



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT › DEPARTMENT OF ENGINEERING
70 E. MONROE STREET › FRANKLIN, INDIANA 46131 › 877.736.3631 › FAX 317.736.5310 › www.franklin-in.gov/planning

BZA Staff Report

To: Board of Zoning Appeals Members

From: Kevin Tolloty, Associate Planner

Date: August 29, 2012

Re: Case ZB 2012-13 (V)

REQUEST:

Case ZB 2012-13 (V)...70 E. Monroe Street. A request for a variance from the City of Franklin Zoning Ordinance Article 7, Chapter 12 to allow a drive entrance separation of less than 150 feet from an intersection in the Mixed Use: Downtown Center (MXD) and Downtown Overlay (DT-OL) zoning districts. The property is located at 70 E. Monroe Street.

PURPOSE OF STANDARD:

The "MXD," Mixed-Use: Downtown Center zoning district is intended to provide for the continued viability of the historic central business district. This district is also intended to accommodate and support the use of existing structures within the downtown. It is further intended to permit the continued, contextually appropriate development of the area through re-use and infill development.

The intent of the Downtown Overlay (DT-OL) is to establish an overlay district to address the unique characteristics of the properties in Franklin's Historic Downtown.

CONSIDERATIONS:

1. The petitioner is requesting a variance to the reduction in the distance between a proposed entrance drive and an existing intersection.
2. According to Article 7.12 of the Zoning Ordinance, entrance drives shall be separated by a minimum of 150 feet of a street intersection when accessed by local roads.
3. The distance between the entrance drive and the intersection would be reduced to approximately forty-five (45) feet.
4. The intersection is at E. Monroe Street and E. Court Street, currently with stop signs at E. Court Street and westbound on E. Monroe Street.
5. The entrance drive would be an entrance only that would allow the parking to be accessed from E. Monroe Street, which it is not currently.
6. This request is one of four variances related to the proposed downtown parking improvements and will otherwise bring the parking lot closer to compliance with the Zoning Ordinance with the addition of landscaping.

7. The 2002 Comprehensive Plan, Future Land Use Map, identifies this area as Downtown. "Future land use in the downtown area should support the function of the area as a unique focal point and gathering place for the Franklin community. Downtown Franklin should serve the City as a dynamic activity center that includes retailers, professional offices, residences, civic groups, government facilities, restaurants and bars, and service providers. Future land uses in the downtown should contribute to the establishment of an activity center with a mix of land uses which enhance the current community character that the downtown provides."
8. The definition of a practical difficulty, according to the 2004 City of Franklin Zoning Ordinance is: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is a situation where the owner could comply with the regulations within the Zoning Ordinance, but would like a variance from the Developmental Standards to improve his/her site in practical manner. For instance, a person may request a variance from a side yard setback due to a large tree that is blocking the only location that would meet the Development Standards for a new garage location.
9. According to Article 2.5: A special exception or variance ceases to be authorized and is expired if the obtaining of an Improvement Location Permit, or the execution of the approval has not been completed within 1 year of the date the variance or special exception is granted. The variance or special exception shall also expire if the approved construction has not been completed and approved by the Planning Director as being consistent with all written commitments or conditions, the requirements of this Ordinance, and all applicable permits within 2 years of the date the approval is granted.

The surrounding zoning and land uses are as follows:

Surrounding Zoning:

North: MXD, Mixed Use: Downtown Center/DT-OL
 South: MXD, Mixed Use: Downtown Center/DT-OL
 East: MXD, Mixed Use: Downtown Center/DT-OL
 West: MXD, Mixed Use: Downtown Center/DT-OL

Surrounding Land Use:

North: City Hall
 South: Padgett's Signs
 East: Parking Lot
 West: Johnson County Courthouse

CRITERIA FOR DECISIONS:

(The petitioner will need to address the Criteria for Decisions in their presentation**)**

In taking action on all special exception and variance requests, the Board of Zoning Appeals shall use the following decision criteria, consistent with the requirements of the Indiana Code. The Board may grant a special exception and a variance from development standards and limitations of this Ordinance if, after a public hearing, it makes findings of facts in writing (consistent with IC 36-7-4-918.5) that:

DECISION CRITERIA

1. ***General Welfare: The approval (will or will not) be injurious to the public health, safety, morals, and general welfare of the community.***

Staff Finding:

The approval of the variance may be injurious to the public health, safety, morals, or general welfare of the community. While the proposed entrance may not be the ideal location, it will allow entrance from E. Monroe Street which is currently not possible. The petitioner should explain how approval of this variance will not cause any concerns with traffic and pedestrian safety.

2. **Adjacent Property:** *The use and value of the area adjacent to the property included in the variance (will or will not) be affected in a substantially adverse manner.*

Staff Finding:

The use and value of adjacent properties will not be affected in an adverse manner as the property should improve the parking situation for surrounding businesses.

3. **Practical Difficulty:** *The strict application of the terms of the ordinance (will or will not) result in a practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.*

Staff Finding:

The strict application of the ordinance will result in a practical difficulty as the length of the parking lot is less than the 150 feet which is required for entrance separation, and it would be impossible to meet this separation requirement.

Please Note: The City of Franklin Board of Zoning Appeals may impose reasonable conditions as part of its approval.

STAFF RECOMMENDATION

Based on the written findings above, staff would recommend **approval** if the petitioner can provide sufficient evidence that the entrance separation will not pose any traffic safety concerns, otherwise staff would recommend denial.

Site Photographs



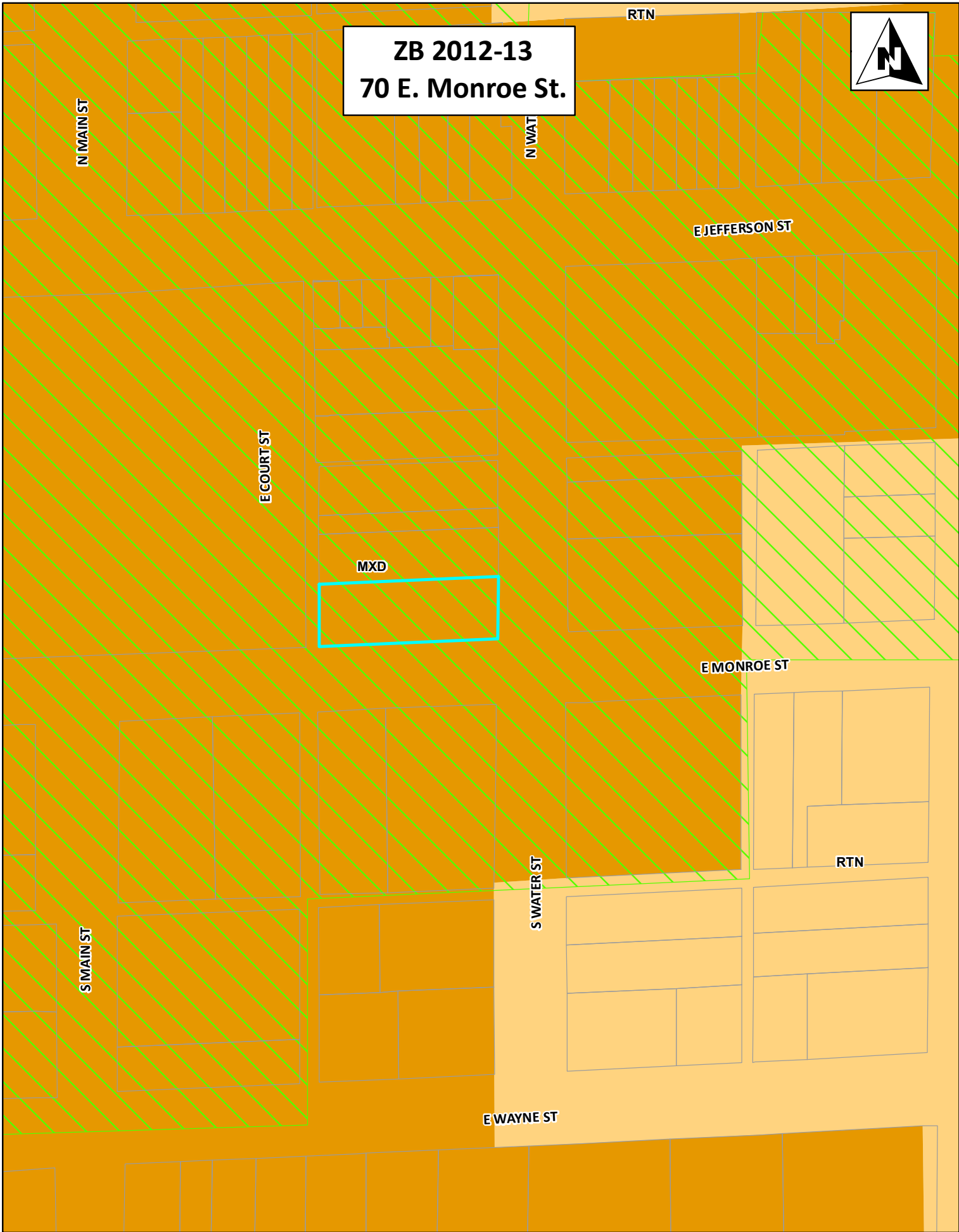


ZB 2012-13
70 E. Monroe St.

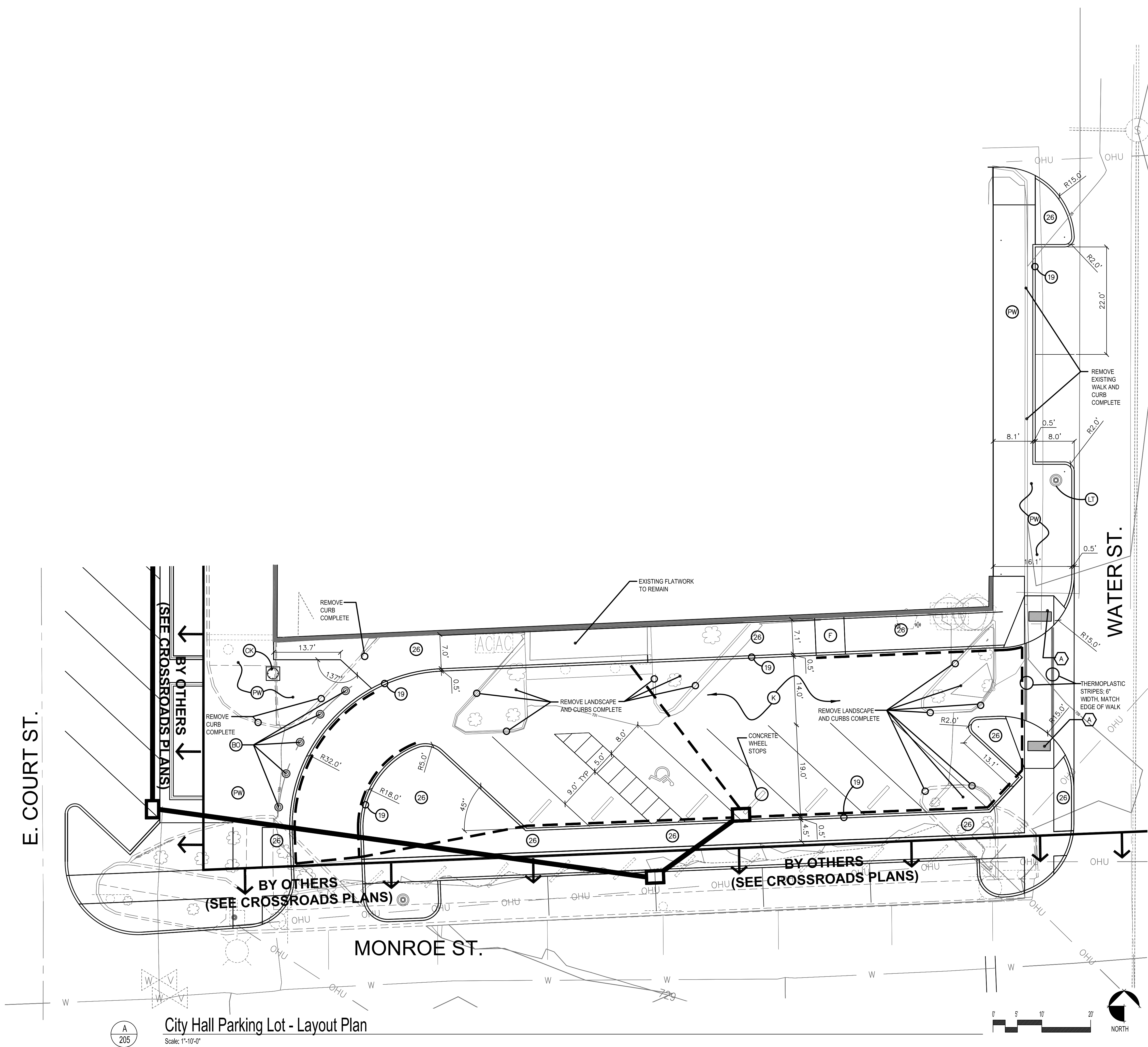


1 inch = 100 feet

ZB 2012-13
70 E. Monroe St.



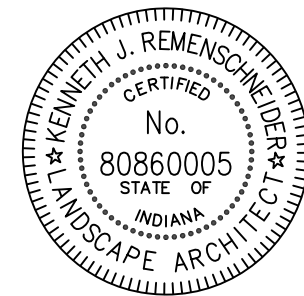
1 inch = 100 feet



City Hall Parking Lot - Layout Plan
Scale: 1"=10'-0"

- (BO) BOLLARD; SEE ELECTRICAL PLANS
- (BR) BIKE RACK
- (CK) CLOCK
- (F) CONCRETE SIDEWALK; 4"
- (FI) INTEGRAL CURB & WALK
- (K) FULL DEPTH PAVEMENT (PAVER OPTION)
 - 3 1/8" PERMEABLE INTERLOCKING CONCRETE PAVERS ON
 - 2" NO. 8 STONE ON
 - 4" NO. 57 STONE ON
 - 10" NO. 2 STONE ON
 - SUBGRADE TREATMENT, TYPE I-B
 - OR
 - FULL DEPTH PAVEMENT (ASPHALT OPTION)
 - 165 LB/SYD HMA SURFACE TYPE B ON
 - 275 LB/SYD HMA INTERMEDIATE TYPE B ON
 - 440 LB/SYD HMA BASE TYPE B ON
 - 9" COMPACTED AGGREGATE, NO. 53, BASE ON
 - SUBGRADE TREATMENT, TYPE I-B
- (K1) FULL DEPTH PARKING LOT PAVEMENT (PAVER OPTION)
 - 3 1/8" PERMEABLE INTERLOCKING CONCRETE PAVERS ON
 - 2" NO. 8 STONE ON
 - 4" NO. 57 STONE ON
 - 10" NO. 2 STONE ON
 - GEOGRID TYPE 1 ON
 - COMPACTED SUBGRADE
 - OR
 - FULL DEPTH PARKING LOT PAVEMENT (ASPHALT OPTION)
 - 165 LB/SYD HMA SURFACE TYPE B ON
 - 275 LB/SYD HMA INTERMEDIATE TYPE B ON
 - 440 LB/SYD HMA BASE TYPE B ON
 - 9" COMPACTED AGGREGATE, NO. 53, BASE ON
 - GEOGRID TYPE 1 ON
 - COMPACTED SUBGRADE
- (K2) FULL DEPTH PARKING LOT PAVEMENT (JACKSON STREET LOT)
 - 165 LB/SYD HMA SURFACE TYPE B ON
 - 385 LB/SYD HMA INTERMEDIATE TYPE B ON
 - 8" COMPACTED AGGREGATE, NO. 53, BASE ON
 - GEOGRID TYPE 1 ON
 - COMPACTED SUBGRADE
- (L) LIMESTONE RETAINING WALL
- (LT) LIGHT
- (P) FULL DEPTH ASPHALT PATCHING (STRUCTURE INSTALLATION)
 - 165 LB/SYD HMA SURFACE TYPE C ON
 - 275 LB/SYD HMA INTERMEDIATE TYPE C ON
 - 880 LB/SYD HMA BASE TYPE C ON
 - STRUCTURE BACKFILL
- (PB) PARKING BARRIERS
- (PS) PUBLIC PARKING SIGNAGE
- (PW) PAVER SIDEWALK
 - ? " X 12" X 24" ARCHITECTURAL PAVERS ON
 - BITUMINOUS SETTING BED W/ 3/8" NEOPRENE ASPHALTIC ADHESIVE ON
 - 4" CONCRETE BASE, CLASS A ON
 - COMPACTED AGGREGATE, NO. 53, BASE ON
 - COMPACTED GRADE
- (R1) ASPHALT MILL AND OVERLAY
 - 165 LB/SYD HMA SURFACE TYPE B ON
 - HMA WEDGE AND LEVEL TYPE B ON
 - 1 1/2" ASPHALT MILLING
- (RG) RAIN GARDEN
- (TF) TREE PROTECTION FENCE
- (A) CONCRETE CURB RAMP, TYPE '1'
- (C) CONCRETE CURB RAMP, TYPE '1'
- (G) CONCRETE CURB RAMP, TYPE '1'
- (19) STRAIGHT CONCRETE CURB, 4" FACE
- (20) CONCRETE BARRIER CURB, TYPE 2
- (21) CONCRETE FLUSH CURB
- (26) SODDING/ORNAMENTAL LANDSCAPING (SEE LANDSCAPE PLANS)
- (W) FULL DEPTH ASPHALT PAVEMENT (WIDENING)
 - 165 LB/SYD HMA SURFACE TYPE B ON
 - 275 LB/SYD HMA INTERMEDIATE TYPE B ON
 - 660 LB/SYD HMA BASE TYPE B ON
 - 8" COMPACTED AGGREGATE, NO. 53, BASE ON
 - GEOGRID TYPE 1 ON
 - COMPACTED SUBGRADE

DRAFT



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City of Franklin, Indiana - Downtown Parking

70 East Monroe Street

Franklin, Indiana

Layout Plan

Designed By BMS
Drawn By BMS/KMB
Revisions

Project # 090612 Date 08.21.12

205

PLANT PLUGS:

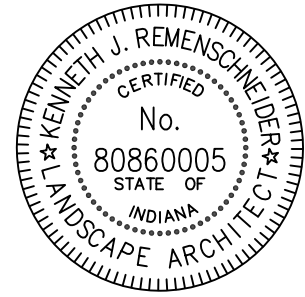
MIX A:

% of Mix	Botanical Name	Common Name	Qty.	Size @ Install
6	Asclepias incarnata	Marsh Milkweed	39	Plug; 2 3/4" x 3 3/4"
5	Aster novae-angliae	New England Aster	32	Plug; 2 3/4" x 3 3/4"
5	Baptisia australis	Blue False Indigo	32	Plug; 2 3/4" x 3 3/4"
12	Carex annectens var. xanthocarpa	Yellow Fox Sedge	77	Plug; 2 3/4" x 3 3/4"
12	Carex cristatella	Crested Sedge	77	Plug; 2 3/4" x 3 3/4"
12	Carex emoryi	Riverbank Tussock Sedge	77	Plug; 2 3/4" x 3 3/4"
12	Carex granularis	Meadow Sedge	77	Plug; 2 3/4" x 3 3/4"
12	Carex vulpinoidea	Fox Sedge	77	Plug; 2 3/4" x 3 3/4"
6	Chelone obliqua	Pink Turtlehead	39	Plug; 2 3/4" x 3 3/4"
6	Helenium autumnale	Autumn Sneezeweed	39	Plug; 2 3/4" x 3 3/4"
6	Lobelia cardinalis	Cardinal Flower	39	Plug; 2 3/4" x 3 3/4"
6	Penstemon digitalis	Foxglove Penstemon	39	Plug; 2 3/4" x 3 3/4"

TOTALS: 644 PLUGS; SPACED 1'-6" ON CENTER

TREE & SHRUB SCHEDULE						
KEYNOTE	BOTANICAL NAME	COMMON NAME	APPROX. QTY.	SIZE	SPACING	NOTES
AC	Acer campestre 'Queen Elizabeth'	Queen Elizabeth ('Evelyn') Hedge Maple	XX	2.5" Caliper	50' O.C.	Multi-Stem
AG	Amalanchier x grandifolia 'Autumn Brilliance'	Autumn Brilliance Serviceberry	XX	8' Height	50' O.C.	Multi-Stem
AR	Acer rubrum	Red Maple	XX	2.5" Caliper	50' O.C.	.
AS	Acer sacchrum	Sugar Maple	XX	2.5" Caliper	50' O.C.	.
BK	Buxus x koreana 'Green Velvet'	'Green Velvet' Boxwood	XX	24" Height	3' O.C.	.
CC	Cercis canadensis	Eastern Redbud	XX	8' Height	50' O.C.	Single-Stem
CO	Celtis occidentalis	Common Hackberry	XX	2.5" Caliper	50' O.C.	.
CY	Caryopteris x clandonensis	Blue Mist Spirea	XX	24" Height	3' O.C.	.
FO	Fothergilla gardenii	Dwarf Fothergilla	XX	24" Height	3' O.C.	.
GT	Gleditsia triacanthos inermis	Thornless Honeylocust	XX	2.5" Caliper	50' O.C.	Inermis
HP	Hydrangea paniculata 'Limelight'	Limelight Hydrangea	XX	24" Height	6' - 8' O.C.	
HQ	Hydrangea quercifolia 'Alice'	'Alice' Oakleaf Hydrangea	XX	24" Height	6' - 8' O.C.	
IV	Itea virginica	Virginia Sweetespire	XX	24" height	4' O.C.	.
MP	Myrica pennsylvanica	Northern Bayberry	XX	24"Height	6' O.C.	.
NS	Nyssa sylvatica	Black Gum	XX	2.5" Caliper	50' O.C.	.
QM	Quercus muehlenbergii	Chinkapin Oak	XX	2.5" Caliper	50' O.C.	.
TD	Taxodium distichum	Bald Cypress	XX	8' Height	50' O.C.	.

GRASS & PERENNIAL SCHEDULE						
KEYNOTE	BOTANICAL NAME	COMMON NAME	APPROX. QTY.	SIZE	SPACING	NOTES
AE	Agestache x 'Blue Fortune'	'Blue Fortune' Anise Hyssop	XX	1 gallon	2' O.C.	
AH	Amsonia hubrichtii	Narrow Leaf Blue Star	XX	1 gallon	2' O.C.	
CA	Calamagrostis acutiflora	Karl Forester Feather Reed Grass	XX	1 gallon	3' O.C.	
CP	Ceratostigma plumbaginoides	Dwarf Plumbago	XX	1 cell	1.5' O.C.	
CV	Carex vulpinoidia	Fox Sedge	XX	1 plug	1.5" O.C.	
CZ	Coreopsis verticillata 'Zagreb'	'Zagreb' Coreopsis	XX	1 gallon	2' O.C.	
ED	Eupatorium dubium 'Little Joe'	'Little Joe' Joe Pye Weed	XX	1 gallon	2' O.C.	
EP	Echinacea purpurea 'Kim's Knee High'	'Kim's Knee High' Purple Coneflower	XX	1 gallon	2' O.C.	
LB	Leucanthemum x superbum 'Becky'	'Becky' Shasta Daisy	XX	1 gallon	2' O.C.	
LK	Liatris spicata 'Kobold'	'Kobold' Grayfeather	XX	1 gallon	2' O.C.	
LU	Leucanthemum x superbum 'Gold Rush'	'Gold Rush' Shasta Daisy	XX	1 gallon	2' O.C.	
NF	Nepeta x faassenii 'Walker's Low'	'Walker's Low' Nepeta	XX	1 gallon	2' O.C.	
PV	Panicum virgatum 'Shenandoah'	'Shenandoah' Switchgrass	XX	1-3 gallon	2' O.C.	
RG	Rudbeckia fulgida var. sulivantii 'Goldstrum'	'Goldstrum' Orange Coneflower	XX	1 gallon	2' O.C.	
SA	Sedum 'Autumn Fire'	'Autumn Fire' Sedum	XX	1 gallon	2' O.C.	
SS	Schizachayrium scoparium	Little Bluestem	XX	1 plug	2' O.C.	



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City of Franklin, Indiana - Downtown Parking

70 East Monroe Street

Franklin, Indiana

Landscape Plan

Designed By: BMS
Drawn By: BMS/KMB
Revisions: 1

Project #: 050612 | Date: 08.21.12