



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

BZA Staff Report

To: Board of Zoning Appeals Members

From: Alex Getchell, AICP, Senior Planner I

Date: May 31, 2019

Re: Case ZB 2019-07 (SE) | 1594 Amy Lane

REQUESTS:

Case ZB 2019-07 (SE): A request for a Special Exception from the City of Franklin Zoning Ordinance, Article 3, Chapter 22, to allow a truck freight terminal use, in the IL: Industrial, Light zoning district, at the property commonly known as 1594 Amy Lane, Franklin, IN, also being Lot 8 in Hurricane Industrial Park, Section 3.

PURPOSE OF STANDARD:

The “IL”, Industrial: Light zoning district is intended to provide locations for light production, assembly, warehousing, research & development facilities, and similar uses. This district is intended to accommodate only industrial uses that are completely contained within structures and do not involve the outdoor storage of materials or the release of potential environmental pollutants. This district should be used to support industrial retention and expansion in Franklin.

CONSIDERATIONS:

Proposed Use

1. Titan Armored, Inc., Petitioner, wishes to operate an armored vehicle service from the property at 1594 Amy Lane, which is also known as Lot 8 in Hurricane Industrial Park, Section 3.
[See [Exhibit A: Detailed Description](#)]
2. *Petitioner requests Special Exception approval, from the Industrial: Light (IL) zoning district, to allow a truck freight terminal use.*
3. A truck freight terminal use is defined as: “An area and building where trucks and cargo are stored, where loading and unloading is carried on regularly, and where minor truck maintenance is performed.”
4. A truck freight terminal use is listed as a Special Exception use in the “IL,” Industrial, Light zoning district. *Petitioner is requesting a Special Exception at the subject property, which is zoned IL.*
5. A truck freight terminal is listed as a permitted use in only the “IG,” Industrial General zoning district.
6. Petitioner indicated armored vehicles would be stored on-site overnight, preferably inside the building, and some occasionally with cargo, and with transfers of cargo.
7. Employees will arrive via personal vehicles, daily, and depart in armored vehicles to conduct business; typically with 2 or 3 employees in each armored vehicle. [See [Exhibit A: Detailed Description](#)]
8. Petitioner stated armored vehicle repairs and maintenance would be completed off-site.

Floor Plans

9. Petitioner provided building plans that show the shell of a 60'D x 75'W x 26'H building with six (6) 10'W x 10'H overhead doors on the back of the building, and two (2) standard doors on the front and west side for employee ingress/egress. [See [Exhibit B: Floor Plans](#)]
10. No interior walls or any other details have been provided and it is not known if the petitioner will utilize the interior space for anything other than storage of armored vehicles.

Parking Standards

11. According to Article 7, Chapter 10, Parking Standards, Requirements for Non-conforming Uses and Uses Permitted by Special Exception or Variance: Any use which is nonconforming in the zoning district in which it is located or is permitted by special exception or variance shall provide parking which is consistent with the use and the standards for the zoning district in which the use is permitted by this Ordinance. In no case shall the number of parking spaces required for nonconforming uses or those permitted by special exception or variance be solely based on the standards for the district in which they are located. The Board of Zoning Appeals shall specify the number of parking spaces for all uses permitted by special exception or variance consistent with the intent of this Chapter.
12. According to Article 7, Chapter 10, Parking Standards:
 - A minimum of 1 off-street parking space is required for (rounded to the nearest complete space):
 - Each employee working on the largest shift, including shift overlap; and
 - Each business vehicle stored on-site.
 - Minimum parking stall size is 9' x 18' and must be striped.
 - Each parking space must be paved with asphalt or concrete.
 - Parking spaces interior to buildings can qualify as meeting the required parking spaces.
13. Petitioner stated six (6) armored vehicles could be accommodated inside the facility. Additionally, as the business grows, they anticipate parking additional armored trucks on the outside of the building.
14. Petitioner stated they would start out with six (6) employees and three (3) armored trucks, and "could grow to about 20-30 employees, depending on the size of the operation over the next 10 years." Petitioner would only operate a first shift, Monday through Saturday, from 7am-5pm.
15. Petitioner stated the armored trucks will be under 26,000 lbs. and will not require a CDL based on the GVWR classification. Therefore, semi-tractors and trailers will not be part of the proposed business.
16. Parking layouts have not yet been produced, as only the shell of the building has been designed, at this point. [See [Exhibit C: Site Plan](#)]
17. Based on petitioner's stated 10-year plan, and Article 7, Chapter 10, Parking Standards, petitioner would be required to provide 30 employee parking spaces, plus 10-15 business vehicle parking spaces, at maximum anticipated operating volume.

Comprehensive Plan

18. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Light Industrial. "Light industrial areas include a variety of employment and production facilities. Uses in this area may include warehouses, distribution centers, assembly facilities, technology centers, research and manufacturing facilities, professional offices. Light industrial areas are distinguished from manufacturing areas in that manufacturing areas focus on the manipulation of unfinished products and raw materials. Light industrial facilities generally do not produce emissions of light, heat, sound, vibration, or odor and are completely contained within buildings. Some limited outdoor storage of finished products may occur. Light industrial areas may also include facilities which are complimentary to their role as employment centers. Such uses would include day care centers, parks and recreation facilities, banks, dry-cleaners, and other facilities designed to provide goods and services to the employees in the area."

Zoning Ordinance

19. According to Article 2.5: A special exception or variance ceases to be authorized and is expired if the obtaining of an Improvement Location Permit, or the execution of the approval has not been completed within 1 year of the date the variance or special exception is granted. The variance or special exception shall also expire if the approved construction has not been completed and approved by the Planning Director as being consistent with all written commitments or conditions, the requirements of this Ordinance, and all applicable permits within 2 years of the date the approval is granted.
20. According to Article 11.4 (H.), Limitations: Unless otherwise specified by the Board, special exception approvals shall be limited to, and run with the applicant at the location specified in the application. The Board may also limit special exceptions to a specific time period and a specific use. Special Exceptions shall also be invalid if (1) the property conforms with the Ordinance as written, or (2) the special exception approval is terminated (consistent with Section 2.5(L)).
21. According to Article 11.4 (I.), Special Exception Use Expansion: A use authorized as a special exception may not be expanded, extended, or enlarged unless reauthorized by the Board under the procedures set forth in this Article for granting a special exception.

Surrounding Zoning:

North:	PUD: Planned Unit Development (Heritage)
South:	IL: Industrial, Light
East:	IBD: Industrial, Business Development
West:	IL: Industrial, Light

Surrounding Land Use:

North:	Single-family residential
South:	Pro Industries/Pro Power
East:	Style Dance Academy
West:	Fire/Security Alarm Contractor

CRITERIA FOR DECISIONS – SPECIAL EXCEPTIONS:

(The petitioner will need to address the Criteria for Decisions in their presentation**)**

In taking action on all special exception and variance requests, the Board of Zoning Appeals shall use the following decision criteria, consistent with the requirements of the Indiana Code. The Board may grant a special exception and a variance from development standards and limitations of this Ordinance if, after a public hearing, it makes findings of facts in writing (consistent with IC 36-7-4-918.5) that:

DECISION CRITERIA – SPECIAL EXCEPTION

1. ***General Welfare: The approval (will or will not) be injurious to the public health, safety, morals, and general welfare of the community.***

Staff Finding:

Staff finds the approval of the proposed special exception will not be injurious to the public health, safety, morals, and general welfare of the community, as the general vicinity was designed and is developing with small scale industrial users and/or industrial-like commercial users, in buildings designed to be incubators for small commercial and industrial businesses. Furthermore, the truck freight terminal activity proposed is of a smaller scale, with smaller trucks/vehicles (less than 26,000 lbs.), than the semi-tractor trailers that are typically thought to be associated with a truck freight terminal use. Therefore, staff finds approval will not be injurious to the general welfare of the community.

2. ***Development Standards: The requirements and development standards for the requested use as prescribed by the Zoning Ordinance (will or will not) be met.***

Staff Finding:

Petitioner has not yet designed the site, nor filed for site development plan review; therefore, staff is unable to make a finding on the requirements and development standards. At time of Site Development Plan Review, petitioner will be required to provide the required parking, landscaping, etc. in a manner compliant with all sections of the Zoning Ordinance, or receive variance approval from the Board.

3. ***Ordinance Intent: Granting the special exception (will or will not) be contrary to the general purposes served by the Zoning Ordinance, and (will or will not) permanently injure other property or uses in the same zoning district and vicinity.***

Staff Finding:

The requested use is listed as a special exception use in the “IL” Industrial, Light zoning district; which is intended to support light industrial production, assembly, warehousing, and similar uses completely contained inside; therefore, the approval will not be contrary to the general purposes served by the Zoning Ordinance. Moreover, the smaller scale of the proposed armored vehicles, as compared to semi-tractor trailers commonly associated with truck freight terminals, will be complimentary to the smaller scale industrial development where it is proposed. Therefore, staff finds the granting of the special exception will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the general vicinity.

4. ***Comprehensive Plan: The proposed use (will or will not) be consistent with the character of the zoning district in which it is located and (will or will not) be consistent with the 2013 Franklin Comprehensive Plan.***

Staff Finding:

The requested use is listed as a special exception use in the “IL” Industrial, Light zoning district and will be consistent with the character of the zoning district, as the proposed armored vehicle business will be compatible with the “light” industrial production, warehousing, and completely contained uses outlined for the “IL” district. Staff finds approval for the proposed armored vehicle business will be consistent with the 2013 Comprehensive Plan, as it would be compatible with all of the following, as stated in the Land Use plan: “Light industrial facilities generally do not produce emissions of light, heat, sound, vibration, or odor and are completely contained within buildings. Some limited outdoor storage of finished products may occur. Light industrial areas may also include facilities which are complimentary to their role as employment centers. Such uses would include day care centers, parks and recreation facilities, banks, dry-cleaners, and other facilities designed to provide goods and services to the employees in the area.”

STAFF RECOMMENDATION – SPECIAL EXCEPTION

Based on the written findings above, staff recommends **approval** of the petition with the following conditions:

- a. Special exception approval is for an armored vehicle truck freight terminal use and approval is limited to and runs with the applicant, Titan Armored, at the subject property, 1594 Amy Lane.
- b. Business vehicles stored on-site are limited to Gross Vehicle Weight Rating of 26,000 lbs. or less.
- c. All parking areas, including parking spaces and business vehicle storage areas, must be paved with asphalt or concrete to the nearest paved street, and all parking areas must be clearly painted to show each parking space.
- d. A minimum of eighteen (18) parking spaces are required to be provided on-site, for initial site development, in accordance with City of Franklin Zoning Ordinance, Article 7, Chapter 10, Parking Standards. Business vehicle parking interior to the building can count toward the required total, as long as each space has direct access in and out of the building.
- e. The combined number of employees and business vehicles stored on-site will never exceed the number of parking spaces provided on-site, in accordance with the Parking Standards.
- f. All applicable Federal, State, and Local permits and approvals shall be obtained and sustained in a satisfactory manner; including, but not limited to, site development plan review and approval, and compliance with all building, fire, and health codes.