



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: August 11, 2023

Re: Case PC-23-14 (A) & PC-23-15 (R): Phelps Annexation & Rezoning

REQUEST:

Case PC-23-14 (A) & PC-23-15 (R)...Phelps Annexation & Rezoning. A request by Samuel & Pamela Phelps to annex and rezone approximately 0.5 acres at 2983 N. Graham Road from Johnson County A-1, Agriculture to Industrial: Business Development (IBD). The property is located at the southeast corner of Graham Road and Earlywood Drive.

ADJACENT PROPERTIES:

Surrounding Zoning:

North: IG
South: Johnson County A-1
East: IL
West: IBD

Surrounding Land Use:

North: Agriculture
South: Single-family residential
East: Agriculture – pending approved industrial Development (Cold Summit)
West: Industrial

CURRENT ZONING:

The “IBD”, Industrial: Business Development zoning district is intended to provide locations for small scale manufacturing, construction, production, and assembly uses, as well as other light industrial uses. This district is specifically intended to provide appropriate setbacks and standards for small-scale businesses, entrepreneurial operations, start-up businesses, and similar operations.

CONSIDERATIONS:

1. Samuel & Pamela Phelps requests that the property located at the southeast corner of Graham Road and Earlywood Drive be annexed and rezoned.
2. The City is planning to construct a roundabout at the intersection of Graham Road and Earlywood Drive. The existing septic system at 2983 N. Graham Road is located in the area of the property that is needed for the construction of the roundabout and would need to be removed. Therefore, the petitioners will need to connect to the existing sanitary sewer system.
3. As of January 1, 2023, the extraterritorial zoning jurisdiction (Buffer Zone) of the City of Franklin has been relinquished back to Johnson County and is currently under their zoning jurisdiction. The county has zoned this property A-1, Agriculture.

4. Prior to the relinquishment, the property was zoned Industrial: Business Development (IBD) by the City of Franklin. The petitioner is requesting that, upon annexation, the property be zoned IBD which consistent with what it was previously zoned when in the City's zoning jurisdiction.
5. 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)
6. The proposed annexation area is 74.1% contiguous to the City of Franklin and 100% of the property owners are parties to the petition.
7. 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.
 - a. If adopted by the City Council prior to December 31, 2023, effective date will be January 1, 2025.
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-23-14 (A): PHELPS 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-23-15 (R): PHELPS 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 zone the property IBD is consistent with the Comprehensive Plan as the IBD zoning district allows for uses that would fit on smaller lots such as the subject property.

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

Staff Finding:

The property is located immediately adjacent to properties currently zoned industrial and are either currently developed in an industrial manner or have approved plans to be developed with an industrial use. In addition, it is important to note that the subject site is located along arterial roads (Graham Road & Earlywood Drive) which allows for direct access to the truck route.

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. In addition, the property's proximity to I-65 interchange on Whiteland Road is 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 as all of the adjacent properties had been zoned industrial until the relinquishment of the extraterritorial jurisdiction. In addition, the property located 2 properties to the south (Lasley Annexation) was recently annexed and is currently zoned IBD.

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

Staff Finding:

The proposed zoning of IBD, allows for the development of smaller industrial uses that could be located at this location and provides immediate access to the truck route.

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.