



# PLANNING COMMISSION STAFF REPORT

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To: Planning Commission Members

From: Liz Fields, AICP, Planner

Meeting Date: July 10, 2024

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**PC 24-12**                      **Preliminary Planned Unit Development and Rezoning | Shaker**  
**PC 24-13**                      **Farms**

**Property Information:**    Location: Parcel #0835200001 Northeast corner of Manchester Road and Shaker Road

Current Zoning: I-2 General Industrial

Proposed Zoning: R-2 Metropolitan Residential with a Planned Unit Development Overlay

Property Size: 109.5 acres

Proposed Use: Single Family Residential Homes – 284 total units

Proposed Density: 2.59 Units/Acre

Proposed Open Space: 27.5 acres plus 15.09 acres of dedicated park land

**Project Overview:**        The applicant, Charles E Baverman III, Dinsmore & Shohl, LLP, on behalf of Forestar (USA) Real Estate Group, is requesting to rezone 109.5 acres currently located in Franklin Township from I-2 General Industrial to R-2 Metropolitan Residential with a Planned Unit Development Overlay, and to approve a preliminary development plan for 284 single family units.

The proposed zoning designation will allow the property to develop with a single-family residential subdivision that is similar in nature to the City’s R-2 Zoning District but allows the Planning Commission to vary the development regulations required in that district including setbacks, density, lot sizes, and other similar features.

The proposed Preliminary Development Plan review and approval is the first step in the Planned Unit Development approval process. This step allows the applicant to present an overall concept for the subject property, without providing all the typical detailed information like utility requirements, grading, landscaping, etc. The Planning Commission and City Council then can review and provide feedback on the concept and decide whether the proposal makes sense for the City moving forward.

The Planning Commission will provide a recommendation to City Council on the rezoning request and Preliminary Development Plan and Council will ultimately make the decision to approve or deny both requests. If the Preliminary Development Plan is approved, then the applicant will return with a development agreement and a Final Development Plan which will include the detailed information that is required before construction can begin.

**Comments:**

The subject property was annexed into the City of Franklin in 2023 and is 109.5 acres in size. In total, 284 residential lots are proposed which are divided into 46 single-family attached townhome lots, 135 50-foot-wide lots, and 103 60-foot-wide lots for a total density of 2.59 units per acre.

27.5 acres of the property are identified as open space and 15.09 acres are identified as dedicated park land, which consists of approximately 39% percent of the property. The proposed lots are a minimum size of 6,000 square feet with a proposed minimum front yard setback of 25 feet, individual side yard setbacks of 5 feet with a combined 10 feet, and a rear yard setback of 25 feet.

The R-2 Zoning District requires a minimum lot size of 6,000 square feet, a minimum lot width of 60 feet, a minimum front yard setback of 25 feet, an individual side yard setback of 6 feet with a combined 15 feet, and rear yard setback of 30 feet. The proposed development meets the minimum lot size and front yard setback requirements of the R-2 District but is requesting a change to the minimum lot width and side and rear yard setbacks.

The proposed open space is distributed throughout the property. The greatest concentration of open space is located in the northeast corner of the site where 15.09 acres (13.78% of the property) of dedicated parkland is proposed. There is also a proposed dog park, sport court, and tot lot in the southeast corner of the property which connects to the subdivision's sidewalk network.

If the Planning Commission and Council approves the rezoning and preliminary development plan, then the applicant will provide additional details on the development with the Final Development Plan including a phasing plan for the development, elevations of typical residential homes that will fit within the proposed building envelope, concepts for the open space, a street tree plan, subdivision entrance signs and landscaping, and other similar features.

Zoning Amendment Standards for Approval:

The Planning Commission and the City Council shall consider the following criteria in approving all zoning amendments:

1. The proposed zoning district classification and use of the land will not materially endanger the public health or safety; and  
**The proposed zoning district classification and use of the land will not materially endanger the public health or safety.**
2. The proposed zoning district classification and use of the land is reasonably necessary for the public health or general welfare, such as by enhancing the successful operation of the surrounding area in its basic community function or by providing an essential service to the community or region; and  
**The proposed zoning district will provide additional housing opportunities for the City of Franklin and the region.**
3. The proposed zoning district classification and use of the land will not substantially injure the value of the abutting property; and  
**It is not expected that the proposed zoning district classification and use of the land will injure the value of abutting land. The property has agricultural/estate residential land to the east, south, and west and industrial land to the north.**
4. The proposed zoning district classification and use of the land will be in harmony with the scale, bulk, coverage, density, and character of the area of the neighborhood in which it is located; and  
**The proposed zoning district classification is different than its adjacent properties but is located in an area where there is a mix of agricultural and residential development; therefore, it will complement the general area in which it is located.**
5. The proposed zoning district classification and use of the land will generally conform with the Comprehensive Land Development Plan and other official plans of the City, unless actual development within the area or changes in the conditions of the area makes conforming to the Comprehensive Development Plan impractical; and  
**The subject property is identified as “Low Density Residential” on the City’s Comprehensive Plan. This land use category recommends detached, single-family houses in subdivisions or platted neighborhoods. Typically, low density residential represents 1-6 dwelling units per acre”. The proposed zoning district and development is generally consistent with the land use category as it conforms to the use and density recommendations. The only differential is that the proposed development includes 46 attached single-family townhomes. Staff thinks that this addition is generally consistent with the overall intent of the land use recommendations.**

6. The proposed zoning district classification and use of the land are appropriately located with respect to transportation facilities, utilities, fire and police protection, waste disposal, and similar characteristics; and  
**The proposed zoning district classification and use of the land area are appropriately located in this regard.**
  
7. The proposed zoning district classification and use of the land will not cause undo traffic congestion or create a traffic hazard.  
**The proposed development will need to meet the city's construction standards and install all traffic improvements required by the traffic study, in consultation with the City Engineer and Warren County.**

**Recommendation:** Staff recommends that Planning Commission forward a recommendation of approval of to the City Council for the rezoning application from I-2 General Industrial to R-2 Residential with a Planned Unit Development Overlay and the Preliminary Development Plan for 284 single family units on 109.5 acres.

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