



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: February 13, 2019

Re: Case PC 2018-37 (PP): Bluffs at Youngs Creek

REQUEST:

Case PC 2017-37 (PP)...The Bluffs at Youngs Creek. A request by Windstar Homes, LLC for approval of a primary plat for a 478 lot single-family residential subdivision and approval of waiver requests. The subject property is located on 166.753 acres north of Nineveh Road and west of Windstar Subdivision. The property is currently zoned RSN (Residential: Suburban Neighborhood).

ZONING:

Surrounding Zoning:

North: RSN (Residential: Suburban Neighborhood)
IN (Institutional)
RR (Residential: Rural)
South: RS-1 (Residential: Suburban One)
East: RSN (Residential: Suburban Neighborhood)
West: RR (Residential: Rural)

Surrounding Land Use:

North: Single-family residential
Blue Heron Park
Agricultural
South: Single-family residential
Agricultural
East: Single-family residential
West: Agricultural

HISTORY:

1. The subject property was included within the limits of the previously approved primary plat for Windstar Subdivision (PC 1996-39), which has since expired. A copy is attached.
2. The subject area of The Bluffs at Youngs Creek is approximately 66% of the previously approved Windstar Subdivision primary plat (approximately 166 acres of 246 acres).
3. The 1996 primary plat was approved for the development of a total of 587 lots. Windstar Subdivision, Sections 1-4 has been constructed and includes 214 single-family lots.
4. Sections 1-4 have been completely built out with the exception of one (1) lot. Lot 29 located at the northwest corner of Orion Drive and North Shore Boulevard remains vacant. However, this lot is owned by the owner of the adjoining lot (Lot 30) and is maintained as part of their yard. If the lot is sold as platted, a single-family dwelling could be built.

TIMELINE – THE BLUFFS AT YOUNGS CREEK

- **June 28, 2018** – Developer met with staff to discuss the process for filing a primary plat west of Windstar Subdivision and to clarify the RSN regulations. The developer indicated the proposal was to provide a subdivision with lots averaging 70 ft. x 125 ft. (8,750 s.f.) and a design was currently being drafted.

The City indicated to the developer that lots and houses similar to Windstar Subdivision are desired. This desire has also been communicated to the City by the school corporation, hospital, and other companies within Franklin that try to recruit upper management and is a question asked by companies considering development in Franklin.

- **July 16, 2018** – Developer met with the mayor and staff. The 7/16/18 design included 479 lots averaging approximately 8,750 s.f. (70 ft. x 125 ft.) with some lots being larger. Discussion was held again reiterating information provided by the City at the previous meeting.
- **August 16, 2018** – Developer and builder met with the mayor and staff to discuss the progress of the primary plat. The developer indicated that they would be interested in donating approximately 7 ac. at the northwest corner of the subdivision to the City as an extension of Blue Heron Park. They do not intend to develop the area that is located within the Special Flood Hazard Area.

Discussion was held again in regard to the need for larger lots, as there currently are none available in the City of Franklin. The City also inquired whether any architectural standards were being proposed. The developer and builder indicated that they were in the process of discussing Covenants and Restrictions that could include architectural standards.

- **November 9, 2018** – Developer and builder met with the mayor and staff. A revised design was provided that included 491 lots averaging approximately 8,125 s.f. (65 ft. x 125 ft.) with some larger lots being provided. The width of lots immediately adjacent to existing lots in Windstar were matched resulting in wider lots along the eastern perimeter of The Bluffs at Youngs Creek.

The 11/9/18 design also included approximately 10 acres at the northwest corner to remain as green space, which could be donated to the Park Board.

- **December 6, 2018** – Developer filed the application and supporting documents for primary plat approval. The 12/6/18 design included 485 lots. Lot widths ranged from 65 ft. to 90+ ft. Interior lots averaged 125 ft. in depth with the outer perimeter lots averaging 145 ft. in depth.
- **December 20, 2018** – The primary plat was reviewed by the Technical Review Committee (TRC). A copy of the review letter (dated December 22, 2018) is attached.
- **January 2, 2019** – The revised plans were submitted as outlined in the 12/22/18 TRC letter. Waiver requests from the maximum block length of 800 ft. for seven (7) blocks and a waiver request from the required 20 ft. utility easement along the perimeter of the subdivision were also submitted. The petition was docketed for the January 15, 2019 Plan Commission meeting and public notices were sent by the petitioner as required.
- **January 4, 2019** – The Windstar Owners Association requested that the petition be continued to the March 19, 2019 Plan Commission meeting (see attached). The petition was automatically continued to the February 19, 2019 Plan Commission meeting. Consistent with the Rules and Procedures, continuances cannot exceed 60 days. The notice requirements were met.
- **January 8, 2019** – The developer and builder met with the mayor. Discussion was held regarding the City's desire for larger lots and houses similar to those currently in Windstar Subdivision.

- **January 10, 2019** – The developer provided a revised design that proposed 481 lots. The following modifications were made from the 1/2/19 design:
 - o 65 ft. lots: from 330 to 136
 - o 70 ft. lots: from 68 to 247
 - o 80 ft. lots: from 87 to 98
- **January 25, 2019** – The developer and builder met with the mayor and staff. Discussions were held in regard to the lot sizes (width, depth, area) of the 1/2/19 and 1/10/19 designs as compared to the previously communicated desires of the City and residents, along with the block lengths that exceed 800 ft.

Discussion was also held related to the design and quality of houses proposed to be constructed. The builder provided examples of other communities and the houses that were being constructed.

- **February 4, 2019** – Revised plans were submitted that proposes 478 lots. The current proposal is consistent with the discussions held at the January 25th meeting. The following modifications have been made:
 - o Larger lots more consistent with the Windstar Subdivision are proposed in the blocks immediately adjacent to Windstar Subdivision.
 - o The depth of lots and/or width of lots throughout the subdivision have been increased resulting in a better distribution of varying lot sizes within the development (averaging between 8,750-11,500 s.f.).
 - o Waiver requests for exceeding the block length reduced from 7 blocks to 5 blocks and the waiver request from the required perimeter utility easement is no longer needed as the requirement is now met.
 - o The builder submitted the following commitments:
 - Anti-Monotony: The same dwelling elevation will not be constructed on an adjacent lot or directly across the street so far as to ensure that significant architectural features will differentiate dwellings within the subdivision.
 - Corner Lots: Dwellings built on corner lots shall include a minimum of one (1) window per story of a minimum size of two (2) feet by four (4) feet on the sides of the dwelling facing the street.
 - Front elevations: All homes shall have masonry on at least 30% of the front elevation (excluding windows, doors, garage doors, and areas above roof line).
- **February 13, 2019** – The petitioner has confirmed in writing that the above commitments are being offered as a part of the petition for primary plat approval. A copy of this correspondence is included in the file.

CONSIDERATIONS:

1. The subject property is zoned RSN (Residential: Suburban Neighborhood). The “RSN”, Residential: Suburban Neighborhood zoning district is intended to ensure the continued viability of suburban-style lots in existence on the effective date of the Zoning Ordinance (May 10, 2004). This district should only be used to maintain established setbacks and standards in suburban neighborhoods. The lot standards for RSN zoned properties are listed below.

- a. Minimum lot area – equal to smallest lot of previously approved primary plat (8,000 s.f.)
 - b. Minimum lot width – equal to smallest lot of previously approved primary plat (65 ft.)
 - c. Maximum lot coverage – 50%
 - d. Minimum front yard setback – as shown on previously approved primary plat (30 ft.)
 - e. Minimum side yard setback – 5 feet
 - f. Minimum rear setback – 15 feet
2. The proposed development of The Bluffs at Youngs Creek meets the above referenced minimum standards and does not require any variance requests to go before the Board of Zoning Appeals.
3. The petitioner is proposing to develop 478 single-family residential lots. The previous primary plat had proposed 373 lots within the area of the subject property.
4. Four detention ponds are proposed and will be included within common areas to be maintained by the Homeowners Association.
5. Block A will be open space that is located within the Special Flood Hazard Area. The developer has expressed interest in discussing the possibility of donating Block A to the Park Board in the future as an extension of Blue Heron Park. Block A is over 12 acres in size.
6. The connectivity of the street layout of The Bluffs at Youngs Creek to the existing public streets is consistent with the 1996 primary plat.
7. The Technical Review Committee reviewed the petition at their December 20, 2018 meeting. Revised plans were received January 2, 2019 and February 4, 2019 and reviewed with the following comments being provided:
 - a. Block length shall not exceed 800 ft. in length. (WAIVER REQUEST – PENDING)
 - b. Lighting and signage will be subject to further review during the Construction Plan & Secondary Plat process.
 - c. Street names to be reviewed and approved by staff.
 - d. Street name blades to be installed per City standard. (Not double sided)
 - e. If subdivision entry signs are proposed, identify their location and provide necessary easements if applicable. All signage shall be reviewed and permitted separately.
8. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Large-Lot Suburban Residential. “Large-lot suburban residential areas are intended to include primarily single family detached residences. Other uses in small-lot suburban neighborhoods may include neighborhood and community parks and neighborhood-scale churches and schools. These neighborhoods are distinguished from small-lot suburban residential areas by their comparatively larger lot size and setbacks and lower density. A diversity of home sizes and designs is encouraged in these areas. Also encouraged is the occasional incorporation of accessory residences. In all cases, the design features of each home should provide materials, a scale, and other design elements that promote consistency in the neighborhood.”

WAIVER REQUESTS:

1. Article 6.4(A)(2) states that blocks shall not exceed 800 feet in length, nor be less than 200 feet in length. Block length shall be measured as the distance between centerlines of intersecting streets.
 - a. Staff Comment – The proposed block lengths are substantially similar to the block lengths of the previously approved primary plat.
 - i. Waiver #1 with the commitments noted above – 1026.13 ft.
 - ii. Waiver #3 with the commitments noted above – 951.22 ft.
 - iii. Waiver #4 with the commitments noted above – 1154.24 ft.
 - iv. Waiver #5 with the commitments noted above – 888.94 ft.
 - v. Waiver #6 with the commitments noted above – 895.92 ft.

Waiver requests were not required in 1996 as the maximum allowed block length was 1,300 ft. The current Subdivision Control Ordinance states that the maximum length for blocks is 800 ft.

The 1996 primary plat proposed 8 blocks that exceeded 800 ft. and included ten (10) cul-de-sacs within the subject area.
2. See the attached waiver requests from the petitioner outlining the reasons for each waiver request.

Note: Waivers # 2, 7, & 8 were withdrawn as modifications were made resulting in the requirements being met and no waiver is needed.

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:*

A.) With the commitments offered by the petitioner (to be recorded consistent with I.C.):

1. Anti-Monotony: The same dwelling elevation will not be constructed on an adjacent lot or directly across the street so far as to ensure that significant architectural features will differentiate dwellings within the subdivision.
2. Corner Lots: Dwellings built on corner lots shall include a minimum of one (1) window per story of a minimum size of two (2) feet by four (4) feet on the sides of the dwelling facing the street.
3. Front elevations: All homes shall have masonry on at least 30% of the front elevation (excluding windows, doors, garage doors, and areas above roof line).

AND

B.) Subject to the following conditions:

1. Lighting and signage will be subject to further review during the Construction Plan & Secondary Plat process.
2. Street names to be reviewed and approved by staff.
3. Street name blades to be installed per City standard. (Not double sided)
4. If subdivision entry signs are proposed, identify their location and provide necessary easements if applicable. All signage shall be reviewed and permitted separately.