



## 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](http://www.franklin.in.gov/planning)

# Plan Commission Staff Report

**To:** Plan Commission Members

**From:** Joanna Myers, Senior Planner

**Date:** June 14, 2019

**Re:** Case PC 2019-11 (FP): The Bluffs at Youngs Creek, Sec. 1 (Drainage Waivers)

### REQUEST:

**Case PC 2019-11 (FP)...The Bluffs at Youngs Creek, Sec. 1.** A request by Windstar Homes LLC for approval of waiver requests from Article 6.19(C)(3): outlet rate parameters and Article 6.19(H)(1)(b): outlets from detention facilities. The subject property is located on 14.571 ac. on the north side of Nineveh Road and immediately west of Windstar Subdivision. The property is currently zoned RSN (Residential: Suburban Neighborhood).

### ZONING:

#### Surrounding Zoning:

North: RSN (Residential: Suburban Neighborhood)  
South: RS-1 (Residential: Suburban One)  
East: RS-1 (Residential: Suburban One)  
West: RSN (Residential: Suburban Neighborhood)

#### Surrounding Land Use:

North: Single-family residential  
South: Single-family residential  
Agricultural  
East: Agricultural  
West: Future Single-family residential

### CONSIDERATIONS:

1. The Plan Commission conditionally approved the primary plat for The Bluffs at Youngs Creek at the February 19, 2019 meeting along with waiver requests related to block lengths.
2. The Technical Review Committee reviewed the construction plans for Section One at their May 23, 2019 meeting. At this time, it became apparent that the above requirements of the Subdivision Control Ordinance were not being met.
3. 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 6.19(C)(3) states that storm water detention designs shall outlet storm water at a 2-yr pre-development rainfall event rate for a 10-yr post-development storm, and shall outlet at a 10-yr pre-development rainfall event rate for a 100-yr post-development storm.
2. Article 6.19(H)(1)(b) states that outlet pipes from detention facilities must be discharged into a natural ditch, a defined swale, or a discharge control structure that will eliminate erosion downstream. Outlet pipes shall not be discharged onto an existing tillable field.
3. See the attached waiver requests from the petitioner outlining the reasons for the requests.

### **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.

### **STAFF RECOMMENDATION:**

If the Plan Commission finds sufficient evidence to approve the waiver requests, staff recommends *that the following conditions apply:*

1. Developer shall contact the property owner on the south side of Nineveh Road and explain how the project is being designed and that the impacts to his property are lessened.
2. Outlet 1 is located outside the jurisdiction of the City of Franklin. The developer shall coordinate review and approvals, as necessary, with Johnson County Planning & Zoning, and the Johnson County Surveyor.

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

**PETITIONER INFORMATION**

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Case Number: PC 2019 - 11

Property Address: North side of Nineveh Rd and immediately west of Windstar Subdivision

Subdivision/Project Name: The Bluffs at Youngs Creek, Sec1

Petitioner's Name(s): Stoeppelwerth & Associates

Address: 7965 E 106th St City: Fishers

State: IN Zip: 46038 Phone: 3175404704 Fax: \_\_\_\_\_

Article of Subdivision Control Ordinance: 6.19-C-3

Title of the Article: General Drainage Standards, Minimum Design Standards

Reasons: Outlet 2 100 year discharge is 1.42 cfs above the allowable, existing conditions  
10 year flow. However, it is 9.8 cfs below the existing conditions 100 year flow. As part  
of the development we are removing as much drainage off of the existing system as  
practical. We have reduce the acreage to this outlet from 8.51 to 3.95 acres.

  
\_\_\_\_\_  
Signature of Petitioner

6/4/2019  
\_\_\_\_\_  
Date

**OFFICE USE ONLY**

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*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-C-3

Title of the Article: General Drainage Standards, Minimum Design Standards

Reasons: Outlet 1 10 and 100 year discharge is above the allowable when including off-  
site flows. Off-site flows are being routed through the piping system, but only to convey  
it to the outlet. Without off-site flows included in the discharge rates, the outlet meets  
the discharge requirements.

  
Signature of Petitioner

6/4/2019

Date

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Article of Subdivision Control Ordinance: 6.19-H-1b

Title of the Article: General Drainage Standards, Minimum Design Standards

Reasons: Outlet 1 discharges to an existing culvert under Nineveh Rd. Downstream from that culvert is an active farm field without a defined drainage channel. As part of this development we are reducing the acreage draining to that outlet from 10.04 acres to 5.16 acres which is reducing runoff to that outlet.

  
Signature of Petitioner

6/14/2019  
Date

**OFFICE USE ONLY**

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