



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

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Plan Commission Staff Report

To: Plan Commission Members
From: Joanna Tennell, Senior Planner
Date: December 12, 2024
Re: **Case PC-24-24 (PP): Commerce Point**

REQUEST:

Case PC-24-24 (PP)...Commerce Point. A request by PAD Commercial LLC for approval of a primary plat for a 6 lot commercial subdivision and waiver requests related to lot frontage and the location of detention facilities. The subject property is located on approximately 6.5 acres at the northwest corner of Commerce Drive and US 31/Morton Street (2490 N. Morton Street). The property is currently zoned Mixed Use: Community Center (MXC) and Gateway Overlay (GW-OL).

ZONING:

Surrounding Zoning:

North: MXC (Mixed Use: Community Center) & GW-OL
South: MXR (Mixed Use: Regional Center) & GW-OL
East: MXR (Mixed Use: Regional Center) & GW-OL
West: MXC (Mixed Use: Community Center) & GW-OL

Surrounding Land Use:

North: Church & Commercial
South: Meijer & McAlister's
East: ATI Physical Therapy & Multi-tenant office building
West: Agriculture

CURRENT ZONING:

The "MXC", Mixed Use: Community Center zoning district is intended to provide locations for a variety of small-to-mid-sized 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.

CONSIDERATIONS:

1. The proposal is to subdivide approximately 6.5 acres into 6 lots for a future commercial development. See attached primary plat.
2. The western Commerce Drive interior shared drive is proposed to be in alignment with the Meijer Drive on the south side of the road.

3. The eastern Commerce Drive interior shared drive is proposed as right-in/right-out only.
4. The existing shared drive off of US 31/Morton Street located on the property north of the subject property is proposed to remain. An ingress/egress easement was recorded in 1991.
5. A “No Access Easement” has been provided along the entire US 31/Morton Street frontage and along Commerce Drive frontage with the exception of the location of the shared drives to be constructed along Commerce Drive.
6. A traffic study was completed for the intersection of Commerce Drive and the Meijer Drives on the south side of Commerce Drive in 2015. Traffic was forecasted for a future year of 2022 utilizing assumptions for future growth and proposed development on the north side of Commerce Drive. A traffic signal is planned for the western interior shared drive intersection and, per the forecasted 2022 signalized intersection analysis, a southbound maximum queue length of 89 feet is expected to be provided.

Utilizing a standard passenger car length of 17 feet, the queue storage should be approximately five (5) cars with a 95th percentile storage of approximately four (4) cars; therefore, all southbound lanes at the intersection with Commerce Drive should, at minimum, accommodate the 95th percentile storage of four (4) cars.

7. As the traffic signal was analyzed for a 2022 build and the actual installation date is forthcoming it can be assumed that traffic capacity at the intersection may increase. For this reason, it is recommended that consideration be taken to increase the southbound lane lengths to accommodate more than the queue length as outlined above and be in excess of four (4) cars.
8. The City of Franklin will be installing a traffic signal at the western interior shared drive and will be extending the median from US 31/Morton Street to the traffic signal as a separate project.
9. Drainage easements, utility easements and access easements are proposed for all improvements on each lot that benefits the other lots.
10. A private street is required to comply with all City of Franklin standards for public street construction. This includes, but not limited to, sidewalks, street trees, pavement width and construction, and drainage.

The interior shared drives of the proposed development do not meet the requirements of a private street. Therefore, Lot 6 has zero (0) frontage on either a public or private street. The petitioner is requesting a waiver from this requirement.

11. Article 7.12 (B) of the Subdivision Control Ordinance states that entrance locations are subject to review and approval by the City Engineer as they relate to separation requirements and traffic safety.
12. Detention is proposed to be provided for the subdivision with underground detention facilities located on Lots 1, 2 & 6.
13. The petitioner is requesting a waiver to allow the detention facility on Lot 6 to be located in an easement as shown in lieu of being located in a common area. This detention facility is for the benefit of multiple lots.
14. The Technical Review Committee reviewed the petition at their November 21, 2024 meeting.

15. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Community 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.”

WAIVER REQUESTS:

1. Article 6.3(B)(2) of the City of Franklin Subdivision Control Ordinance states that every lot shall abut a public street or private street approved with a primary plat, consistent with the requirements of this Ordinance and Zoning Ordinance.
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.

CRITERIA FOR DECISION (WAIVER):

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 *the following conditions:*

1. “No access easements” to be provided along the entire US 31/Morton Street frontage and along Commerce Drive frontage, with the exception of the location of the interior shared drives to be constructed along Commerce Drive, consistent with the plans received December 3, 2024.
2. Final Lot entrance locations along the interior shared drives will be approved through the Secondary Plat & Construction Plan review process.
3. Each lane of all southbound shared drives intersecting with Commerce Drive shall provide sufficient queue length for storage of a minimum of four (4) vehicles. The starting point for measuring the queue length will be a point located a minimum of four (4) feet from the pedestrian crossings.
4. An entrance to a Lot may not intersect the interior shared drive within the required queue length of the southbound lanes.