

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	May 26, 2015	Meeting Date:	June 1, 2015
Contact Information:			
Requested by:	Joanna Myers, Senior Planner		
On Behalf of Organization or Individual:			
		Plan Commission & Woolpert	
Telephone:	317-736-3631		
Email address:	jmyers@franklin.in.gov		
Mailing Address:	70 E. Monroe St., Franklin, IN 46131		
Describe Request:			
Approval of Ordinance 2015-05: Annexation to be known as Meijer Annexation (Introduction)			
List Supporting Documentation Provided:			
1. City Council memo			
2. Plan Commission Staff Report (PC 2015-11 & PC 2015-12)			
3. Ordinance 2015-05			
4. Resolution 2015-15			
5. Fiscal Plan – Meijer Annexation			
Who will present the request?			
Name:	Jon Sheidler	Telephone:	317-223-2226

The Franklin City Council meets on the 1st and 3rd Monday of each month at 6:30 p.m. in the Council Chambers of City Hall located at 70 E. Monroe Street. In order for an individual and/or agency to be considered for new business on the agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 12:00 p.m. on the Wednesday before the meeting.



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

Plan Commission Staff Report

To: Plan Commission Members

From: Joanna Myers, Senior Planner

Date: May 12, 2015

Re: Case PC 2015-11 (A) & PC 2015-12 (R): Meijer Annexation & Rezoning

REQUEST:

Case PC 2015-11 (A) & PC 2015-12 (R)...Meijer Annexation & Rezoning. A request by Woolpert, Inc. to annex 3.33 acres and rezone 24.35 acres from Mixed Use: Community Center (MXC) and Residential: Suburban One (RS-1) to Mixed Use: Regional Center (MXR), with Gateway Overlay (GW-OL) to remain unchanged. The property is located south of Commerce Drive and west of N. Morton Street (US 31).

ADJACENT PROPERTIES:

Surrounding Zoning:

North: MXC, RS-1, GW-OL
South: RSN, MXC, GW-OL
East: MXR & GW-OL
West: RS-1

Surrounding Land Use:

North: Agriculture & Commercial
South: Residential & Auto Sales
East: Commercial
West: Agriculture

CURRENT ZONING:

The “MXC”, Mixed Use: Community Center zoning district is intended to provide locations for a variety of small-to-midsized 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.

PROPOSED ZONING:

The “MXR”, Mixed Use: Regional Center zoning district is intended to provide locations for a variety of business and institutional land uses that either serve a regional market, or require convenient access to high-volume transportation routes. This district is intended to permit a mixture of compatible land uses in close proximity to appropriate transportation routes and other necessary infrastructure.

CONSIDERATIONS:

1. Woolpert, Inc. is requesting that 3.33 acres located south of Commerce Drive and west of N. Morton Street (US 31) be annexed into the City of Franklin and that 24.35 acres be rezoned to MXR (Mixed Use: Regional Center), with the GW-OL (Gateway Overlay) to remain unchanged, for the future development of Meijer and additional outlots along N. Morton Street (US 31).
2. Parcel B shown on the attached exhibit identifies the area requested to be annexed.
3. Indiana Code requirements (IC 36-4-3-5) for voluntary annexation are:
 - a. Consent of 51% of the property owners or owners of 75% of the total assessed value of the land for property tax purposes.
 - b. At least one-eighth (1/8 or 12.5%) of the aggregate external boundary of the proposed annexation area must be contiguous with the existing city limits. A strip of land less than one hundred fifty (150) feet wide is not considered contiguous. (IC 36-4-3-1.5)
4. The proposed annexation area is 41.28% contiguous to the City of Franklin and 100% of the property owners are parties to the petition.
5. Utilities are readily available at this location
6. Parcels A, B & C are proposed to be rezoned from MXC to MXR. Parcels A & C are also currently zoned GW-OL which is proposed to remain unchanged.
7. The proposed use, Meijer, is a permitted land use in both the MXC and MXR zoning districts. The development standards and land use lists are attached for both zoning districts.
8. The Technical Review Committee reviewed the petition at their April 30, 2015 meeting. Woolpert, Inc., presented the petition to the committee and resubmitted on May 1, 2015. All Technical Review comments have been met.
9. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Community Activity Center and Neighborhood 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."

"Neighborhood activity centers are intended to fill a unique role by establishing gathering spaces and/or convenience goods and services in close proximity to neighborhoods. Common uses in neighborhood activity centers may include neighborhood scale churches, schools, parks, and commercial centers. Appropriate commercial activities in neighborhood activity centers include convenience stores, cafes, coffee shops, and other providers of day-to-day convenience goods and services. Residential uses, in the form of apartments located on the upper floors of businesses, are encouraged in neighborhood activity centers."

PC 2015-11 (A): MEIJER ANNEXATION

PLAN COMMISSION ACTION – ANNEXATION :

Plan Commission action (either *favorable*, *unfavorable*, or *no recommendation*) is a recommendation to the City Council, which takes action on the annexation petition.

STAFF RECOMMENDATION – ANNEXATION:

Staff recommends a *favorable recommendation* be forwarded to the City Council.

PC 2015-12 (R): MEIJER REZONING

CRITERIA FOR DECISIONS – REZONING:

In taking action on rezoning requests, the Plan Commission shall pay reasonable regard to the decision criteria outlined in Article 11.6 (I) of the City of Franklin Zoning Ordinance.

1. ***Comprehensive Plan: The City of Franklin Comprehensive Plan and any other applicable, adopted planning studies or reports.***

Staff Finding:

The long term land use plan of the 2013 Comprehensive Plan identifies the subject property as Community Activity Center and Neighborhood Activity Center. The request to rezone the property to MXR is consistent with this plan.

2. ***Current Conditions: The current conditions and the character of current structures and uses in each district.***

Staff Finding:

The property located immediately to the north and east of the subject property is currently zoned MXC and MXR and is currently developed in a commercial nature. In addition it is important to note, that 21.02 acres of the subject site are already zoned MXC. Meijer is a permitted use in both the MXC and MXR zoning districts.

3. ***Desired Use: The most desirable use for which the land in each district is adapted.***

Staff Finding:

The property is immediately adjacent to other commercial properties and the majority is currently zoned MXC which allows the majority of the same permitted land uses. In addition, the property's proximity to US 31 provides excellent access to a regional transportation route.

4. ***Property Values: The conservation of property values throughout the City of Franklin's planning jurisdiction.***

Staff Finding:

The rezoning request should not affect the property values in the area; however, the development of the property could increase the property values in the area as additional commercial services are provided.

5. *Responsible Growth: Responsible growth and development.*

Staff Finding:

The subject property is currently zoned MXC, which lists a retail operation as a permitted use. The proposed rezoning to MXR allows the petitioner to have a larger lot size than permitted in the MXC zoning district. Therefore, the development of the site as proposed would be compliant with the lot size requirement.

PLAN COMMISSION ACTION – REZONING :

In the rezoning process, the Plan Commission has the authority to review the provisions of the Comprehensive Plan and the Zoning Ordinance. Plan Commission action (either *favorable*, *unfavorable*, or *no recommendation*) is a recommendation to the City Council, which takes action on the rezoning petition.

STAFF RECOMMENDATION – REZONING:

Based on the criteria for decisions above, staff recommends a *Favorable Recommendation* be forwarded to the Franklin City Council rezoning the property to MXR (Mixed Use: Regional Center), with Gateway Overlay to remain.

3.18 Mixed-Use: Community Center (MXC)

District Intent:

The "MXC", Mixed-Use: Community Center zoning district is intended to provide locations for a variety of small-to-mid-sized business and institutional facilities that serve the entire Franklin-area community. This district should be used alone, and in combination with other zoning district to create areas for community shopping, entertainment, services, and public gatherings.



A. Permitted Primary Uses:

Use Matrix: The Use Matrix (p 3-3 through 3-7) provides detailed use lists for all zoning districts.

Agriculture Uses

- farm (general)
- farmer’s market
- winery

Residential Uses

- dwelling, secondary (on upper floors)

Institutional/Public Uses

- community center
- day-care center
- funeral home
- government office
- hospital/medical center
- library
- lodge or private club
- medical clinic
- parking lot or garage (as a primary use)
- police, fire, or rescue station
- trade or business school

Park Uses

- athletic fields, courts, & areas
- nature preserve/center
- park and/or playgrounds

Commercial Uses

- auto-oriented uses (small scale)
- auto-oriented uses (medium scale)
- auto-oriented uses (large scale)
- conference center
- health spa
- hotel
- liquor store
- office uses
- personal service uses
- recreation uses (small scale)
- recreation uses (medium scale)
- recreational uses (large scale)
- restaurant
- retail uses (small scale)
- retail uses (medium scale)
- retail uses (large scale)
- retreat center



B. Special Exception Primary Uses:

Use Matrix: The Use Matrix (p 3-3 through 3-7) provides detailed use lists for all zoning districts.

Residential Uses

- bed and breakfast facility
- boarding house
- dwelling, multi-family (more than 2 dwelling units)
- nursing/assisted living facility
- residential facility for the developmentally disabled type I
- residential facility for the developmentally disabled type II
- residential facility for the mentally ill

Communications/Utilities Uses

- communication service exchange
- telecommunications facility/tower
- utility substation
- water tower

Institutional/Public Uses

- church or other place of worship
- institutional facility for the developmentally disabled/mentally ill
- museum or gallery
- post office
- university or college

Park Uses

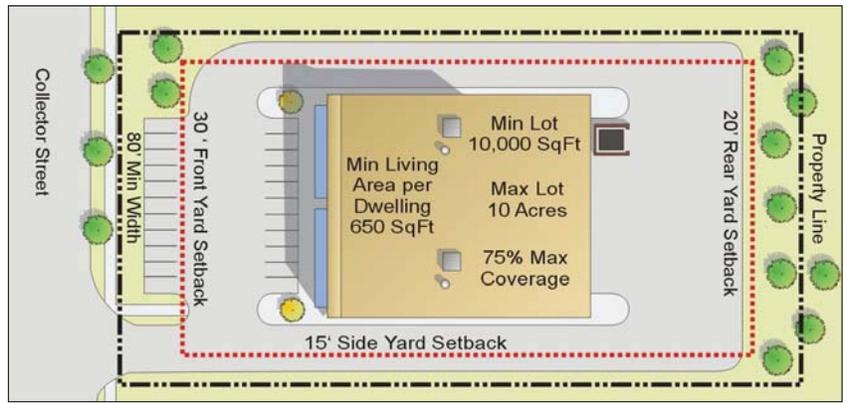
- driving range (as a primary use)

Commercial Uses

- mass transit terminal/station
- data processing / call center
- fireworks sales

C. Lot Standards

<p>Minimum Lot Area • 10,000 square feet</p> <p>Maximum Lot Area • 10 acres (435,600 square feet)</p> <p>Minimum Lot Width (measured at front setback/build-to line) • 80 feet</p> <p>Maximum Lot Depth • not applicable</p> <p>Maximum Lot Coverage (including all hard surfaces) • 75%</p> <p>Min. Front Yard Primary Struct. Setback (measured from street right-of-way) • 50 feet when adjacent to an Arterial Street • 30 feet when adjacent to a Collector Street • 20 feet when adjacent to a Local Street</p>	<p>Min. Side Yard Primary Struct. Setback (measured from adjacent property line) • 15 feet</p> <p>Min. Rear Yard Primary Struct. Setback (measured from rear property line) • 20 feet</p> <p>Minimum Living Area per Dwelling (for primary structures) • 650 square feet</p> <p>Minimum Ground Floor Living Area (for primary structures) • not applicable</p> <p>Maximum Primary Structures per Lot • 1</p> <p>Maximum Height (for primary structures) • 45 feet • See Chapter 7.14, for telecommunications facility height requirements</p>
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Illustrative Layout (Does not reflect all requirements contained within this Ordinance).

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Cross-References

3.19 Mixed-Use: Regional Center (MXR)

District Intent:

The "MXR", Mixed-Use: Regional Center zoning district is intended to provide locations for a variety of business and institutional land uses that either serve a regional market, or require convenient access to high-volume transportation routes. This district is intended to permit a mixture of compatible land uses in close proximity to appropriate transportation routes and other necessary infrastructure.



A. Permitted Primary Uses:

Use Matrix: The Use Matrix (p 3-3 through 3-7) provides detailed use lists for all zoning districts.

Agriculture Uses

- farm (general)
- farm equipment sales and service
- farmer’s market
- winery

Residential Uses

- dwelling, secondary (on upper floors)

Institutional/Public Uses

- community center
- day-care center
- funeral home
- government office
- hospital/medical center
- library
- lodge or private club
- medical clinic
- parking lot or garage (as a primary use)
- police, fire, or rescue station
- trade or business school

Park Uses

- athletic fields, courts, & areas
- nature preserve/center
- park and/or playgrounds

Commercial Uses

- auto-oriented uses (small scale)
- auto-oriented uses (large scale)
- data processing / call center
- conference center
- health spa
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- office uses
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- retail uses (medium scale)
- retail uses (large scale)
- retreat center



B. Special Exception Primary Uses:

Use Matrix: The Use Matrix (p 3-3 through 3-7) provides detailed use lists for all zoning districts.

Residential Uses

- bed and breakfast facility
- boarding house
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- nursing/assisted living facility
- residential facility for the developmentally disabled type I
- residential facility for the developmentally disabled type II
- residential facility for the mentally ill

Communications/Utilities Uses

- communication service exchange
- telecommunications facility/tower
- utility substation
- water tower

Institutional/Public Uses

- animal shelter
- church or other place of worship
- government facility (non-office)
- institutional facility for the developmentally disabled/mentally ill

Park Uses

- driving range (as a primary use)

Commercial Uses

- auto-oriented uses (medium scale)
- mass transit terminal/station
- fireworks sales
- kennel
- mobile/manufactured home sales
- truck stop/travel center

Industrial Uses

- light industrial assembly/distribution
- light industrial processing/ distribution

C. Lot Standards

Minimum Lot Area
 • 15,000 square feet

Maximum Lot Area
 • not applicable

Minimum Lot Width
 (measured at front setback/build-to line)
 • 100 feet

Maximum Lot Depth
 • not applicable

Maximum Lot Coverage
 (including all hard surfaces)
 • 75%

Min. Front Yard Primary Struct. Setback
 (measured from street right-of-way)
 • 50 feet when adjacent to an Arterial Street
 • 30 feet when adjacent to a Collector Street
 • 20 feet when adjacent to a Local Street

Min. Side Yard Primary Struct. Setback
 (measured from adjacent property line)
 • 15 feet

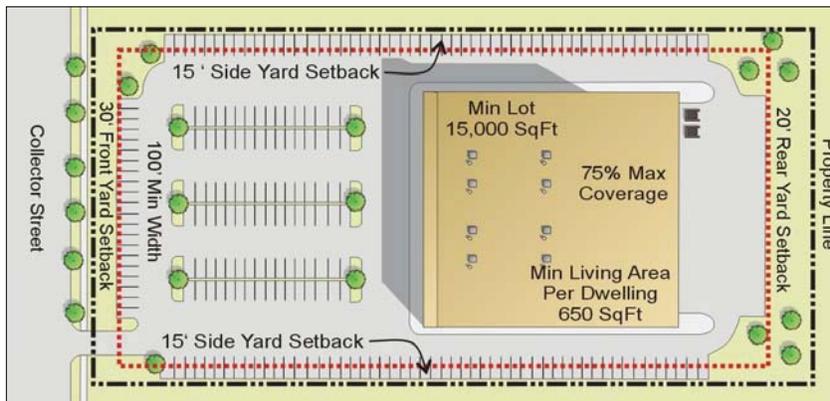
Min. Rear Yard Primary Struct. Setback
 (measured from rear property line)
 • 20 feet

Minimum Living Area per Dwelling (for primary structures)
 • 650 square feet

Minimum Ground Floor Living Area (for primary structures)
 • not applicable

Maximum Primary Structures per Lot
 • 1

Maximum Height (for primary structures)
 • 45 feet
 • See Chapter 7.14, for telecommunications facility height requirements



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Cross-References

City of Franklin Common Council

ORDINANCE # 2015-05

AN ORDINANCE APPROVING A RESOLUTION
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION,
AND ANNEXING CERTAIN PROPERTY CONTIGUOUS TO THE FRANKLIN CORPORATE LIMITS
(to be known as Meijer Annexation)

WHEREAS, a petition has been filed before the Common Council of the City of Franklin, Indiana, pursuant to IC 36-4-3-5.1, by the owners of certain real estate, requesting that said real estate be annexed by the City of Franklin, Indiana, a description of said property is attached hereto, incorporated herein and marked as Exhibit "A"; and

WHEREAS, the City of Franklin, Indiana Plan Commission is an advisory Plan Commission to the City of Franklin, and has by Resolution #2015-11 recommended that the City's Common Council approve the annexation of the real property described in the attachments (a copy of said Resolution, together with attached exhibits, is attached hereto, incorporated herein by reference, and marked "Resolution #2015-11"); and

WHEREAS, pursuant to IC 36-7-4-605, Resolution #2015-11 has been certified to City's Common Council; and

WHEREAS, it appears that it would be in the best interest of the City of Franklin, Indiana that said real estate described in Exhibit "A" be annexed to and become a part of the City of Franklin, Indiana.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA, ORDAINS AND ENACTS THE FOLLOWING:

1. The real estate described in Exhibit "A" is hereby declared annexed to the City of Franklin, Indiana and shall be rezoned from Residential: Suburban One (RS-1) to Mixed Use: Regional Center (MXR).
2. The Plan Commission is directed to amend the zoning maps of the City in a manner consistent with this ordinance; and
3. The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain; and
4. The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed; and
5. If any part of this ordinance is held to be invalid, such part will be deemed severable and its validity will have no effect upon the remaining provisions of this ordinance; and

6. The provisions set forth in this ordinance become and will remain in full force and effect pursuant to Indiana Code; and
7. Said newly annexed territory shall become a part of Council District 5; and
8. The Clerk-Treasurer is hereby directed to advertise this ordinance pursuant to IC 36-4-3-7 and to make the filings as required by IC 36-4-3-22(a),

INTRODUCED AND FILED on the 1st day of June, 2015.

PUBLIC HEARING held on the _____ day of _____, 2015.

DULY ADOPTED on this _____ day of _____ 2015, by the Common Council of the City of Franklin, Johnson County, Indiana having been passed by a vote of _____ in Favor and _____ Opposed.

City of Franklin, Indiana, by its Common Council:

Voting Affirmative:

Voting Opposed:

Stephen Barnett, Council President

Stephen Barnett, Council President

Kenneth W. Austin, Vice President

Kenneth W. Austin, Vice President

Joseph P. Abban

Joseph P. Abban

Joseph R. Ault

Joseph R. Ault

Stephen D. Hougland

Stephen D. Hougland

Dr. William T. Murphy

Dr. William T. Murphy

Richard L. Wertz

Richard L. Wertz

Attest:

Janet P. Alexander, City Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15,16, this _____ day of _____, 2015 at _____ o'clock p.m.

Janet P. Alexander, City Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me was [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2), this _____ day of _____, 2015 at _____ o'clock p.m.

Joseph E. McGuinness, Mayor

Attest:

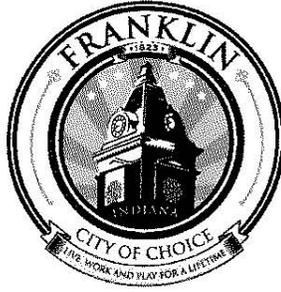
Janet P. Alexander, Clerk-Treasurer

*Prepared by:
Joanna Myers, Senior Planner
Department of Planning & Engineering
70 E. Monroe Street
Franklin, IN 46131*

EXHIBIT 'A'

A PART OF THE NORTHWEST QUARTER OF SECTION TEN (10), TOWNSHIP TWELVE (12) NORTH, RANGE FOUR (4), EAST OF THE 2ND PRINCIPAL MERIDIAN, JOHNSON COUNTY, STATE OF INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10, BEING A STONE FOUND PER JOHNSON COUNTY SECTION CORNER RECORD CE-40; THENCE SOUTH 00 DEGREES 08 MINUTES 43 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, BEING A LINE CONNECTING SAID STONE FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND A STONE FOUND AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10 PER JOHNSON COUNTY SECTION CORNER RECORD CG-40, A DISTANCE OF 579.84 FEET TO A POINT ON THE SOUTH LINE OF THE PARCEL DESCRIBED IN EXHIBIT "A" OF INSTRUMENT NUMBER 2006-023945, RECORDED SEPTEMBER 14, 2006 IN THE JOHNSON COUNTY RECORDER'S OFFICE; THENCE CONTINUING ALONG SAID EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, SOUTH 00 DEGREES 08 MINUTES 43 SECONDS WEST, A DISTANCE OF 830.62 FEET TO A POINT IN THE CENTERLINE OF COUNTY ROAD 175 NORTH (ALSO KNOWN AS SIMON ROAD); THENCE ALONG SAID CENTERLINE, NORTH 89 DEGREES 40 MINUTES 25 SECONDS WEST, A DISTANCE OF 175.00 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 43 SECONDS EAST, ALONG A LINE PARALLEL TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, A DISTANCE OF 831.30 FEET TO A POINT ON THE SOUTH LINE OF THE PARCEL DESCRIBED IN SAID EXHIBIT "A" OF INSTRUMENT NUMBER 2006-023945; THENCE ALONG THE SOUTH LINE OF SAID PARCEL, EASTERLY, 175.06 FEET ALONG AN ARC TO THE LEFT, HAVING A RADIUS OF 2050.00 FEET, SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 89 DEGREES 26 MINUTES 53 SECONDS EAST AND A LENGTH OF 175.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.33 ACRES, MORE OR LESS AND MORE COMMONLY KNOWN AS 1615-1660 EAST 175 NORTH, FRANKLIN, INDIANA.



**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2015-11
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

NAME OF PETITIONER:
Woolpert, agent for Meijer

PLAN COMMISSION DOCKET NUMBER:
PC 2015-11

RESOLUTION

WHEREAS, the City of Franklin, Indiana has received an annexation petition to have the property described in Exhibit "A" annexed into the corporate limits of Franklin, Indiana; and

WHEREAS, the petitioner has submitted a statement of reasons for having said property annexed; and

WHEREAS, said property meets the condition of being one-eighth contiguous to the present corporate limits; and

WHEREAS, the existing improvements have been submitted and reviewed by the Plan Commission; and

WHEREAS, the said improvements are consistent with the 2013 Comprehensive Plan's recommendation for Community Activity Center; and

WHEREAS, the required Plan of Services (fiscal plan) is being written and shall be submitted to the Franklin Common Council for its adoption; and

WHEREAS, a public hearing was held on the 19th day of May, 2015 in the Franklin City Hall to give the public an opportunity to offer comments on said annexation petition; and

WHEREAS, the Franklin City Plan Commission has given due consideration to the future growth and prosperity of the City of Franklin, as well as the health, safety, and general welfare of its residents; and

WHEREAS, the Franklin Plan Commission took all of the public comments received at said public hearing under advisement prior to taking any action on said annexation petition.

NOW THEREFORE BE IT RESOLVED THAT THE FRANKLIN CITY PLAN COMMISSION HEREBY FORWARDS A FAVORABLE RECOMMENDATION TO THE FRANKLIN COMMON COUNCIL THAT:

1. The property described herein, attached hereto, made part hereof, and marked as Exhibit "A" be approved for annexation to the City of Franklin.
2. On behalf of the secretary, staff of the Plan Commission is hereby directed to forward a copy of this resolution to the Petitioner and the City of Franklin Common Council.
3. This resolution is forwarded to the Common Council of the City of Franklin for further proceedings consistent with the provisions of Indiana Code.

Resolved by the Franklin City Plan Commission this 19th day of May, 2015.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA



Jim Martin, President

ATTEST:



Chris Phillips, Secretary

EXHIBIT 'A'

A PART OF THE NORTHWEST QUARTER OF SECTION TEN (10), TOWNSHIP TWELVE (12) NORTH, RANGE FOUR (4), EAST OF THE 2ND PRINCIPAL MERIDIAN, JOHNSON COUNTY, STATE OF INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10, BEING A STONE FOUND PER JOHNSON COUNTY SECTION CORNER RECORD CE-40; THENCE SOUTH 00 DEGREES 08 MINUTES 43 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, BEING A LINE CONNECTING SAID STONE FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND A STONE FOUND AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10 PER JOHNSON COUNTY SECTION CORNER RECORD CG-40, A DISTANCE OF 579.84 FEET TO A POINT ON THE SOUTH LINE OF THE PARCEL DESCRIBED IN EXHIBIT "A" OF INSTRUMENT NUMBER 2006-023945, RECORDED SEPTEMBER 14, 2006 IN THE JOHNSON COUNTY RECORDER'S OFFICE; THENCE CONTINUING ALONG SAID EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, SOUTH 00 DEGREES 08 MINUTES 43 SECONDS WEST, A DISTANCE OF 830.62 FEET TO A POINT IN THE CENTERLINE OF COUNTY ROAD 175 NORTH (ALSO KNOWN AS SIMON ROAD); THENCE ALONG SAID CENTERLINE, NORTH 89 DEGREES 40 MINUTES 25 SECONDS WEST, A DISTANCE OF 175.00 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 43 SECONDS EAST, ALONG A LINE PARALLEL TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, A DISTANCE OF 831.30 FEET TO A POINT ON THE SOUTH LINE OF THE PARCEL DESCRIBED IN SAID EXHIBIT "A" OF INSTRUMENT NUMBER 2006-023945; THENCE ALONG THE SOUTH LINE OF SAID PARCEL, EASTERLY, 175.06 FEET ALONG AN ARC TO THE LEFT, HAVING A RADIUS OF 2050.00 FEET, SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 89 DEGREES 26 MINUTES 53 SECONDS EAST AND A LENGTH OF 175.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.33 ACRES, MORE OR LESS AND MORE COMMONLY KNOWN AS 1615-1660 EAST 175 NORTH, FRANKLIN, INDIANA.

City of Franklin Common Council

RESOLUTION # 2015-15

A RESOLUTION ADOPTING A FISCAL PLAN OF SERVICES FOR THE ANNEXATION OF CERTAIN TERRITORY
(to be known as Meijer Annexation)

WHEREAS, the Common Council is considering the adoption of Ordinance 2015-05 annexing to the City of Franklin, Indiana, the real property described in Exhibit "A" attached hereto; and

WHEREAS, a fiscal plan of services for said annexed area shall be approved by resolution by the City of Franklin, Indiana prior to approving the annexation request; and

WHEREAS, a fiscal plan has been developed and presented to the Common Council, entitled "Fiscal Plan Meijer Annexation" (the "Fiscal Plan"); and

WHEREAS, the Common Council has reviewed the Fiscal Plan and finds that it provides an orderly and effective plan for the organization and extension of services to the area proposed to be annexed; and

WHEREAS, the Common Council has reviewed the Fiscal Plan and finds that planned services of a non-capital nature will be provided to the area as soon as possible upon annexation, but in no event later than one (1) year after the effective date of annexation, and that they will be provided in a manner equivalent in standard and scope of such services provided within the corporate boundaries regardless of similar topography, patterns of land use, and population density; and

WHEREAS, the Common Council has reviewed the Fiscal Plan and finds that planned services of a capital improvement nature will be provided to the area within three (3) years of the effective date of annexation in the same manner as services provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA, THAT:

Section 1. The Franklin Common Council adopts and approves the written Fiscal Plan which is attached hereto and made a part hereof along with the following fiscal plan of services:

1. The cost of planned services to the City of Franklin shall be as follows:
 - a. Approximately \$0.00 per month (\$0.00 annually) to illuminate approximately zero (0) new street lights throughout the proposed development; and
2. The method of financing the planned services shall be as follows:
 - a. Funding for any proposed street lighting shall be provided through standard monthly municipal rental payments for the electricity used to illuminate said street lighting; and
3. The organization and extension of said planned services shall be in accordance with the established policies of the Franklin Board of Public Works and Safety and shall be provided as follows:

- a. Any necessary street lighting shall be provided to the annexed territory within three years of the effective date of the annexation or when the property is developed; and
- 4. The City shall provide non-capital services such as police protection, fire protection, street maintenance, etc. which are currently being provided within the existing corporate limits to the annexed territory within one year of the effective date of annexation.

Said non-capital services shall also be provided in a manner which is equivalent in both standard and scope to such non-capital services which are currently being provided to areas within the existing corporate limits which have similar topography, patterns of land use, and population density.

- 5. The proposed annexation will have no effect on any employees of any governmental unit at time of annexation.
- 6. The city shall evaluate personnel and capital expenditures for the non-capital services (police protection, fire protection, street maintenance, etc.) through the annual city budget process.

Section 2. This Resolution shall become effective upon the effective date of said annexation.

PASSED, by the Common Council of the City of Franklin, Johnson County, Indiana, this _____ day of _____ 2015.

Stephen Barnett, President
Franklin Common Council

ATTEST:

Janet P. Alexander, Clerk-Treasurer
City of Franklin, Indiana

Presented by me to the Mayor of the City of Franklin, Indiana, on the ____ day of _____, 2015, at the hour of _____ o'clock p.m.

Janet P. Alexander, Clerk-Treasurer
City of Franklin, Indiana

This resolution approved and signed by me on the ____ day of _____, 2015, at the hour of _____ o'clock p.m.

Joseph E. McGuinness, Mayor
City of Franklin, Indiana

*Prepared by the City of Franklin, Indiana
Department of Planning & Engineering
Joanna Myers, Senior Planner*

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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

FISCAL PLAN Meijer Annexation

Project Description:

Name:	Meijer Annexation
Location:	South of Commerce Drive and West of N. Morton Street (US 31)
Size:	3.33 acres
Number of Parcels:	1
Gross Density:	N/A
Existing Zoning:	Residential: Suburban One (RS-1)
Proposed Zoning:	Mixed Use: Regional Center (MXR)

Introduction:

Indiana Statute (IC 36-4-3-3) authorizes the City of Franklin, the annexing municipality, to develop and adopt by resolution, a fiscal plan for extension of municipal services to the annexed area.

In the preparation of the annexation fiscal plan, which is required by Indiana Code, the City of Franklin has determined and compared the cost of providing non-capital and capital services to the proposed Meijer Annexation property owned by Simon Farms and under contract for the construction of Meijer, with the potential tax revenue generated by the developed parcel. The detailed fiscal plan will identify the following:

1. The cost estimates for planned services to be furnished to the property to be annexed;
2. The method or methods of financing the planned services; and
3. The organization and extension of services.

This report has been created for the purpose of estimating the potential fiscal impact of new development and annexations to the City of Franklin. It is not intended to serve a specific budgetary purpose, but rather express estimated costs and benefits based on a set of level-of-service related assumptions.

Present Tax Rate/Assessed Valuation:

The corporate tax rate, established by the Indiana State Tax Board, for the City of Franklin during the tax year 2015 pay 2016 is \$1.4176 per \$100 of assessed value.

The total assessed value for the City of Franklin for the tax year 2015 pay 2016 is \$820,934,684.00.

Cost of Services Provided by the City of Franklin to the Annexed Property:

The City of Franklin will provide services of a capital and non-capital nature, which may include police, fire, road maintenance, parks and government administration, to the annexed property within one year of the completion of the annexation. Extension of services of a capital nature, if any, will be provided within three years of the completion of the annexation.

MEIJER ANNEXATION	Current Level of Service			Additional with Annexation			Additional Expenditures	
	Per Person	Per Acre	Per Household	Per Person	Acres	Per Household	Per Acre	Average Expenditure
Parks & Rec/Cemetery	\$ 73.92	\$214.72	\$ 205.20	N/A	3.33	N/A	\$ 214.72	\$ 715.03
Community Development	\$ 6.17	\$ 17.93	\$ 17.13	N/A	3.33	N/A	\$ 17.93	\$ 59.70
Planning Department	\$ 16.51	\$ 47.95	\$ 45.82	N/A	3.33	N/A	\$ 47.95	\$ 159.68
General Administration	\$ 27.79	\$ 80.73	\$ 77.15	N/A	3.33	N/A	\$ 80.73	\$ 268.83
City Court	\$ 9.96	\$ 28.92	\$ 27.64	N/A	3.33	N/A	\$ 28.92	\$ 96.31
Board of Works	\$ 178.29	\$517.88	\$ 494.91	N/A	3.33	N/A	\$ 517.88	\$ 1,724.55
Police Department	\$ 158.44	\$460.23	\$ 439.81	N/A	3.33	N/A	\$ 460.23	\$ 1,532.56
Fire Department	\$ 157.76	\$458.24	\$ 437.91	N/A	3.33	N/A	\$ 458.24	\$ 1,525.94
Street Department	\$ 90.80	\$263.76	\$ 252.06	N/A	3.33	N/A	\$ 263.76	\$ 878.32
							Total	\$ 6,960.93

Method of Financing Services:

Cost of services is funded through the receipt of tax dollars. The City will receive additional property tax revenues annually from the proposed annexation. In addition, as the property is developed the tax revenue should increase as the assessed value increases.

The development of the property will also result in additional one time receipt of fees for petitions, land disturbance permit, building permits, and sanitary sewer tap-on permits.

Extension of Services:

The City of Franklin is committed to providing capital and non-capital services to the land proposed for annexation in the same manner as areas currently within the city limits, regardless of similarity. Any monetary figures presented here are merely estimates, subject to change. Many variables, including the rate and extent of future development, future property assessments, and fluctuations in the cost of providing various services are expected to have an influence.

The City of Franklin Departments of Planning & Engineering, Community Development, Public Works, Police, Fire, Parks, Clerk/Treasurer, and Street will assume and retain immediate responsibility.

Natural gas, electric, cable, telephone, and water services are provided by private utilities.

The City has provided sanitary sewer access which is available at this location. The developer provides local streets and connection to the sanitary sewer at the time of construction.

The intended use of this property is for commercial purposes. It will be a privately maintained property.

Annexation Considerations:

1. The petition was initiated with consent of the property owner and is therefore a voluntary annexation.

2. Contiguous to the City of Franklin, the subject property is necessary to help the City of Franklin manage growth and has been developed. For the purposes of determining “contiguity,” more than 1/8 or 12.5% of the aggregate external boundary of the subject property must be contiguous with the boundaries of the City of Franklin. The aggregate external boundary is 2,011.98 feet. In this case, 830.62 feet or 41% of the subject property coincides with the boundaries of the City of Franklin, meeting the minimum requirement.
3. Non-capital services listed above and described in the fiscal plan become effective within one year and all other capital services, if any, for the area become effective within three years from the effective date of the annexation.
4. The annexed property shall be assigned to Council District 5.
5. The proposal submitted to incorporate the real estate meets the statutory requirements of IC 36-4-3 qualifying for annexation to the City of Franklin.
6. The fiscal plan is available for public review at the time the project is placed on the City Council agenda for public hearing. City Council must adopt the fiscal plan prior to approving the annexation request.
7. Meijer Annexation is recommended for annexation by the Plan Commission through Plan Commission Resolution Number 2015-11.