

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	October 4, 2017	Meeting Date:	Oct.16, 2017
Contact Information:			
Requested by:	Joanna Myers, Senior Planner		
On Behalf of Organization or Individual:			
		KYKA Properties, 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 2017-07: Annexation to be known as KYKA Annexation (Public Hearing) & Approval of Resolution 2017-12: Fiscal Plan			
List Supporting Documentation Provided:			
1. City Council memo			
2. Plan Commission Staff Report (PC 2017-31)			
3. Ordinance 2017-07			
4. Resolution 2017-12			
5. Fiscal Plan – KYKA Annexation			
Who will present the request?			
Name:	Huddleston & Huddleston	Telephone:	(317) 736-5121

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: September 26, 2017
Re: **KYKA Annexation (Ordinance 2017-07)**

On September 19, 2017 the Franklin Plan Commission forwarded to the City Council a favorable recommendation on the above referenced annexation petition from KYKA Properties, LLC (Plan Commission Resolution #2017-31). The Plan Commission voted 8-0 for a favorable recommendation to be forwarded.

The petitioner is requesting that 32.919 acres located at the northwest corner of Eastview Drive and Upper Shelbyville Road be annexed into the City of Franklin and that 25.213 acres be rezoned to IG (Industrial: General), for the future development of an industrial subdivision. 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 annexation ordinance is included. A copy of the fiscal plan and resolution adopting the fiscal plan accompany the ordinance. The proposed timeline for the petition is as follows:

Introduction:	October 2, 2017
Public Hearing:	October 16, 2017 (Fiscal Plan adopted after annexation public hearing.)
Action Taken:	November 6, 2017

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



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

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Plan Commission Staff Report

To: Plan Commission Members

From: Joanna Myers, Senior Planner

Date: September 13, 2017

Re: Case PC 2017-31 (A) & PC 2017-32 (R): KYKA Annexation & Rezoning

REQUEST:

Case PC 2017-31 (A) & PC 2017-32 (R)...KYKA Annexation & Rezoning. A request by KYKA Properties, LLC. to annex 32.919 acres and rezone 25.213 acres from Industrial: Business Development (IBD) to Industrial: General (IG). The property is located at the northwest corner of Eastview Drive and Upper Shelbyville Road.

ADJACENT PROPERTIES:

Surrounding Zoning:

North: IBD
South: IN, RM, RSN

East: IBD & PUD
West: IG

Surrounding Land Use:

North: Industrial
South: Needham Elementary, Agriculture, and Single-Family Residential
East: Agriculture & Future Residential
West: Industrial & Agriculture

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.

PROPOSED ZONING:

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.

CONSIDERATIONS:

1. KYKA Properties, LLC is requesting that 32.919 acres located at the northwest corner of Eastview Drive and Upper Shelbyville Road be annexed into the City of Franklin and that 25.213 acres be rezoned to IG (Industrial: General), for the future development of an industrial subdivision.

2. The City of Franklin owns two parcels within the subject area and has consented to the requests. The 0.105 acre parcel was obtained for the trail project and is intended to become dedicated right-of-way of Eastview Drive. Hurricane Creek (legal drain) runs through the City's 1.017 acre parcel. The floodway and special flood hazard area of Hurricane Creek is shown on the attached aerial.
3. The parcels outlined in red and blue on Exhibit A identify the area requested to be annexed.
4. 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)
5. The proposed annexation area is 41.12% contiguous to the City of Franklin and 100% of the property owners are parties to the petition.
6. 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, 2019.

 However, IC 36-4-3-7 also outlines that an annexation may not take effect during the year preceding a year in which a federal decennial census is conducted and takes effect January 1 of the year in which the census is conducted. Therefore, if the property remains within a Fire Protection District, the annexation would take effect on January 1, 2020.

 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 – Late 2017/Early 2018.
7. Utilities are readily available at this location and Eastview Drive is designated as a portion of the City's truck route.
8. The parcels outlined in blue on Exhibit A are proposed to be rezoned from IBD to IG. The parcels outlined in red are currently zoned IBD which is proposed to remain unchanged. A copy of the lot standards outlining the permitted uses for both the IBD and IG zoning district are attached.

Lot Standards – Industrial: Business Development (IBD)

Min. lot area: 22,000 sq.ft.	Min. front yard setback: 25 ft (local) 50 ft (collector)
Maximum lot area: 5 acres	Min. side yard setback: 25 feet
Min. lot width (at front setback): 100 feet	Min. rear yard setback: 25 feet
Maximum lot coverage: 75%	

Lot Standards – Industrial: General (IG)

Min. lot area: 2 acres	Min. front yard setback: 50 feet
Maximum lot area: N/A	Min. side yard setback: 50 feet
Min. lot width (at front setback): 100 feet	Min. rear yard setback: 50 feet
Maximum lot coverage: 85%	

9. The Technical Review Committee reviewed the petitions at their August 31, 2017 meeting.
10. The property would need to go through the Primary Plat, Secondary Plat/Construction Plan and Site Development Plan review processes prior to development.
11. 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."
12. 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."
13. 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."
14. 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 2017-31 (A): KYKA 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 2017-32 (R): KYKA 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 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.

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 west of the subject property is currently zoned IBD and IG and are currently developed in an industrial nature. In addition, it is important to note that the subject site and property to the east are currently zoned IBD and allow for industrial uses to be developed.

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 the majority of the adjacent properties are currently zoned industrial (IBD & IG) which allows the majority of the same permitted land uses. In addition, the property's immediate access to the truck route 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:

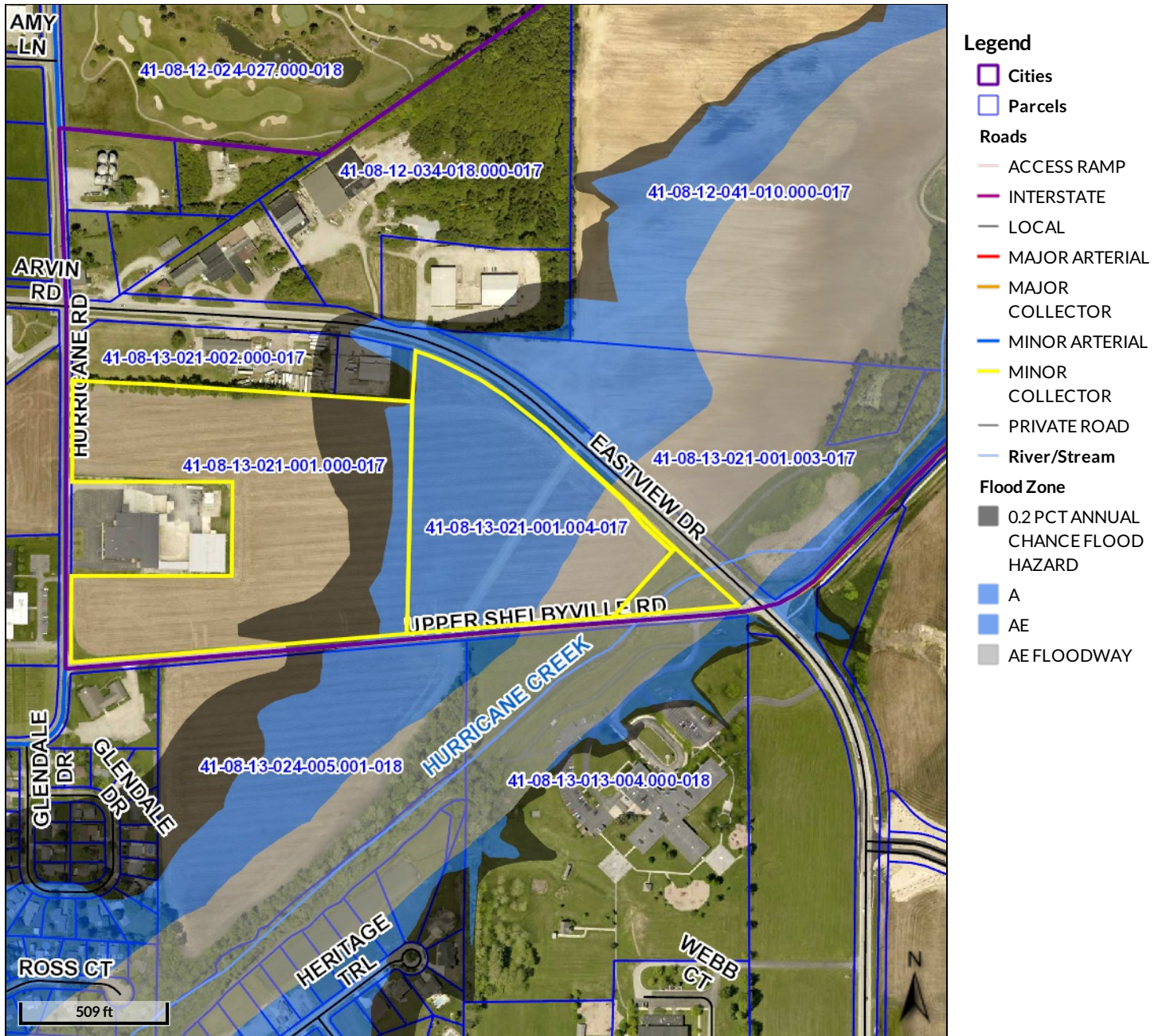
The subject property is currently zoned IBD, which is an industrial zoning district. The proposed rezoning to IG allows the petitioner to provide sites that allow a larger lot size than permitted in the IBD zoning district. In addition, the property is immediately adjacent to the designated truck route. Therefore, the proposed development of the property would be compliant with the lot size requirements and allow for a more diverse nature of industrial uses to be developed with ease of truck access.

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 25.213 acres to IG (Industrial: General).



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DISCLAIMER: An official flood plain determination must be made by the Floodplain Administrator for your local jurisdiction.

Date created: 9/13/2017

Last Data Uploaded: 9/12/2017 7:50:09 PM



Developed by
The Schneider Corporation



3.21 Industrial: Business Development (IBD)

District Intent:

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.



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)

Communications/Utilities Uses

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

Institutional/Public Uses

- heliport
- medical clinic
- parking lot or garage (as a primary use)
- police, fire, or rescue station

Park Uses

- nature preserve/center

Commercial Uses

- conference center
- data processing / call center
- personal service uses

Industrial Uses

- boat/RV storage facility (outdoor)
- contractor's warehouse/storage facility
- food & beverage production
- general industrial production
- light industrial assembly & distribution
- light industrial processing and distribution
- mini-warehouse self-storage facility
- research and development facility
- warehouse & distribution facility
- wholesale facility



B. Special Exception Primary Uses:

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

Agriculture Uses

- farm equipment sales and service

Institutional/Public Uses

- animal shelter
- day-care center
- government facility (non-office)
- penal or correctional institution

Commercial Uses

- auto-oriented uses (medium scale)
- kennel
- recreation uses (small scale)
- restaurant



3.21 Industrial: Business Development (IBD)

C. Lot Standards

Minimum Lot Area

- 22,000 square feet

Maximum Lot Area

- 5 acres

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
- 50 feet when adjacent to a Collector Street
- 25 feet when adjacent to a Local Street

Min. Side Yard Primary Struct. Setback

(measured from adjacent property line)

- 25 feet

Min. Rear Yard Primary Struct. Setback

(measured from rear property line)

- 25 feet

Minimum Living Area per Dwelling (for primary structures)

- not applicable

Minimum Ground Floor Living Area (for primary structures)

- not applicable

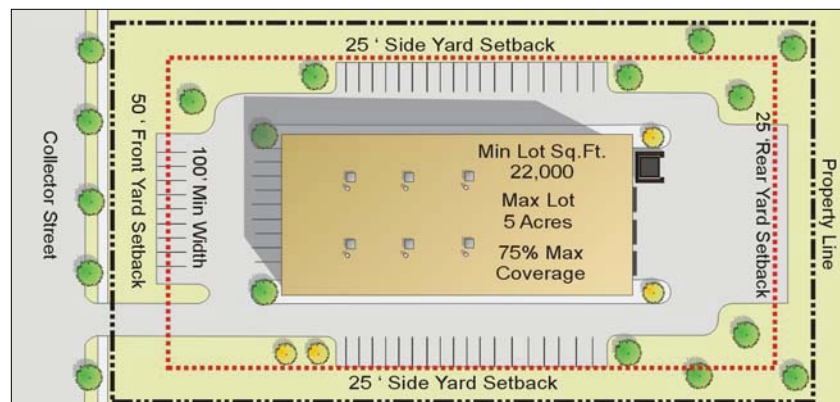
Maximum Primary Structures per Lot

- 1

Maximum Height

(for primary structures)

- 50 feet
- See Chapter 7.14, for telecommunications facility height requirements



Illustrative Layout (Does not reflect all requirements contained within this Ordinance).

Title

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Overlay Districts Art. 5

Development Standards ... Art. 7

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7.9 Environmental 7-25

7.10 Parking

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Part 3 7-35

7.11 Loading 7-40

7.12 Entrance / Drive 7-42

7.13 Sight Visibility 7-47

7.14 Telecommunications 7-48

7.15 Fence, Hedge, & Wall

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7.16 Landscaping 7-56

7.17 Buffering & Screening

Part 1 7-64

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7.18 Exterior Lighting 7-68

7.19 Large Scale Retail 7-72

7.20 Adult Use 7-77

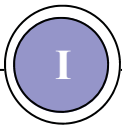
Sign Standards Art. 8

8.1 General 8-2

8.3 Non-Residential

Part 2 8-11

Site Development Plans .. Art. 9



3.23 Industrial: General (IG)

District Intent:

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.



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)

Communications/Utilities Uses

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

Institutional/Public Uses

- heliport
- medical clinic
- parking lot or garage (as a primary use)
- police, fire, or rescue station
- trade or business school

Park Uses

- nature preserve/center

Commercial Uses

- adult uses
- conference center
- data processing center

Industrial Uses

- agricultural products terminal
- dry cleaners (commercial)
- food & beverage production
- general industrial production
- light industrial assembly & distribution
- light industrial processing and distribution
- power generation facility (commercial)
- research and development facility
- truck freight terminal
- warehouse & distribution facility



B. Special Exception Primary Uses:

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

Agriculture Uses

- agricultural product sales, distribution, & storage facility
- farm equipment sales and service
- greenhouse (commercial)
- livestock auction/sales facility

Institutional/Public Uses

- airport
- day-care center
- government facility (non-office)
- penal or correctional institution

Commercial Uses

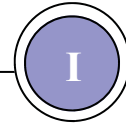
- truck stop / travel center

Industrial Uses

- animal & animal products processing
- concrete/asphalt production facility
- hazardous materials production
- truck sales & service center
- waste disposal facility



3.23 Industrial: General (IG)



Zoning Districts

C. Lot Standards

Minimum Lot Area
• 2 acres (87,120 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)
• 85%

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

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

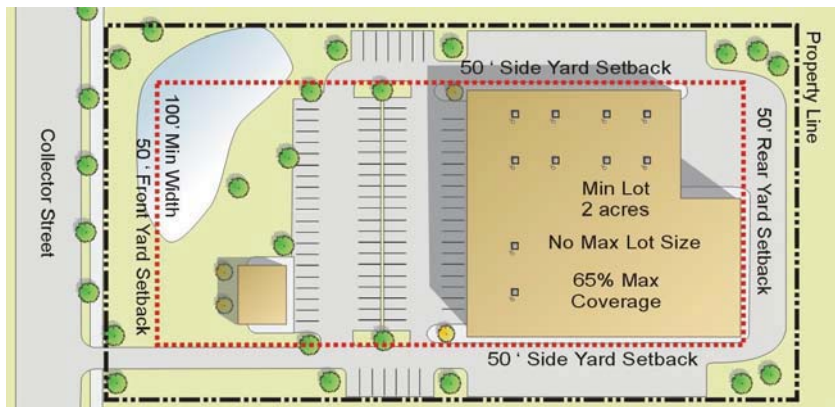
Min. Rear Yard Primary Struct. Setback
(measured from rear property line)
• 50 feet

Minimum Living Area per Dwelling
(for primary structures)
• not applicable

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

Maximum Primary Structures per Lot
• not applicable

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



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Title **Art./Page#**

Overlay Districts Art. 5

Development Standards Art. 7

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Part 1 7-11

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7.19 Large Scale Retail 7-72

7.20 Adult Use 7-77

Sign Standards Art. 8

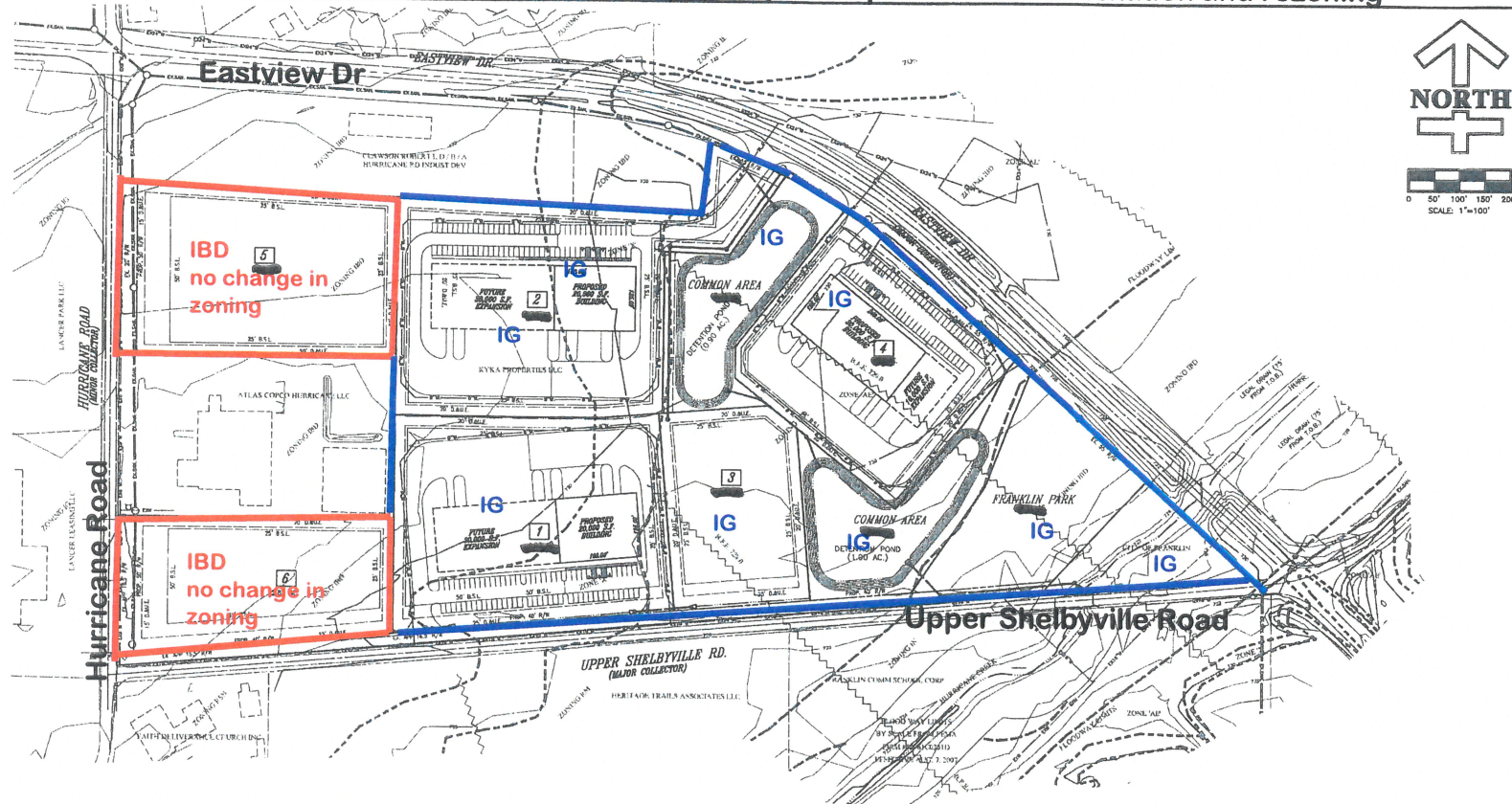
8.1 General 8-2

8.3 Non-Residential

Part 2 8-11

Site Development Plans Art. 9

Properties that are subject of KYKA Properties, LLC's petitions for annexation and rezoning



Only properties owned by KYKA Properties, LLC and the City of Franklin that are outlined in red and blue along with adjacent portions of public highways and right-of ways of the public highway that are not already within the corporate boundaries of the City of Franklin are proposed annexation area.

The 25.213 acres to be rezoned from IBD to IG is outlined in blue.

DATE	
REVISION	
SYMBOL	
SCALE	1" = 100'
PROJECT	KASTING INDUSTRIAL PARK
NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA	
CONCEPTUAL LAND USE PLAN	
PROJECTS plus	
GREENWOOD SURVEYING COMPANY	
ENGINEERING AND SURVEYING	
200 S. Walnut Street, Suite 100	
Franklin, Indiana 46204	
SOIL	
JOB NUMBER	15012
SHEET	1
DATE	JULY 25, 2017



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We will connect you with the right utility professionals to help you dig safely and efficiently.
We will connect you with the right utility professionals to help you dig safely and efficiently.
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City of Franklin Common Council

ORDINANCE # 2017-07

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 KYKA 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 #2017-31 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 #2017-31"); and

WHEREAS, pursuant to IC 36-7-4-605, Resolution #2017-31 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.
2. 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
3. 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
4. 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
5. The provisions set forth in this ordinance become and will remain in full force and effect pursuant to Indiana Code; and
6. Said newly annexed territory shall become a part of Council District 2; and

7. 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 2nd day of October, 2017.

PUBLIC HEARING held on the _____ day of _____, 2017.

DULY ADOPTED on this _____ day of _____ 2017, 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:

Keith Fox, Council President

Joseph P. Abban

Joseph R. Ault

Kenneth Austin

Andrew Eggers

Bob Heuchan

Richard L. Wertz

Voting Opposed:

Keith Fox, Council President

Joseph P. Abban

Joseph R. Ault

Kenneth Austin

Andrew Eggers

Bob Heuchan

Richard L. Wertz

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 _____, 2017 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 _____ 2017 at _____ o'clock p.m.

Steve Barnett, Mayor

Attest:

Jayne Rhoades, City Clerk-Treasurer

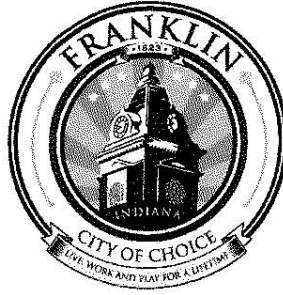
*Prepared by:
Joanna Myers, Senior Planner
Department of Planning & Engineering
70 E. Monroe Street
Franklin, IN 46131*

EXHIBIT 'A'

Part of the Northwest Quarter and the Northeast Quarter of Section 13, Township 12 North, Range 4 East of the Second Principal Meridian, Johnson County, Indiana, described as follows:

Commencing at the Northeast Corner of said Northwest Quarter; thence along the North line thereof North 87 degrees 15 minutes 18 seconds West (assumed bearing) 1686.22 feet; thence South 00 degrees 11 minutes 42 seconds West 231.00 feet to the Point of Beginning ; thence South 87 degrees 30 minutes 19 seconds East 1155.00 feet; thence North 00 degrees 04 minutes 15 seconds West 167.12 feet to the cusp of a curve concave southwesterly the radius point of said curve bears South 17 degrees 27 minutes 07 seconds West 1208.04 feet; thence southeasterly along said curve through a central angle of 12 degrees 15 minutes 29 seconds 258.45 feet; thence South 51 degrees 55 minutes 59 seconds East 257.83 feet; thence South 47 degrees 59 minutes 46 seconds East 432.21 feet; thence South 45 degrees 08 minutes 01 second East 100.12 feet; thence South 47 degrees 59 minutes 46 seconds East 373.86 feet; thence South 84 degrees 56 minutes 23 seconds West 2270.55 feet; thence North 00 degrees 04 minutes 52 seconds West 325.52 feet; thence South 87 degrees 30 minutes 19 seconds East 555.45 feet; thence North 00 degrees 04 minutes 52 seconds West 314.00 feet; thence North 87 degrees 30 minutes 19 seconds West 555.45 feet; thence North 00 degrees 04 minutes 52 seconds West 316.11 feet to the Point of Beginning containing 32.919 acres, more or less, subject to all rights-of-way, easements and restrictions.

AND INCLUDING ALL CONTIGUOUS AREAS OF PUBLIC HIGHWAYS AND RIGHTS-OF-WAY OF THE PUBLIC HIGHWAYS WHICH ARE NOT ALREADY CONTAINED WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF FRANKLIN.



**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2017-31
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

NAME OF PETITIONER:
KYKA Properties, LLC

PLAN COMMISSION DOCKET NUMBER:
PC 2017-31

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 and proposed improvements have been submitted and reviewed by the Plan Commission; and

WHEREAS, the said improvements are consistent with the 2013 Comprehensive Plan; 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 September, 2017 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 September, 2017.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA

ATTEST:


Suzanne Findley, Secretary


Jim Martin, President

EXHIBIT 'A'

Part of the Northwest Quarter and the Northeast Quarter of Section 13, Township 12 North, Range 4 East of the Second Principal Meridian, Johnson County, Indiana, described as follows:

Commencing at the Northeast Corner of said Northwest Quarter; thence along the North line thereof North 87 degrees 15 minutes 18 seconds West (assumed bearing) 1686.22 feet; thence South 00 degrees 11 minutes 42 seconds West 231.00 feet to the Point of Beginning ; thence South 87 degrees 30 minutes 19 seconds East 1155.00 feet; thence North 00 degrees 04 minutes 15 seconds West 167.12 feet to the cusp of a curve concave southwesterly the radius point of said curve bears South 17 degrees 27 minutes 07 seconds West 1208.04 feet; thence southeasterly along said curve through a central angle of 12 degrees 15 minutes 29 seconds 258.45 feet; thence South 51 degrees 55 minutes 59 seconds East 257.83 feet; thence South 47 degrees 59 minutes 46 seconds East 432.21 feet; thence South 45 degrees 08 minutes 01 second East 100.12 feet; thence South 47 degrees 59 minutes 46 seconds East 373.86 feet; thence South 84 degrees 56 minutes 23 seconds West 2270.55 feet; thence North 00 degrees 04 minutes 52 seconds West 325.52 feet; thence South 87 degrees 30 minutes 19 seconds East 555.45 feet; thence North 00 degrees 04 minutes 52 seconds West 314.00 feet; thence North 87 degrees 30 minutes 19 seconds West 555.45 feet; thence North 00 degrees 04 minutes 52 seconds West 316.11 feet to the Point of Beginning containing 32.919 acres, more or less, subject to all rights-of-way, easements and restrictions.

AND INCLUDING ALL CONTIGUOUS AREAS OF PUBLIC HIGHWAYS AND RIGHTS-OF-WAY OF THE PUBLIC HIGHWAYS WHICH ARE NOT ALREADY CONTAINED WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF FRANKLIN.

City of Franklin Common Council

RESOLUTION # 2017-12

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

WHEREAS, the Common Council is considering the adoption of Ordinance 2017-07 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 KYKA 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 _____ 2017.

Keith Fox, President
Franklin Common Council

ATTEST:

Jayne Rhoades, Clerk-Treasurer
City of Franklin, Indiana

Presented by me to the Mayor of the City of Franklin, Indiana, on the _____ day of _____, 2017, at the hour of _____ o'clock p.m.

Jayne Rhoades, Clerk-Treasurer
City of Franklin, Indiana

This resolution approved and signed by me on the ____ day of _____, 2017, at the hour of _____ o'clock p.m.

Steve Barnett, Mayor
City of Franklin, Indiana

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

EXHIBIT "A"

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AND INCLUDING ALL CONTIGUOUS AREAS OF PUBLIC HIGHWAYS AND RIGHTS-OF-WAY OF THE PUBLIC HIGHWAYS WHICH ARE NOT ALREADY CONTAINED WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF FRANKLIN.



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 KYKA Annexation

Project Description:

Name:	KYKA Annexation
Location:	Northwest corner of Eastview Drive & Upper Shelbyville Road
Size:	32.919 acres
Number of Parcels:	4
Gross Density:	N/A
Existing Zoning:	Industrial: Business Development (IBD)
Proposed Zoning:	Industrial: Business Development (IBD) & Industrial: General (IG)

Introduction:

Indiana Statute (IC 36-4-3-3.1) 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 KYKA Annexation property owned by KYKA Properties LLC and City of Franklin with the potential tax revenue generated by the developed parcels. 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 2016 pay 2017 is \$1.383 per \$100 of assessed value.

The total assessed value for the City of Franklin for the tax year 2016 pay 2017 is \$882,238,529.

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.

KYKA 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	\$ 79.89	\$ 238.42	\$ 203.76	N/A	32.919	N/A	\$ 238.42	\$ 7,848.51
Community Development	\$ 6.62	\$ 19.77	\$ 16.89	N/A	32.919	N/A	\$ 19.77	\$ 650.73
Planning & Engineering	\$ 20.07	\$ 59.88	\$ 51.18	N/A	32.919	N/A	\$ 59.88	\$ 1,971.20
General Administration	\$ 30.67	\$ 91.54	\$ 78.23	N/A	32.919	N/A	\$ 91.54	\$ 3,013.41
City Court	\$ 10.20	\$ 30.43	\$ 26.00	N/A	32.919	N/A	\$ 30.43	\$ 1,001.56
Board of Works	\$ 196.22	\$ 585.58	\$ 500.45	N/A	32.919	N/A	\$ 585.58	\$ 19,276.60
Police Department	\$ 173.28	\$ 517.11	\$ 441.93	N/A	32.919	N/A	\$ 517.11	\$ 17,022.61
Fire Department	\$ 159.34	\$ 475.52	\$ 406.39	N/A	32.919	N/A	\$ 475.52	\$ 15,653.48
Street Department	\$ 102.73	\$ 306.57	\$ 262.00	N/A	32.919	N/A	\$ 306.57	\$ 10,091.93
							Total	\$ 76,530.04

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 the privately maintained property is for industrial purposes. The area owned by the City of Franklin is proposed to remain in the public interest.

Annexation Considerations:

1. The petition was initiated with consent of the property owners 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 continue developing. 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 7,081.67 feet. In this case, 2,912.18 feet or 41.12% 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 2.
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. KYKA Annexation is recommended for annexation by the Plan Commission through Plan Commission Resolution Number 2017-31.