

2018-014041
RECORDED ON
06/29/2018
10:55:02 AM
JILL L JACKSON
JOHNSON COUNTY
RECORDER
REC FEE: 25.00
PAGES: 4

City of Franklin Common Council

ORDINANCE NUMBER 2018-03

AN ORDINANCE APPROVING RESOLUTION NUMBER 2018-10
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN PROPERTY TO
IL (Industrial: Light)
(To be known as Marlores 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 2018-10 recommended that the City's Common Council amend the Zoning Map and rezone the property described in "Exhibit A" attached hereto, to Industrial: Light (IL) subject to the written commitments and restrictions as stated below.

WHEREAS, pursuant to Indiana Code § 36-7-4-605, Resolution 2018-10 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 rezoned to Industrial: Light (IL) subject to the following commitments and restrictions:
 - a. The front entry of a primary building located on a parcel having frontage along SR 44 shall be oriented either to:
 - i. SR 44,
 - ii. I-65, or
 - iii. Jim Black Road with a building setback of two hundred and forty feet (240') from the right-of-way of SR 44.
 - b. The front entry to a primary building not having frontage along SR 44 may be oriented either to Jim Black Road or I-65.
 - c. A primary building located on the Real Estate shall include the construction of a parapet wall screening rooftop mechanicals and HVAC units from grade level view. Grade level shall mean the grade at the adjoining driveways and parking areas servicing such primary building.
 - d. A primary building shall include a pedestrian walkway being at least five feet (5') in width along the entire frontage of such building, so as to connect the visitor/employee parking areas with the entry to the building. This pedestrian walkway shall include a minimum of a four foot (4') wide landscape strip between the walkway and the front façade of the building with at least twenty-five percent (25%) of the length of such strip being composed of shrubs, trees or flowers and the balance in turf or ground cover plantings.

FILED
SUBJECT TO FINAL ACCEPTANCE

JUN 29 2018

Patricia A. Boston
AUDITOR, JOHNSON COUNTY



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),

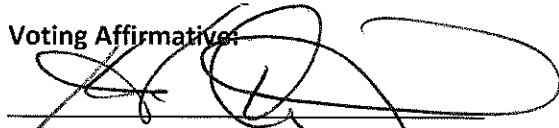
INTRODUCED AND FILED on the 2nd day of April, 2018.

PUBLIC HEARING held on the 16 day of April, 2018.

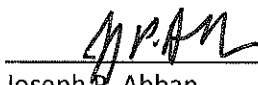
DULY ADOPTED on this 7 day of May 2018, by the Common Council of the City of Franklin, Johnson County, Indiana having been passed by a vote of 6 in Favor and 0 Opposed.

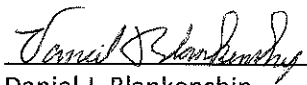
City of Franklin, Indiana, by its Common Council:

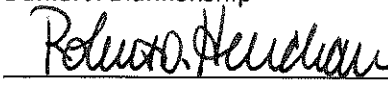
Voting Affirmative:



Kenneth Austin, Council President


Andrew Eggers, Vice President


Joseph P. Abban


Daniel J. Blankenship


Robert D. Heuchan


Richard L. Wertz

Voting Opposed:

Kenneth Austin, Council President

Andrew Eggers, Vice President

Joseph P. Abban

Daniel J. Blankenship

Robert D. Heuchan

Richard L. Wertz

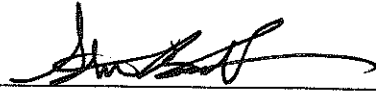
Attest:


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 7 day of May, 2018 at 6:30 o'clock p.m.

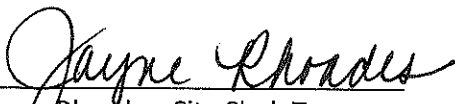

Jayne Rhoades, City Clerk-Treasurer

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), this ~~15~~ 7 day of ~~Apr~~ May 2018 at 6:30 o'clock p.m.



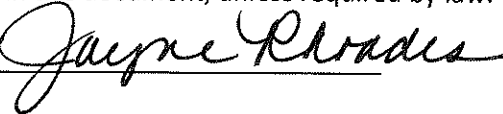
Steve Barnett, Mayor

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'

Hougham Parcel

Part of the Southeast Quarter of the Southwest Quarter of Section 17 and part of the Northeast Quarter of the Northwest Quarter of Section 20, both in Township 12 North, Range 5 East, Johnson County, Indiana, more particularly described as follows:

BEGINNING at a Mag Nail with a Johnson County Surveyor washer at the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 07 minutes 05 seconds West 1,359.83 feet along the west line of said Southeast Quarter of the Southwest Quarter (the basis of bearings is the Indiana Geospatial Coordinate System, "Johnson" zone) to the south right-of-way line of State Road 44 as defined on the right-of-way plans for INDOT Project No. STP-068-4 (011) R/W, the following four (4) courses are along said south right-of-way line; 1)thence North 89 degrees 29 minutes 36 seconds East 15.07 feet to a 5/8-inch diameter rebar with a cap stamped "Structurepoint – 0094" set flush (hereafter referred to as "set rebar"); 2)thence North 16 degrees 35 minutes 37 seconds East 87.12 feet to a set rebar; 3)thence North 87 degrees 28 minutes 32 seconds East 71.29 feet to a 4-inch by 4-inch concrete right-of-way monument; 4)thence North 87 degrees 39 minutes 19 seconds East 1,214.25 feet to a set rebar on the east line of said Southwest Quarter; thence South 00 degrees 07 minutes 21 seconds East 1,434.36 feet along said east line to a fence post at the southeast corner of said Southwest Quarter; thence South 00 degrees 11 minutes 00 seconds East 507.72 feet along the east line of said Northwest Quarter to a 5/8-inch diameter rebar with no cap; thence South 87 degrees 39 minutes 18 seconds West 1,328.12 feet to a mag nail on the west line of said Northeast Quarter of the Northwest Quarter; thence North 00 degrees 04 minutes 51 seconds East 500.14 feet along said west line to the POINT OF BEGINNING. Containing 59.025 acres, more or less.

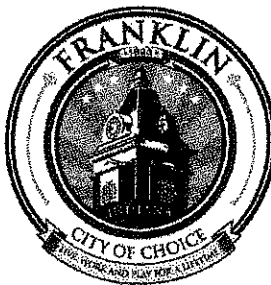
AND

Hougham Woods

Part of the Northwest and Southwest Quarters of Section 20, Township 12 North, Range 5 East, Johnson County, Indiana, more particularly described as follows:

BEGINNING at a railroad spike at the southwest corner of the East Half of said Northwest Quarter; thence North 00 degrees 05 minutes 19 seconds East 466.69 feet along the west line of said East Half to a 5/8" diameter rebar with a cap stamped "Structurepoint – 0094" set flush (hereafter referred to as "set rebar") at the southwest corner of the parcel conveyed to Mary E. Paris, Trustee, in Instrument Number 97028501, on file in the Office of the Recorder of Johnson County, Indiana; thence North 88 degrees 08 minutes 44 seconds East 1,336.34 feet along the south line of said Paris parcel to a set rebar on the east line of said Northwest Quarter; thence South 00 degrees 11 minutes 00 seconds East 430.98 feet along said east line to the southeast corner of said Northwest Quarter; thence South 00 degrees 11 minutes 00 seconds East 570.93 feet along the east line of said Southwest Quarter to a mag nail set in the centerline of County Road 50 South; thence North 89 degrees 33 minutes 16 seconds West 1,336.88 feet along said centerline to a set rebar on the west line of the East Half of said Southwest Quarter; thence North 00 degrees 19 minutes 32 seconds West 481.59 feet along said west line to the POINT OF BEGINNING. Containing 29.931 acres, more or less.

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 # 2018-01
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

NAME OF PETITIONER:
Southpoint Farm, LLC

PLAN COMMISSION DOCKET NUMBER:
PC 2018-01

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 20th day of February, 2018 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 20th day of February, 2018.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA


Jim Martin, President

ATTEST:


Suzanne Findley, Secretary

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