



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

70 E. MONROE STREET › FRANKLIN, INDIANA 46131 › 877.736.3631 › FAX 317.736.5310 › www.franklin.in.gov/planning

Plan Commission Staff Report

To: Plan Commission Members

From: Joanna Myers, Senior Planner

Date: June 10, 2015

Re: Case PC 2015-14 (PP): Meijer Franklin Subdivision

REQUEST:

Case PC 2015-14 (PP)...Meijer Franklin Subdivision. A request by Woolpert, Inc. for approval of a primary plat for a 3 lot and 1 block commercial subdivision and approval of waiver requests. The subject property is located on 26.37 acres at the southwest corner of Commerce Drive and N. Morton Street (US 31). The property is currently zoned Mixed Use: Community Center (MXC) and Residential: Suburban One (RS-1) and is proposed to be rezoned to Mixed Use: Regional Center (MXR), with Gateway Overlay (GW-OL) to remain. Block 1 is proposed to remain Mixed Use: Community Center (MXC) with Gateway Overlay (GW-OL). Case PC 2015-11 (A) & PC 2015-12 (R) for annexation and rezoning is pending.

ZONING:

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. Approval of the primary plat and waivers should be subject to the adoption and effective date of the proposed annexation and rezoning. These cases are currently pending review and approval (PC 2015-11 (A) & PC 2015-12 (R)).
2. The proposal is to subdivide 26.37 acres into 3 commercial lots and 1 block, which may be divided further in the future.
3. Block 1 and a portion of Lot 1 are currently platted as Simon Commercial Subdivision and is included with this primary plat as a replat. A number of existing easements within this area are proposed to be relocated and/or vacated.
4. Block 1 will need to be replatted prior to being developed. The Commission may wish to inquire on the anticipated number of lots the petitioner is proposing to be further divided in Block 1 and make it a condition of approval. This would allow the replat of Block 1 to be reviewed administratively.
5. A 192,940 sq.ft. Meijer store is proposed to be constructed on Lot 1 – 20.55 acres (PC 2015-15). Lot 3 – 1.75 acres will include a gas station/convenience store (PC 2015-16) and Lot 2 – 1.21 acres is proposed as an outlot.
6. The site development plans for the Meijer store (PC 2015-15) and Meijer gas station/convenience store (PC 2015-16) are being reviewed concurrently with the primary plat. A copy of the plan is attached.
7. A 5' public sidewalk is proposed to be located within a sidewalk easement along N. Morton Street (US 31). A 6' public sidewalk is proposed to be constructed within the right-of-way of Commerce Drive and a 10' asphalt trail is proposed to be constructed within the right-of-way of Simon Road and within a trail easement adjacent to Simon Road.
8. Street trees are proposed along all rights-of-way or within street tree easements.
9. Drainage easements, ingress/egress easements, and a cross-parking easement are proposed for all improvements on Lot 1 that benefit Lots 2 and 3 and Block 1.
10. The Technical Review Committee reviewed the petition at their May 28, 2015 meeting. Revised plans were received June 8, 2015 with the following outstanding items:
 - a. Front building setback lines need to be shown adjacent to Commerce Drive (30 ft.), Simon Road (40 ft.), and Morton Street/US 31 (50 ft).
 - b. Please provide a line identifying the 50 ft. utility easement adjacent to Morton Street/US 31. Label provided.
 - c. Please identify and label 30 ft. street tree easement on Block 1.
11. The petitioner is requesting two waivers. Those requests are outlined below.
12. 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.”

WAIVER REQUESTS:

1. Article 6.15(A)(1) of the City of Franklin Subdivision Control Ordinance states street trees may be planted in the right-of-way or within 5 feet of the right-of-way on adjacent property included in a street tree easement.
2. Article 6.19(G)(1) of the City of Franklin Subdivision Control Ordinance states that all detention and retention areas shall be placed in a common area under the responsibility of a lot owners association for the subdivision in which they are located.
3. See the attached waiver requests from the petitioner outlining the reasons for the request of waivers.

CRITERIA FOR DECISION (WAIVERS):

As outlined in Article 2.4 of the Subdivision Control Ordinance, the Plan Commission shall not approve any waivers of the subdivision regulations unless it makes written findings based upon the evidence presented by the petitioner in each specific case, indicating how:

1. **Public Welfare:** The granting of the waiver will not be detrimental to the public safety, health, and/or welfare;
2. **Adjacent Property:** The granting of the waiver will not be injurious to the reasonable use and development of other property;
3. **Unique Conditions:** The conditions upon which the request for the waiver is based are unique to the property for which it is sought and are not applicable generally to other property;
4. **Physical Conditions:** Because of the particular physical surroundings, shape, or topographical conditions or the specific property involved a hardship to the owner would result if the strict letter of these regulations were carried out; and
5. **Comprehensive Plan:** The waiver will not contradict the intent of the City of Franklin Comprehensive Plan.

CRITERIA FOR DECISIONS (PRIMARY PLAT):

In taking action on primary plat requests of a major subdivision, the Plan Commission shall use the decision criteria outlined in Article 4.2(F)(2) of the City of Franklin Subdivision Control Ordinance.

- 1. Subdivision Control Ordinance Requirements:** The consistency of the proposed primary plat with the requirements of the Subdivision Control Ordinance;
- 2. Zoning Ordinance Requirements:** The consistency of the proposed primary plat with the standards of the zoning district in which it is located; and
- 3. Other Requirements:** The consistency of the proposed primary plat with any other applicable standards.

The Plan Commission may 1) approve, 2) approve with conditions, 3) deny, or 4) continue the petition to the next regularly scheduled Plan Commission meeting. In order to make a motion to deny, the petition must not meet the specific requirements of the Subdivision Control Ordinance or Zoning Ordinance.

Following approval of the primary plat, the petitioner shall submit Secondary Plat & Construction Plans for review and approval as outlined in the Subdivision Control Ordinance.

STAFF RECOMMENDATION:

If the Plan Commission finds sufficient evidence to approve the waiver requests, staff recommends *approval of the primary plat with the following conditions:*

1. Subject to the adoption and effective date of the proposed annexation and rezoning (PC 2015-11 (A) & PC 2015-12 (R)).
2. Front building setback lines be shown adjacent to Commerce Drive (30 ft.), Simon Road (40 ft.), and Morton Street/US 31 (50 ft).
3. Provide a line identifying the 50 ft. utility easement adjacent to Morton Street/US 31, in addition to the label.
4. Identify and label 30 ft. street tree easement on Block 1.
5. All easements shall be labeled with distances and bearings on the secondary plat.
6. Permanent documentation of a shared parking agreement must be signed by all involved property owners. The agreement must include, but is not limited to: maintenance, snow removal, ownership and liability.
7. Identify the maximum number of lots Block 1 can be further divided into. (Specific number to be determined by the Plan Commission based off of information provided at the meeting.)

**REQUEST TO WAIVE REQUIREMENTS OF THE
CITY OF FRANKLIN SUBDIVISION CONTROL ORDINANCE**

PETITIONER INFORMATION

Case Number: PC 20 15 - 14(PP)

Property Address: 2390 N. Morton Street

Subdivision/Project Name: Meijer Franklin Subdivision

Petitioner's Name(s): Jon Sheidler - Woolpert, Inc.

Address: 7635 Interactive Way, Suite 100 City: Indianapolis

State: IN Zip: 46278 Phone: (317) 299-7500 Fax: (317) 291-5805

Article of Subdivision Control Ordinance: 6.15.A.1

Title of the Article: Subdivisions Standards -Street Tree Standards

Reasons: The proposed street tree easement will be placed 5 feet off of the US 31 R/W due to the 5 foot sidewalk easement that will be provided along the R/W. The proposed easement will be 30 feet so that the trees can avoid existing utilities in the vicinity as well as provide visibility for the proposed signage.


Signature of Petitioner

6/2/15
Date

OFFICE USE ONLY

This Request for a waiver of Article _____ of the City of Franklin Subdivision Control Ordinance has been . . .

Approved

Approved w/ conditions

Denied

...by the City of Franklin Plan Commission on the _____ day of _____, 20 ____.

Signature of Plan Commission President

Date

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Article of Subdivision Control Ordinance: 6.19 G.1.

Title of the Article: Subdivisions Standards - General Drainage Standards

Reasons: The detention ponds and surrounding areas provide a large portion of the open area required for the Meijer Store (Lot 1). Also, it is reasonable that the detention areas are considered part of Lot 1 since they primarily serve Lot 1. Lot 2&3 is the only other lot that is served by the wet detention pond, and an easement is provided.



Signature of Petitioner

6/2/15

Date

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Approved

Approved w/ conditions

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Date