

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	October 17, 2019	Meeting Date:	November 4, 2019
Contact Information:			
Requested by:	Joanna Myers, Senior Planner		
On Behalf of Organization or Individual:			
		T. Thompson 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 2019-06: Rezoning to be known as Thompson Rezoning (Introduction)			
List Supporting Documentation Provided:			
1. City Council memo			
2. Plan Commission Staff Report (PC 2019-15)			
3. PC Resolution 2019-15			
4. Ordinance 2019-06			
Who will present the request?			
Name:	Joanna Myers	Telephone:	(317) 736-3631

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: October 16, 2019
Re: **Thompson Rezoning (Ordinance 2019-06)**

On October 15, 2019 the Franklin Plan Commission forwarded to the City Council a favorable recommendation on the above referenced rezoning petition from T. Thompson Properties, LLC. (Plan Commission Resolution #2019-15). The Plan Commission voted 7-0 for a favorable recommendation to be forwarded.

The petitioner is requesting that approximately 26.16 acres located at 3601 N. US 31 be rezoned to MXR (Mixed Use: Regional Center) with the GW-OL (Gateway Overlay) zoning district to remain, for the future commercial development. 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 rezoning ordinance is included. The proposed timeline for the petition is as follows:

Introduction:	November 4, 2019
Public Hearing:	November 18, 2019

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



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Plan Commission Staff Report

To: Plan Commission Members

From: Joanna Myers, Senior Planner

Date: October 9, 2019

Re: Case PC 2019-15 (R): Thompson Rezoning

REQUEST:

Case PC 2019-15 (R)...Thompson Rezoning. A request by T. Thompson Properties, LLC to rezone 26.16 acres located at 3601 N. US 31, which is north of Sloan Drive and east of US 31/Morton Street, from A (Agriculture) and IG (Industrial: General) to MXR (Mixed Use: Regional Center) with the GW-OL (Gateway Overlay) zoning to remain.

ADJACENT PROPERTIES:

Surrounding Zoning:

North: MXC (Mixed Use: Community Center) & GW-OL
IG (Industrial: General)
South: IG (Industrial: General)
East: IG (Industrial: General)
West: MXC (Mixed Use: Community Center) & GW-OL

Surrounding Land Use:

North: Agriculture
South: Agriculture
East: NSK
West: Gateway Services & Church

CURRENT ZONING:

The “A”, Agricultural zoning district is intended to provide locations for agricultural operations and related land uses. This district is further intended to reduce conflicts between residential and agricultural areas with the viability of agricultural operations, and limit development in areas with minimal infrastructure. This district should be used to protect agricultural operations from land uses that are incompatible with the available infrastructure.

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.

The intent of the Gateway Overlay (GW-OL) district is to require development at the City’s entrances that is aesthetically consistent, responsive to development pressures, and proportional to the area’s traffic management issues.

PROPOSED ZONING:

The “MXR”, Mixed Use: Regional Center zoning district is intended to provide locations for a variety of business and institutional land uses that either serve a regional market, or require convenient access to high-volume transportation routes. This district is intended to permit a mixture of compatible land uses in close proximity to appropriate transportation routes and other necessary infrastructure.

CONSIDERATIONS:

1. T. Thompson Properties, LLC is requesting that 26.16 acres located north of Sloan Drive and east of US 31/Morton Street be rezoned to Mixed Use: Regional Center (MXR) with the Gateway Overlay (GW-OL) to remain in order to plan for future development. See attached map.
2. The subject property is included in a designated Opportunity Zone.
 - a. An Opportunity Zone is an area where new investments, under certain conditions, may be eligible for preferential tax treatment.
 - b. More details may be found on the IRS website at <https://www.irs.gov/newsroom/opportunity-zones-frequently-asked-questions>.
3. The Technical Review Committee reviewed the petition at their September 23, 2019 meeting. All technical review comments have been addressed.
4. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies the north 22 acres as a Community Activity Center. “Community activity centers area intended as areas of mixed land uses that provide gathering places and goods and services for the entire community. Community activity centers may include churches, schools, community parks, grocery stores, gas stations, shopping centers, offices, banks and restaurants. Community activity centers may also include residences located on the upper floors of otherwise commercial buildings. Community activity centers are generally located along major streets and at prominent intersections where they are readily accessible by people from throughout the community.”

The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies the remaining area as Manufacturing. “Manufacturing areas are intended to accommodate large scale businesses that produce finished products from raw materials. Uses in these areas may include product manufacturers, as well as any related warehousing and offices. Manufacturing areas may include facilities that involve emissions or the outdoor storage of materials and finished products. These two factors are the primary distinction between manufacturing areas and light industrial areas.”

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 MXR with the Gateway Overlay to remain consistent with the Comprehensive Plan as the plan identifies the areas as Community Activity Center.

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

Staff Finding:

The property is located immediately to the south and east of properties currently zoned MXC (Mixed Use: Community Center). In addition, it is important to note that the subject site is located along a major arterial road (US 31).

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 commercial properties and the majority is currently zoned MXC which allows the majority of the same permitted land uses. In addition, the property's proximity to US 31 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 commercial services are provided.

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

Staff Finding:

The proposed rezoning immediately adjacent to existing properties zoned for commercial uses and will provide the City with additional commercially zoned property. The City's current inventory would be expanded which promotes additional growth and expansion of the tax base and provide additional job opportunities for the community.

PLAN COMMISSION ACTION :

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:

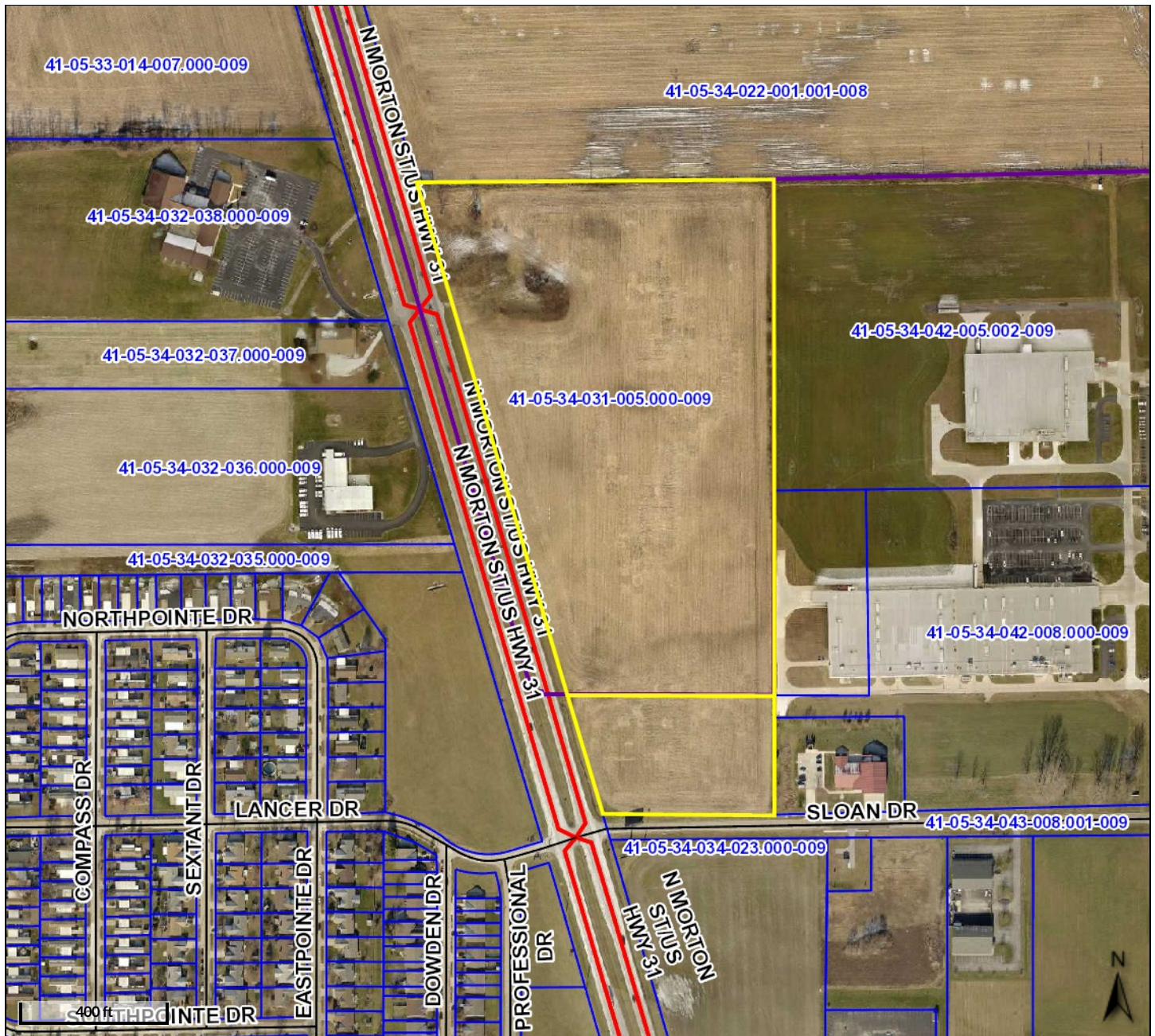
Based on the criteria for decisions above, staff recommends a *Favorable Recommendation* be forwarded to the Franklin City Council of the rezoning request to MXR (Mixed Use: Regional Center) with the GW-OL (Gateway Overlay) zoning to remain.



BeaconTM

Johnson County, IN

Thompson Rezoning



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**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2019-15
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

NAME OF PETITIONER:

T. Thompson Properties, LLC

PLAN COMMISSION DOCKET NUMBER:

PC 2019-15

RESOLUTION

WHEREAS, the Plan Commission of the City of Franklin has given careful study to the requirements of the City and all of the area within the jurisdiction of the Plan Commission relative to the enactment of an amendment to the Zoning Map; and

WHEREAS, the above Petitioner has filed a petition for rezoning, wherein the Petitioner requests a rezoning and a change to the Zoning Map of certain property located within the City of Franklin, Indiana from Agriculture (A) and IG (Industrial: General) to MXR (Mixed Use: Regional Center) with the GW-OL (Gateway Overlay) zoning district to remain, more particularly described in Exhibit "A" attached hereto; and

WHEREAS, after proper notice, as outlined in the City of Franklin Rules and Procedures and Indiana Code, a public hearing was held in the Council Chambers of Franklin City Hall, 70 E. Monroe Street, Franklin, Indiana on the 15th day of October, 2019, with the Commission having heard all objections and criticisms and having given careful study and consideration to said petition.

NOW THEREFORE BE IT RESOLVED, THAT THE FRANKLIN 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 rezoned to (MXR) Mixed Use: Regional Center with the GW-OL (Gateway Overlay) zoning district to remain.
2. On behalf of the secretary, the 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. A copy of this Resolution forwarded to the Common Council shall be accompanied by the proposed Ordinance amending the Zoning Map for the consideration of the Common Council at its meeting.


Resolved by the City of Franklin Plan Commission this 15th day of October, 2019.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA



Jim Martin, President

ATTEST:



Suzanne Findley, Secretary

EXHIBIT "A"

A part of the Southwest Quarter in Section 34, Township 13 North, Range 4 East of the Second Principal Meridian, in Johnson County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said Southwest Quarter Section; thence South 89 degrees 02 minutes 56 seconds West (assumed bearing) on and along the North line of said Quarter Section 446.12 feet to the Point of Beginning; thence continuing South 89 degrees 02 minutes 56 seconds West a distance of 925.57 feet to a point on the East right-of-way line of U.S. Highway 31; thence South 16 degrees 04 minutes 00 seconds East on and along said right-of-way line 1727.13 feet to a point on a South line of the Northeast Quarter of the Southwest Quarter of said Section; thence North 89 degrees 10 minutes 30 seconds East on and along said South line 440.94 feet; thence North 00 degrees 13 minutes 30 seconds East 1668.70 feet to the Point of Beginning, containing 26.1587 acres, more or less, subject to all legal rights-of-way and easements.

City of Franklin Common Council

ORDINANCE NUMBER 2019-06

AN ORDINANCE APPROVING RESOLUTION NUMBER 2019-15
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN PROPERTY TO
MXR (Mixed Use: Regional Center)
(To be known as Thompson 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 2019-15 recommended that the City’s Common Council amend the Zoning Map and rezone the property described in Exhibit “A”, attached hereto, from Agriculture (A) and Industrial: General (IG) to Mixed Use: Regional Center (MXR) with the Gateway Overlay district (GW-OL) to remain.

WHEREAS, pursuant to Indiana Code § 36-7-4-605, Resolution 2019-15 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 Mixed Use: Regional Center (MXR), with Gateway Overlay district (GW-OL) to remain.
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 § 36-4-6-16.

INTRODUCED on the 4th day of November, 2019.

DULY PASSED on this ____ day of _____, 2019, 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:

Voting Opposed:

Kenneth Austin, Council President

Kenneth Austin, Council President

Andrew Eggers, Vice President

Andrew Eggers, Vice President

Joseph P. Abban

Joseph P. Abban

Daniel J. Blankenship

Daniel J. Blankenship

Robert D. Heuchan

Robert D. Heuchan

Danny Richards

Danny Richards

Richard L. Wertz

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 _____, 2019 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 _____, 2019 at _____ 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"

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Commencing at the Northeast corner of said Southwest Quarter Section; thence South 89 degrees 02 minutes 56 seconds West (assumed bearing) on and along the North line of said Quarter Section 446.12 feet to the Point of Beginning; thence continuing South 89 degrees 02 minutes 56 seconds West a distance of 925.57 feet to a point on the East right-of-way line of U.S. Highway 31; thence South 16 degrees 04 minutes 00 seconds East on and along said right-of-way line 1727.13 feet to a point on a South line of the Northeast Quarter of the Southwest Quarter of said Section; thence North 89 degrees 10 minutes 30 seconds East on and along said South line 440.94 feet; thence North 00 degrees 13 minutes 30 seconds East 1668.70 feet to the Point of Beginning, containing 26.1587 acres, more or less, subject to all legal rights-of-way and easements.