



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: March 10, 2022

Re: Case PC 2022-04 (PP): Winterfield

REQUEST:

Case PC 2022-04 (PP)...Winterfield. A request by Forestar Group for approval of a primary plat for a 320 lot single-family residential subdivision. The subject property is located on 130+ acres on the west side of Hurricane Road immediately north of Heritage Subdivision. The property is currently zoned RS-2 (Residential: Suburban Two) and RS-3 (Residential: Suburban Three) with commitments (Ordinance 2021-18).

ZONING:

Surrounding Zoning:

North: R-2 (Johnson County)
South: PUD & A
East: PUD & R-2 (Johnson County)
West: IL & A

Surrounding Land Use:

North: Single-family residential
South: Single-family residential & agriculture
East: Single-family residential & golf course
West: Agriculture

HISTORY:

1. The subject property was annexed and rezoned to RS-2 (Residential: Suburban Two) and RS-3 (Residential: Suburban Three) with commitments in October of 2021.

CONSIDERATIONS:

1. The petitioner is proposing to develop 320 single-family residential lots. Five detention ponds are proposed and will be included within common areas to be maintained by the Homeowners Association.
2. There are two wetland areas that will be included in the common areas and delineated as wetlands preservation areas. The Homeowners Association will be responsible for these areas and must comply with all local, state, and federal regulations regarding wetlands management.
3. Buffer Yard Type 1 is required and has been provided adjacent to the A (Agriculture) zoning districts located west and south of the subject property (Lots 242-246 & Common Area 6 and a portion of Common Area 7).
 - a. A minimum setback of 10 feet in addition to the yard setback otherwise required by Ordinance.

- b. One (1) broad-leaf deciduous canopy tree must be planted in the buffer yard for every 30 feet of boundary between the subject and adjoining properties.
- 4. Buffer Yard Type 3 is required and has been provided adjacent to the IL (Industrial: Light) zoning district located west of the subject property (Lots 247-262 & Common Area 3).
 - a. A minimum setback of 25 feet in addition to the yard setback otherwise required by this Ordinance.
 - b. A row of broad-leaf deciduous canopy trees shall be planted parallel to the property line within the buffer yard with 1 tree placed every 20 feet along the boundary between the subject and adjoining properties. Also, a 6 foot tall opaque wooden fence or brick / stone wall, a 5 foot tall undulating mound planted with shrubs, or a row of evergreen conifers shall be provided.
 - i. If an undulating mound is used the slope shall be a maximum of 3:1 (rise:run), one shrub for every 10 feet of continuous boundary shall be planted on the mound. All required shrubs shall be 18 inches tall, measured from grade, at planting.
 - ii. If a row of evergreen trees is used, one tree shall be placed every 10 feet along the property boundary. All evergreen trees shall be 5 feet in height, measured from the top of the rootball, at the time of planting.
- 5. Article 6.5(H) states when a proposed subdivision borders an existing street, the design and construction of the subdivision shall include the reconstruction, realignment or widening of such street consistent with the requirements for new streets developed as part of a subdivision.
 - a. Discussions have been held between the developer and staff regarding this requirement as it pertains to Hurricane Road.
 - b. Brian Gray, PE, with Forestar Group, prepared an exhibit of the proposed cross-section for reconstruction of Hurricane Road.
 - c. Reconstruction may be completed in cooperation (i.e. – cost sharing) with the future project located on the east side of Hurricane Road. The City of Franklin cannot require the other developer to participate at this time. However, this does not limit the two developers from entering into a private agreement regarding reconstruction of Hurricane Road.
- 6. Article 6.5(H)(2) states “Intersection Improvements: At the intersection of a subdivision street or planned drive with an existing street, the subdivider shall install deceleration, acceleration, and passing lanes meeting the requirements of the City Engineer.”
 - a. The current primary plat on file does not include passing lanes as they would not be required if the future project on the east side of Hurricane Road is developed with their entrances aligning with the entrances of Winterfield.
 - b. If the future project on the east side of Hurricane Road is not developed, the developer of Winterfield will need to design and install passing lanes meeting the requirements of the City Engineer as outlined above.
- 7. The drainage system for Winterfield is proposed to outlet to Hurricane Creek, legal drain, located east of the subject property. This will require a pipe system to be extended across property outside the limits of the subdivision and will cross private property owned by two separate parties.
 - a. Review and approval from the Johnson County Drainage Board is required.
 - b. The developer will need to obtain and record offsite easements from each owner prior to starting construction.

8. The Technical Review Committee reviewed the petition at their February 17, 2022 meeting. Revised plans were received February 28, 2022 and March 10, 2022.
 - a. Forestar Group response letter with Exhibit A dated February 28, 2022 is attached.
9. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies the area within the buffer zone as Agricultural. “Agriculture areas are generally located outside the current city limits in Franklin’s extended zoning jurisdiction. Existing agriculture areas within the city limits are prime locations for new development, consistent with the future land use plan map. Agricultural areas are intended to include traditional farming uses, in addition to agricultural products storage and distribution facilities (such as commercial grain elevators), stables, natural preserves, agricultural research facilities, and other animal husbandry and food production related activities.”
10. The Plan the Land 2030 – Johnson County Comprehensive Plan, Future Land Use Map, identifies the area as Suburban Residential. “Suburban residential uses are generally in subdivisions, having a density of more than one unit per acre, and may even include other forms of housing such as multiple family developments. Most suburban residential areas, however, will be typified by single family neighborhoods. All areas within this designation should be served by municipal sewers and have access to the county road network only through shared local streets (no individual driveways on a county road (collector or arterial)). To the extent possible, subdivisions should interconnect with one another in a manner that facilitates both pedestrian and vehicular movement without using the arterial road network.”

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:

Staff recommends *approval of the primary plat with the following conditions:*

1. Reconstruction of Hurricane Road along the entire frontage of the subject property shall be designed and constructed meeting current City of Franklin standards as required per Article 6.5(H) of the Franklin Subdivision Control Ordinance and consistent with Exhibit A – Hurricane Road Rehabilitation Cross-Section provided by Forestar Group with a prepared date of 2022/02/25.

2. If entrances to the future project on the east side of Hurricane Road are not constructed (and aligned with), or are not planned to be constructed within one year after the recordation of the secondary plat for Winterfield, Section 1, passing lanes shall be required to be installed across from the Winterfield Subdivision entrances by the developer of Winterfield. Passing lanes shall meet the requirements of the Franklin Subdivision Control Ordinance and City Engineer.
3. Johnson County Drainage Board approval is required and copies shall be provided to staff prior to issuance of a land disturbance permit for work associated with an approved set of construction plans.
4. Offsite easements shall be recorded and copies provided to staff prior to issuance of a land disturbance permit for work associated with an approved set of construction plans.
5. Development shall comply with all recorded commitments of Ordinance 2021-18, including but not limited to:
 - a. Ponds: All ponds installed on the Real Estate in connection with any development thereof, along with a minimum 20 ft. drainage easement from the top of bank, shall be located entirely within the common area of any subdivision and not on any lot(s) on the Real Estate.
 - b. Construction of the proposed amenities (pool, pool house, and associated parking lot) shall start during subdivision/home construction of Section 1 and shall be completed prior to recording the secondary plat of Section 2.
 - c. Hurricane Road Landscaping: At the time the area immediately adjacent to Hurricane Road is improved and prior to issuance of a final certificate of occupancy for a structure, a row of broad-leaf deciduous canopy trees shall be planted parallel to the property line and be placed within a common area adjacent to Hurricane Road with 1 tree placed every 40 feet along the boundary; provided, however, that such canopy trees required within the area comprising the 150 feet Electric Line Easement as recorded in Deed Record 137 Page 533 shall be small trees (30 ft. or less). The developer shall have a good faith obligation in obtaining approval from the easement Grantee. If approval is not obtained, the necessary plantings shall be planted outside the 150 feet easement but within the required common area adjacent to Hurricane Road.

At the time the area immediately adjacent to Hurricane Road is improved and prior to issuance of a final certificate of occupancy for a structure, a 3 to 5-foot tall undulating mound shall be provided parallel to the property line and placed within a common area adjacent to Hurricane Road, with the slope of said mounds not to exceed 3:1, and improved with shrubs and/or evergreen trees at a rate of one shrub for every 20 feet of continuous boundary or one evergreen for every 35 feet of continuous boundary or a combination thereof; provided, however, that shrubs and not evergreens shall be provided at the ratio above in the area comprising the 150 feet Electric Line Easement as recorded in Deed Record 137 Page 533. The developer shall have a good faith obligation in obtaining approval from the easement Grantee for the plantings and mounding. If approval is not obtained, the necessary plantings shall be planted outside the 150 feet easement but within the required common area adjacent to Hurricane Road and the mounding only within the 150 feet easement shall be waived.

- i. All shrubs required pursuant to the terms above shall be 18 inches tall, measured from grade, at the time of planting, and all evergreen trees required pursuant to the terms above shall be 5 feet in height, measured from the top

of the root ball, at the time of planting and be planted 2 feet laterally from the peak of the mound.

- d. Trail System: An asphalt trail meeting the City Engineer and Department of Parks and Recreation requirements shall be provided along Hurricane Road as an extension of the Franklin Greenways Trail and shall be connected to the internal sidewalk system.
- e. Minimum Lot Width for RS-3 zoning district: Notwithstanding the minimum Lot Width stated in the Table in Section 3.3 and in Section 3.9 of the City of Franklin Zoning Ordinance, the minimum Lot Width (as defined in the City of Franklin Zoning Ordinance) shall be 60 feet.