



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: May 10, 2023

Re: Case PC-23-06 (A) & PC-23-07 (R): Dunn & Snett Annexation & Rezoning

REQUEST:

Case PC-23-06 (A) & PC-23-07 (R)...Dunn & Snett Annexation and Rezoning. A request by Hugh Dunn and Snett Joint Trust to annex approximately 240 acres and rezone approximately 80 acres (2754 E. 300 N.) from Johnson County A-1, Agriculture to Industrial: General (IG) and approximately 160 acres (3240 E. 300 N.) from Johnson County A-1, Agriculture and R-2, Single-Family to Agriculture (A). The subject property is located northeast of the intersection of Earlywood Drive and RJ Parkway (See Site Location Map).

ADJACENT PROPERTIES:

Surrounding Zoning:

North: Johnson County, A-1
South: Industrial: Business Dev. (IBD)
Johnson County, A-1 & R-2
East: Johnson County, A-1 & I-2
West: Industrial: General (IG)
Johnson County, A-1

Surrounding Land Use:

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

CURRENT ZONING – JOHNSON COUNTY:

The purpose of the A-1, Agricultural District is to accommodate agricultural operations and practices. In addition, the A-1, Agricultural District preserves and protects agricultural land, the rural character of Johnson County, and the agricultural tradition of the county. The intent of this district is to allow agricultural development by reason of location and the availability of natural resources and infrastructure system.

The purpose of the R-2, Single-Family Residential District is to provide for residential development at an average density of three and one-half (3.5) dwelling units per acre. Development of major subdivisions in the R-2 District shall be limited to sites served by public sanitary sewer systems. They should be limited to sites which are located adjacent to major collectors, minor arterials, or major arterials, as defined in the Johnson County Comprehensive Plan Update; and are generally best located immediately adjacent to R-1, R-2, or R-3 Residential Districts.

PROPOSED ZONING:

DUNN PROPERTY (West 80 acres) - The “IG”, Industrial: General zoning district is intended to provide locations for general industrial manufacturing, production, assembly, warehousing, research & development facilities, and similar land uses. This district is intended to accommodate a variety of industrial uses in locations and under conditions that minimize land use conflicts. This district should be used to support industrial retention and expansion in Franklin.

SNEPP PROPERTY (East 160 acres) - 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.

CONSIDERATIONS:

1. Hugh Dunn is requesting that 80 acres be annexed and rezoned to IG (Industrial: General) for future industrial development. See Rezoning Request Map.
2. Snapp Joint Trust is requesting that approximately 160 acres be annexed and rezoned A (Agriculture). See Rezoning Request Map.

The request was submitted as a joint application with the Dunn property in order to have the property through the annexation process in anticipation of future development. As there is no immediate project, the request is to annex the property and have it zoned A (Agriculture) and then request a rezoning to the appropriate zoning district once there is a proposed project. At that time, there would be more information for Plan Commission and City Council to consider with a rezoning request to a zoning district other than agriculture.

3. Indiana Code requirements (IC 36-4-3-5) for voluntary annexation are:
 1. Consent of 51% of the property owners or owners of 75% of the total assessed value of the land for property tax purposes.
 2. 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 21.4% contiguous to the City of Franklin and 100% of the property owners are parties to the petition.
5. 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.

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.

6. The Technical Review Committee reviewed the petitions at their April 20, 2023 meeting.

7. The property would need to go through the Primary Plat, Secondary Plat/Construction Plan and/or Site Development Plan review processes prior to development.
8. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Business Development Area. “Business development areas are intended to serve as both the permanent home of small scale businesses and incubators of new local companies. Land uses in business development areas include manufacturing, light industrial operations, contractor’s offices, and products suppliers. In many instances the types of businesses in these areas are those that have both commercial and industrial qualities. The business development areas provide these uses the ability to serve customers in a setting that allows outdoor storage and the operation of heavy equipment and machinery that often are involved.”
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-23-06 (A): DUNN & SNEPP 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-23-07 (R): DUNN REZONING to Industrial: General & SNEPP REZONING to Agriculture

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 80 acres to IG is consistent with the Comprehensive Plan as the IG zoning district allows for lot sizes to vary from 2 acres in size to greater, which allows for the development of a more diverse nature of industrial uses and to allow lot sizes to exceed 5 acres.

Staff finds that the request to rezone the 160 acres to A with the intent to request a rezoning at a future date is the most responsible request at this time and is consistent with the Comprehensive Plan to set a good foundation for future development.

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

Staff Finding:

The property is located immediately north of industrially developed properties and east of a parcel of ground that has historically been zoned industrial and was rezoned from IBD to IG with conditions in 2020. In addition, it is important to note that the subject site is located near arterial roads (Graham Road & Earlywood Drive) which allows for truck traffic. The City of Franklin is analyzing the feasibility of an additional I-65 interchange at Earlywood Drive east of the subject property.

As the Snepp property is in closer proximity to an existing residential area and agricultural operation, agricultural zoning is appropriate until more information is available with a future project.

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 properties and is a logical expansion of the existing industrial zoning for larger lot developments. In addition, the property's proximity to I-65 interchange on Whiteland Road is excellent access to a regional transportation route with the potential of a future interchange from Earlywood Drive to I-65.

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 and public utilities are provided.

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

Staff Finding:

As previously noted, the Hugh property is immediately adjacent to other industrially developed/zoned properties and the truck route and in anticipation of continued growth of the City of Franklin the annexation of the Snepp property is appropriate with it being zoned agricultural.

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 to rezone the 80 acres (Hugh property) to IG (Industrial: General) and the 160 acres (Snepp property) to A (Agriculture).