with this plan.

2. ***Current Conditions: The current conditions and the character of current structures and uses in each district.***

Staff Finding:

The property located immediately to the north and east of the subject property is currently zoned MXC and MXR and is currently developed in a commercial nature. In addition it is important to note, that 19.47 acres of the subject site is already zoned MXC. Meijer is a permitted use in both the MXC and MXR zoning districts.

3. ***Desired Use: The most desirable use for which the land in each district is adapted.***

Staff Finding:

The property is immediately adjacent to other commercial properties and the majority is currently zoned MXC which allows the majority of the same permitted land uses. In addition, the property's proximity to US 31 provides excellent access to a regional transportation route.

4. ***Property Values: The conservation of property values throughout the City of Franklin's planning jurisdiction.***

Staff Finding:

The rezoning request should not affect the property values in the area; however, the development of the property could increase the property values in the area as additional commercial services are provided.

5. *Responsible Growth: Responsible growth and development.*

Staff Finding:

The subject property is currently zoned MXC, which lists a retail operation as a permitted use. The proposed rezoning to MXR allows the petitioner to have a larger lot size than permitted in the MXC zoning district. Therefore, the development of the site as proposed would be compliant with the lot size requirement.

In the rezoning process, the Plan Commission has the authority to review the provisions of the Comprehensive Plan and the Zoning Ordinance. Plan Commission action (either *favorable, unfavorable, or no recommendation*) is a recommendation to the City Council, which takes action on the rezoning petition.

PLAN COMMISSION ACTION – REZONING :

Plan Commission action (either *favorable, unfavorable, or no recommendation*) is a recommendation to the City Council, which takes action on the rezoning petition.

STAFF RECOMMENDATION – REZONING:

Based on the criteria for decisions above, staff recommends a *Favorable Recommendation* be forwarded to the Franklin City Council rezoning the property to MXR (Mixed Use: Regional Center), with Gateway Overlay to remain.

3.18 Mixed-Use: Community Center (MXC)

District Intent:

The "MXC", Mixed-Use: Community Center zoning district is intended to provide locations for a variety of small-to-mid-sized business and institutional facilities that serve the entire Franklin-area community. This district should be used alone, and in combination with other zoning district to create areas for community shopping, entertainment, services, and public gatherings.



A. Permitted Primary Uses:

Use Matrix: The Use Matrix (p 3-3 through 3-7) provides detailed use lists for all zoning districts.

Agriculture Uses

- farm (general)
- farmer’s market
- winery

Residential Uses

- dwelling, secondary (on upper floors)

Institutional/Public Uses

- community center
- day-care center
- funeral home
- government office
- hospital/medical center
- library
- lodge or private club
- medical clinic
- parking lot or garage (as a primary use)
- police, fire, or rescue station
- trade or business school

Park Uses

- athletic fields, courts, & areas
- nature preserve/center
- park and/or playgrounds

Commercial Uses

- auto-oriented uses (small scale)
- auto-oriented uses (medium scale)
- auto-oriented uses (large scale)
- conference center
- health spa
- hotel
- liquor store
- office uses
- personal service uses
- recreation uses (small scale)
- recreation uses (medium scale)
- recreational uses (large scale)
- restaurant
- retail uses (small scale)
- retail uses (medium scale)
- retail uses (large scale)
- retreat center



B. Special Exception Primary Uses:

Use Matrix: The Use Matrix (p 3-3 through 3-7) provides detailed use lists for all zoning districts.

Residential Uses

- bed and breakfast facility
- boarding house
- dwelling, multi-family (more than 2 dwelling units)
- nursing/assisted living facility
- residential facility for the developmentally disabled type I
- residential facility for the developmentally disabled type II
- residential facility for the mentally ill

Communications/Utilities Uses

- communication service exchange
- telecommunications facility/tower
- utility substation
- water tower

Institutional/Public Uses

- church or other place of worship
- institutional facility for the developmentally disabled/mentally ill
- museum or gallery
- post office
- university or college

Park Uses

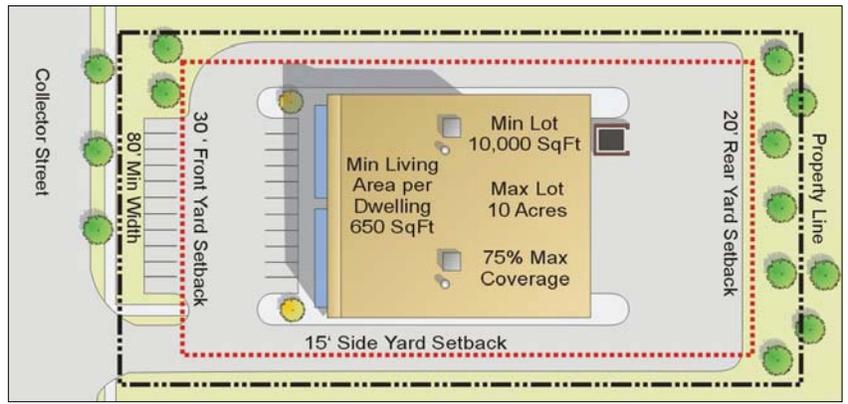
- driving range (as a primary use)

Commercial Uses

- mass transit terminal/station
- data processing / call center
- fireworks sales

C. Lot Standards

<p>Minimum Lot Area • 10,000 square feet</p> <p>Maximum Lot Area • 10 acres (435,600 square feet)</p> <p>Minimum Lot Width (measured at front setback/build-to line) • 80 feet</p> <p>Maximum Lot Depth • not applicable</p> <p>Maximum Lot Coverage (including all hard surfaces) • 75%</p> <p>Min. Front Yard Primary Struct. Setback (measured from street right-of-way) • 50 feet when adjacent to an Arterial Street • 30 feet when adjacent to a Collector Street • 20 feet when adjacent to a Local Street</p>	<p>Min. Side Yard Primary Struct. Setback (measured from adjacent property line) • 15 feet</p> <p>Min. Rear Yard Primary Struct. Setback (measured from rear property line) • 20 feet</p> <p>Minimum Living Area per Dwelling (for primary structures) • 650 square feet</p> <p>Minimum Ground Floor Living Area (for primary structures) • not applicable</p> <p>Maximum Primary Structures per Lot • 1</p> <p>Maximum Height (for primary structures) • 45 feet • See Chapter 7.14, for telecommunications facility height requirements</p>
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Illustrative Layout (Does not reflect all requirements contained within this Ordinance).

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Cross-References

3.19 Mixed-Use: Regional Center (MXR)

District Intent:

The "MXR", Mixed-Use: Regional Center zoning district is intended to provide locations for a variety of business and institutional land uses that either serve a regional market, or require convenient access to high-volume transportation routes. This district is intended to permit a mixture of compatible land uses in close proximity to appropriate transportation routes and other necessary infrastructure.



A. Permitted Primary Uses:

Use Matrix: The Use Matrix (p 3-3 through 3-7) provides detailed use lists for all zoning districts.

Agriculture Uses

- farm (general)
- farm equipment sales and service
- farmer’s market
- winery

Residential Uses

- dwelling, secondary (on upper floors)

Institutional/Public Uses

- community center
- day-care center
- funeral home
- government office
- hospital/medical center
- library
- lodge or private club
- medical clinic
- parking lot or garage (as a primary use)
- police, fire, or rescue station
- trade or business school

Park Uses

- athletic fields, courts, & areas
- nature preserve/center
- park and/or playgrounds

Commercial Uses

- auto-oriented uses (small scale)
- auto-oriented uses (large scale)
- data processing / call center
- conference center
- health spa
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- office uses
- personal service uses
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B. Special Exception Primary Uses:

Use Matrix: The Use Matrix (p 3-3 through 3-7) provides detailed use lists for all zoning districts.

Residential Uses

- bed and breakfast facility
- boarding house
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- nursing/assisted living facility
- residential facility for the developmentally disabled type I
- residential facility for the developmentally disabled type II
- residential facility for the mentally ill

Communications/Utilities Uses

- communication service exchange
- telecommunications facility/tower
- utility substation
- water tower

Institutional/Public Uses

- animal shelter
- church or other place of worship
- government facility (non-office)
- institutional facility for the developmentally disabled/mentally ill

Park Uses

- driving range (as a primary use)

Commercial Uses

- auto-oriented uses (medium scale)
- mass transit terminal/station
- fireworks sales
- kennel
- mobile/manufactured home sales
- truck stop/travel center

Industrial Uses

- light industrial assembly/distribution
- light industrial processing/ distribution

C. Lot Standards

Minimum Lot Area
 • 15,000 square feet

Maximum Lot Area
 • not applicable

Minimum Lot Width
 (measured at front setback/build-to line)
 • 100 feet

Maximum Lot Depth
 • not applicable

Maximum Lot Coverage
 (including all hard surfaces)
 • 75%

Min. Front Yard Primary Struct. Setback
 (measured from street right-of-way)
 • 50 feet when adjacent to an Arterial Street
 • 30 feet when adjacent to a Collector Street
 • 20 feet when adjacent to a Local Street

Min. Side Yard Primary Struct. Setback
 (measured from adjacent property line)
 • 15 feet

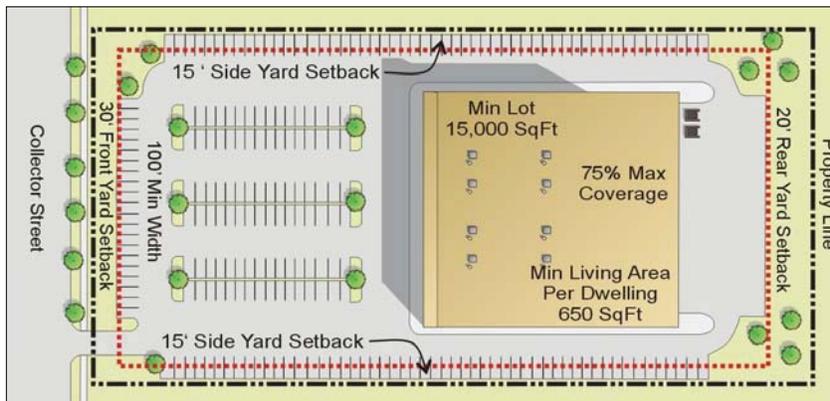
Min. Rear Yard Primary Struct. Setback
 (measured from rear property line)
 • 20 feet

Minimum Living Area per Dwelling
 (for primary structures)
 • 650 square feet

Minimum Ground Floor Living Area
 (for primary structures)
 • not applicable

Maximum Primary Structures per Lot
 • 1

Maximum Height
 (for primary structures)
 • 45 feet
 • See Chapter 7.14, for telecommunications facility height requirements



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