

City of Franklin Common Council

ORDINANCE NUMBER 2008-12

AN ORDINANCE APPROVING RESOLUTION NUMBER 2008-02
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN PROPERTY TO MXC
(MIXED-USE: COMMUNITY CENTER)
(To be known as the Johnson County Investments, LLC 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 2008-02 recommended that the City's Common Council amend the Zoning Map and rezone the property described in Exhibit "A" attached hereto, to MXC (Mixed-Use: Community Center) subject to the conditions and written commitments as stated below.

WHEREAS, pursuant to Indiana Code § 36-7-4-602, Resolution 2008-02 has been certified to the City's Common Council; and

WHEREAS, the recommendation of the Plan Commission should be adopted, and 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 re-zoned to Mixed-Use: Community Center (MXC), with development standards and written commitments and restrictions as follows:
 - a. The following uses, as defined by the Franklin City Zoning Ordinance, shall be removed from the permitted uses in the above referenced rezoning area:
 - i. Auto Sales and Repair
 - b. Landscape buffering along the south and east boundary of Knollwood Farms Subdivision receive approval by the Planning Director and Technical Review Committee at the time a subdivision/site development plan is reviewed.
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.

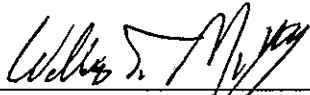
5. **Duration and Effective Date.** The provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on the day of passage and adoption of this ordinance by signature of the executive in the manner prescribed by Indiana Code § 36-4-16-4.

INTRODUCED on the 20th Day of October, 2008.

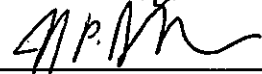
DULY PASSED on this 3 day of November 2008, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 7 in Favor and 0 Opposed.

City of Franklin, Indiana, by its Common Council:

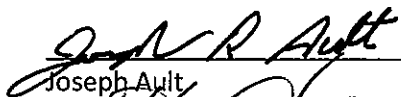
Voting Affirmative:



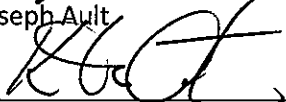
Dr. William Murphy, President



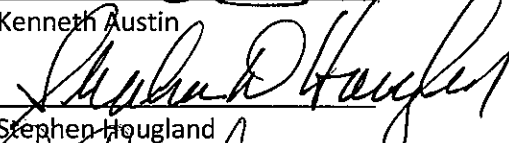
Joseph Abban



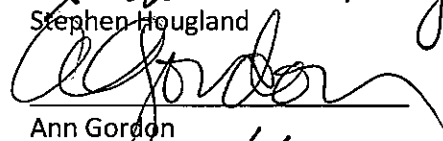
Joseph Ault



Kenneth Austin



Stephen Hougland



Ann Gordon



Craig Wells

Voting Opposed:

Dr. William Murphy, President

Joseph Abban

Joseph Ault

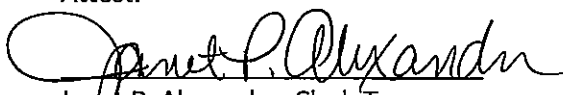
Kenneth Austin

Stephen Hougland

Ann Gordon

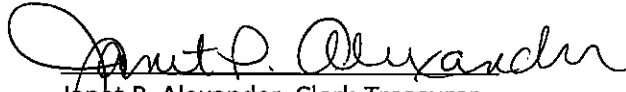
Craig Wells

Attest:



Janet P. Alexander, Clerk-Treasurer

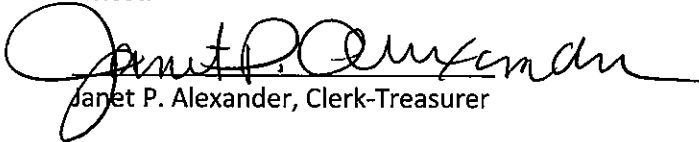
Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15,16, this 3 day of November at 7:45 o'clock p.m.


Janet P. Alexander, Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me this [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 3 day of November at 7:45 o'clock p.m.


Fred Paris, Mayor

Attest:


Janet P. Alexander, Clerk-Treasurer

Prepared by:

Krista Linke, Director of Planning and Economic Development