

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	April 13, 2021	Meeting Date:	April 19, 2021
Contact Information:			
Requested by:	Joanna Myers, Senior Planner		
On Behalf of Organization or Individual:			
		Oakleaf Farms, LLC	
Telephone:	317-736-3631		
Email address:	jmyers@franklin.in.gov		
Mailing Address:	70 E. Monroe St., Franklin, IN 46131		
Describe Request:			
Approval of Ordinance 2021-06: Rezoning to be known as Oakleaf Farms Rezoning (Introduction)			
List Supporting Documentation Provided:			
1. City Council memo			
2. Plan Commission Staff Report (PC 2021-02)			
3. PC Resolution 2021-02			
4. Ordinance 2021-06			
Who will present the request?			
Name:	Joanna Myers	Telephone:	(317) 736-3631

The Franklin City Council meets on the 1st and 3rd Monday of each month at 6:00 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

City Council - Memorandum

To: City Council Members
CC: Steve Barnett, Mayor and Jayne Rhoades, Clerk-Treasurer
From: Joanna Myers, Senior Planner
Date: April 13, 2021
Re: **Oakleaf Farms Rezoning (Ordinance 2021-06)**

On March, 16, 2021 the Franklin Plan Commission forwarded to the City Council no recommendation on the above referenced rezoning petition from Oakleaf Farms, LLC (Plan Commission Resolution #2021-02). The Plan Commission voted 9-0 for no recommendation to be forwarded.

The petitioner is requesting that approximately 88.4 acres located northeast and southeast of the intersection of State Road 44 & CR 600 E. be rezoned to IL (Industrial: Light) for future industrial development. The attached staff report prepared for the Plan Commission meeting further describes this request.

The petition was properly advertised for the Plan Commission meeting. A copy of the rezoning ordinance is included. The proposed timeline for the petition is as follows:

Introduction:	April 19, 2021
Public Hearing:	May 3, 2021

If you have any questions regarding this petition please feel free to contact me directly at 736-3631.



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Plan Commission Staff Report

To: Plan Commission Members

From: Joanna Myers, Senior Planner

Date: March 11, 2021

Re: Case PC 2021-01 (A) & PC 2021-02 (R): Oakleaf Farms Annexation & Rezoning

REQUEST:

Case PC 2021-01 (A) & PC 2021-02 (R)...Oakleaf Farms Annexation and Rezoning. A request by Oakleaf Farms, LLC to annex and rezone 88.4 acres from Agriculture (A) to Industrial: Light (IL). The property is located northeast and southeast of the intersection of State Road 44 & CR 600 E.

ADJACENT PROPERTIES:

Surrounding Zoning:

North: A
South: A
East: A
West: IL & A

Surrounding Land Use:

North: Agriculture
South: Agriculture
East: Agriculture & Single-family residential
West: Agriculture

CURRENT ZONING:

The “A”, Agricultural zoning district is intended to provide locations for agricultural operations and related land uses. This district is further intended to reduce conflicts between residential and agricultural areas with the viability of agricultural operations, and limit development in areas with minimal infrastructure. This district should be used to protect agricultural operations from land uses that are incompatible with the available infrastructure.

PROPOSED ZONING:

The “IL”, Industrial: Light zoning district is intended to provide locations for light production, assembly, warehousing, research & development facilities, and similar uses. This district is intended to accommodate only industrial uses that are completely contained within structures and do not involve the outdoor storage of materials or the release of potential environmental pollutants. This district should be used to support industrial retention and expansion in Franklin.

CONSIDERATIONS:

1. Oakleaf Farms, LLC is requesting that 88.4 acres be annexed and rezoned to IL (Industrial: Light), for the future development of an industrial subdivision.

2. 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)
3. The proposed annexation area is 32% contiguous to the City of Franklin and 100% of the property owners are parties to the petition.
4. The proposed annexation is located within the Needham Fire Protection District (est. 3-19-90 by Ord. 1990-5). IC 36-4-3-7 outlines the effectiveness of an annexation within a fire protection district. Effective date of annexation would be the second January 1 that follows the date the ordinance is adopted – January 1, 2023.

If the property is not located within a Fire Protection District, the annexation can take effect 30 days following the adoption of the ordinance by the City Council.

The petitioner has requested that the property be removed from the Needham Fire Protection District and is coordinating this process with the Needham Fire Protection District and Johnson County Commissioners.

5. Utilities are available near this location with a sanitary sewer extension project currently under design and permitting. It is anticipated the City will start construction of the sanitary sewer in 2021.
6. The Technical Review Committee reviewed the petitions at their January 21, 2021 meeting.
7. The property would need to go through the Primary Plat, Secondary Plat/Construction Plan and Site Development Plan review processes prior to development.
8. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area 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."
9. The 2013 Comprehensive Plan, Land Use Plan indicates the current inventory of industrial land may not be adequate, and goes on to state that "more (industrial) land is needed to accommodate a variety of employer sites."
10. The 2013 Comprehensive Plan, Land Use Plan also discusses the importance of maintaining an adequate inventory of available industrial land. "The land does not have to be completely developed, but should at least be zoned appropriately to protect it from competing uses."
11. The 2013 Comprehensive Plan set five Land Use Goals; Land Use Goal 4 is as follows: "Ensure that Franklin has an adequate supply of appropriately located industrial land ready for development."

PC 2020-27 (A): OAKLEAF FARMS 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 2020-28 (R): OAKLEAF FARMS 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:

Staff finds that the request to rezone the property to IL is consistent with the Comprehensive Plan as

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

Staff Finding:

Property located immediately to the west of the subject property is currently zoned IL and was recently annexed and rezoned to IL for the future development of an industrial park.

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 industrial zoned property. In addition, the property's immediate access to State Road 44 and proximity to I-65 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 negatively affect the property values in the area; however, the development of the property could increase the property values as additional industrial services are provided.

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

Staff Finding:

The proposed rezoning to IL allows the petitioner to provide sites that allow for large lots for the development of a variety of industrial uses.

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 88.4 acres to IL (Industrial: Light).



**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2021-02
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

NAME OF PETITIONER:
Oakleaf Farms, LLC

PLAN COMMISSION DOCKET NUMBER:
PC 2021-02

RESOLUTION

WHEREAS, the Plan Commission of the City of Franklin has given careful study to the requirements of the City and all of the area within the jurisdiction of the Plan Commission relative to the enactment of an amendment to the Zoning Map; and

WHEREAS, the above Petitioner has filed a petition for rezoning, wherein the Petitioner requests a rezoning and a change to the Zoning Map of certain property located within the City of Franklin, Indiana from A (Agriculture) to IL (Industrial: Light), more particularly described in Exhibit "A" attached hereto; and

WHEREAS, after proper notice, as outlined in the City of Franklin Rules and Procedures and Indiana Code, a public hearing was held in the Council Chambers of Franklin City Hall, 70 E. Monroe Street, Franklin, Indiana on the 16th day of March, 2021, with the Commission having heard all objections and criticisms and having given careful study and consideration to said petition.

NOW THEREFORE BE IT RESOLVED, THAT THE FRANKLIN PLAN COMMISSION HEREBY FORWARDS NO RECOMMENDATION TO THE FRANKLIN COMMON COUNCIL THAT:

1. The property described herein, attached hereto, made part hereof, and marked as Exhibit "A" be rezoned to IL (Industrial: Light).
2. On behalf of the secretary, the 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. A copy of this Resolution forwarded to the Common Council shall be accompanied by the proposed Ordinance amending the Zoning Map for the consideration of the Common Council at its meeting.

Resolved by the City of Franklin Plan Commission this 16th day of March, 2021.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA

Jim Martin, President

ATTEST:

Suzanne Findley, Secretary

EXHIBIT "A"

PARCEL I

A part of the West Half of the Northwest Quarter of Section 16, Township 12 North, Range 5 East of the Second Principal Meridian in Needham Township, Johnson County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest corner of the Southwest Quarter of said Section 16; thence North 00 degrees 15 minutes 05 seconds West (Basis of Bearings is State Plane Coordinate System – Indiana East) along the West line of said Southwest Quarter Section 2708.06 feet to the Southwest corner of the Northwest Quarter of aforesaid Section 16, said point being the POINT OF BEGINNING of the herein described parcel; thence North 00 degrees 32 minutes 00 seconds East along the West line of said Northwest Quarter Section 791.96 feet; thence North 86 degrees 39 minutes 32 seconds East parallel with the South line of the West Half of said Northwest Quarter Section 1143.02 feet; thence South 00 degrees 27 minutes 34 seconds West parallel with the East line of said West Half Quarter Section 791.89 feet to the South line of said West Half Quarter Section; thence South 86 degrees 39 minutes 32 seconds West along said South line 1144.04 feet to the POINT OF BEGINNING, containing 20.74 acres, more or less.

PARCEL II

A part of the West Half of the Southwest Quarter of Section 16, Township 12 North, Range 5 East of the Second Principal Meridian in Needham Township, Johnson County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest corner of said Southwest Quarter Section; thence North 00 degrees 15 minutes 05 seconds West (Basis of Bearings is State Plane Coordinate System – Indiana East) along the West line of said Southwest Quarter Section 1906.50 feet to the POINT OF BEGINNING of the herein described parcel, said point being on the Northern Right-of-Way line of State Road 44 as per Indiana Department of Transportation Project No. STP-068-4; thence continuing North 00 degrees 15 minutes 05 seconds West along said West line 801.56 feet to the Northwest corner of aforesaid Southwest Quarter Section; thence North 86 degrees 39 minutes 32 seconds East along the North line of the West Half of said Southwest Quarter Section 554.21 feet; thence South 00 degrees 05 minutes 27 seconds East 560.81 feet to the aforesaid Northern Right-of-Way line of State Road 44; thence the next four (4) courses being along said Right-of-Way line: (1) South 63 degrees 55 minutes 18 seconds West 7.02 feet; (2) South 72 degrees 01 minute 15 seconds West 205.00 feet; (3) South 59 degrees 20 minutes 26 seconds West 366.66 feet to a Point of Tangency of a curve concave Northwesterly having a radius of 2196.83 feet; (4) Southwesterly along said curve through a Central Angle of 01 degree 01 minute 24 seconds, a distance of 39.24 feet to the POINT OF BEGINNING, containing 8.43 acres, more or less.

PARCEL III

A part of the West Half of the Southwest Quarter of Section 16, Township 12 North, Range 5 East of the Second Principal Meridian in Needham Township, Johnson County, Indiana, being more particularly described as follows:

BEGINNING at the Southwest corner of said Southwest Quarter Section; thence North 00 degrees 15 minutes 05 seconds West (Basis of Bearings is State Plane Coordinate System – Indiana East) along the West line of said Southwest Quarter Section 1623.87 feet; thence North 89 degrees 44 minutes 55 seconds East 16.50 feet to a point on the Southern Right-of-Way line of State Road 44 as per Indiana Department of Transportation Project No. STP-068-4; thence the next six (6) courses being along said Right-of-Way line: (1) North 19 degrees 28 minutes 58 seconds East 99.11 feet to a Point of Non-Curvature of a curve concave Northwesterly having a Radius of 2386.83 feet; (2) Northeasterly along said curve through a Central Angle of 02 degrees 12 minutes 19 seconds a distance of 91.87 feet to a Point of Tangency of said curve; (3) North 59 degrees 20 minutes 26 seconds East 366.79 feet; (4) North 45 degrees 18 minutes 16 seconds East 206.16 feet; (5) North 59 degrees 20 minutes 26 seconds East 105.00 feet; (6) North 65 degrees 51 minutes 37 seconds East 8.81 feet; thence South 01 degree 29 minutes 03 seconds West 172.04 feet; thence North 86 degrees 19 minutes 13 seconds East 661.41 feet to the East line of the West Half of aforesaid Southwest Quarter Section; thence South 00 degrees 37 minutes 27 seconds East along said East line 1936.15 feet to the Southeast corner of said West Half Quarter Section; thence South 86 degrees 22 minutes 04 seconds West along the South line of said West Half Quarter Section 1362.19 feet to the POINT OF BEGINNING, containing 59.26 acres, more or less.

City of Franklin Common Council

ORDINANCE NUMBER 2021-06

AN ORDINANCE APPROVING RESOLUTION NUMBER 2021-02
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN PROPERTY TO
IL (Industrial: Light)
(To be known as Oakleaf Farms Rezoning)

WHEREAS, the City of Franklin, Indiana Plan Commission (referred to hereafter as the “Plan Commission”) is an advisory Plan Commission to the City of Franklin, Indiana (referred to hereafter as the “City”), and has, by Resolution Number 2021-02 forwarded no recommendation that the City’s Common Council amend the Zoning Map and rezone the property described in Exhibit “A”, attached hereto, from Agriculture (A) to Industrial: Light (IL).

WHEREAS, pursuant to Indiana Code § 36-7-4-605, Resolution 2021-02 has been certified to the City’s Common Council; and

WHEREAS, the Common Council, after paying reasonable regard to: 1) City of Franklin Comprehensive Plan, 2) the current conditions and the character of current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the City of Franklin’s planning jurisdiction, and 5) responsible growth and development, finds the rezoning of the property described in Exhibit “A” should be approved.

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

1. **Zoning Map Amended:** The subject property described in Exhibit “A” is hereby rezoned Industrial: Light (IL).
2. **Construction of Clause Headings.** 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.
3. **Repeal of Conflicting Ordinances.** The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect upon the remaining provisions of this ordinance.
4. **Severability of Provisions.** 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.
5. **Duration and Effective Date.** The provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on the day of passage and adoption of this ordinance by signature of the executive in the manner prescribed by Indiana Code § 36-4-6-16.

INTRODUCED on the 19th day of April, 2021.

DULY PASSED on this ____ day of _____, 2021, 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:

Kenneth Austin, President

Melissa Jones

Daniel J. Blankenship

Robert D. Heuchan

Anne McGuinness

Chris Rynerson

Shawn Taylor

Voting Opposed:

Kenneth Austin, President

Melissa Jones

Daniel J. Blankenship

Robert D. Heuchan

Anne McGuinness

Chris Rynerson

Shawn Taylor

Attest:

Jayne Rhoades, 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 and 16, this ____ day of _____, 2021 at ____ o'clock p.m.

Jayne Rhoades, 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 _____, 2021 at ____ o'clock p.m.

Steve Barnett, Mayor

Attest:

Jayne Rhoades, City Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Signed _____

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

EXHIBIT "A"

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