

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	June 28, 2020	Meeting Date:	August 3, 2020
Contact Information:			
Requested by:	Joanna Myers, Senior Planner		
On Behalf of Organization or Individual:			
		GDI Holdings, 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 2020-10: Rezoning to be known as GDI Holdings Rezoning (Introduction)			
List Supporting Documentation Provided:			
1. City Council memo			
2. Plan Commission Staff Report (PC 2020-17)			
3. PC Resolution 2020-17			
4. Ordinance 2020-10			
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: July 28, 2020
Re: **GDI Holdings Rezoning (Ordinance 2020-10)**

On June 16, 2020 the Franklin Plan Commission forwarded to the City Council a favorable recommendation on the above referenced rezoning petition from GDI Holdings, LLC (Plan Commission Resolution #2020-17). The Plan Commission voted 8-0 for a favorable recommendation to be forwarded.

The petitioner is requesting that approximately 10 acres located at the southeast corner of 89 Forest Road to Amity Ditch be rezoned to IL (Industrial: Light) for future industrial 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:	August 3, 2020
Public Hearing:	August 17, 2020

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: June 10, 2020

Re: Case PC 2020-16 (A) & PC 2020-17 (R): GDI Holdings Annexation & Rezoning

REQUEST:

Case PC 2020-16 (A) & PC 2020-17 (R)...GDI Holdings Annexation & Rezoning. A request by GDI Holdings, LLC to annex and rezone approximately 10 acres from Agriculture (A) to Industrial: Light (IL). The property is located at the southeast corner of 89 Forest Road to the Amity Ditch.

ADJACENT PROPERTIES:

Surrounding Zoning:

North: A (Agriculture)
South: A (Agriculture)
East: A (Agriculture)
West: IL (Industrial: Light)

Surrounding Land Use:

North: Agriculture
South: Agriculture
East: Umbarger Show Feed
West: Future Industrial

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.

PROPOSED ZONING:

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:

1. GDI Holdings, LLC is requesting that approximately 10 acres located at the southeast corner of 89 Forest Road to Amity Ditch be annexed into the City of Franklin and be rezoned to IL (Industrial: Light), for the future development of the industrial use proposed at 89 Forest Road.

2. GDI Holdings, LLC owns the property at 89 Forest Road (to be platted at I-65 South Logistics Center – Lot 1) and has submitted plans to construct a 923,400 sq.ft. warehouse facility. The development of Lot 1 requires easements to be provided across the subject property for sanitary sewer and drainage purposes.
3. 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)
4. The proposed annexation area is 18% contiguous to the City of Franklin and 100% of the property owners are parties to the petition.
5. 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, 2022.

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 – September/October 2020.

The petitioner has requested that the property be removed from the Needham Fire Protection District and is coordinating this process with the Needham Fire Protection District and Johnson County Commissioners.

6. The Technical Review Committee reviewed the petitions at their May 21, 2020 meeting.
7. The subject property is currently located in the extraterritorial jurisdiction (buffer zone) of the City of Franklin and is subject to the regulations outlined in the City of Franklin Zoning Ordinance. However, the property is located in Johnson County's jurisdiction related to subdividing and therefore is subject to the Johnson County Subdivision Control Ordinance at this time. Once the property is annexed, it is then subject to the regulations outlined in the City of Franklin Subdivision Control Ordinance.

In order for the subject property and remaining tract (not annexed) to be compliant with the applicable Subdivision Control Ordinance, the 10+ acres will need to be combined with I-65 South Logistics Center – Lot 1.

8. The property would need to go through the Primary Plat, Secondary Plat/Construction Plan and Site Development Plan review processes prior to development.
9. 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.”

10. 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.”
11. 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.”
12. 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 2020-16 (A): GDI HOLDINGS 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 2020-17 (R): GDI HOLDINGS 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 IL is consistent with the Comprehensive Plan as the IL zoning district allows for lot sizes to vary from 1 acre 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 properties located immediately to the west of the subject property are currently zoned IL and are currently developed or proposed to be developed in an industrial nature.

3. ***Desired Use: The most desirable use for which the land in each district is adapted.***

Staff Finding:

The property is immediately adjacent to I-65 South Logistics Center – Lot 1 and is proposed to be combined as one property (Lot 1 and subject property) following the annexation becoming effective.

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 proposed to be combined into Lot 1 of I-65 South Logistics Center. Therefore, rezoning the property to IL will be consistent with the current proposed development and current zoning of Lot 1.

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 to IL (Industrial: Light) with the following condition:

1. The subject property and Lot 1 of I-65 South Logistics Center shall be combined into a single lot. This will require Primary Plat and Secondary Plat & Construction Plan approval from the City of Franklin and the rezoning shall not take effect until the secondary plat is recorded.



**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2020-17
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

NAME OF PETITIONER:
GDI Holdings, LLC

PLAN COMMISSION DOCKET NUMBER:
PC 2020-17

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 A (Agriculture) to IL (Industrial: Light), 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 16th day of June, 2020, 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 IL (Industrial: Light) subject to the following commitment:
 - a. The subject property and Lot 1 of I-65 South Logistics Center shall be combined into a single lot. This will require Primary Plat and Secondary Plat & Construction Plan approval from the City of Franklin and the rezoning shall not take effect until the secondary plat is recorded.
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 16th day of June, 2020.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA

ATTEST:


Suzanne Findley, Secretary



Jim Martin, President

EXHIBIT "A"

THE FOLLOWING DESCRIPTION WAS PREPARED BY BRADY KUHN, P.S. - INDIANA NO. LS2050007 OF WEIHE ENGINEERS, INC. AS PART OF A SURVEY CURRENTLY BEING PERFORMED UNDER JOB NO. W200190.

A PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 12 NORTH, RANGE 5 EAST OF THE SECOND PRINCIPAL MERIDIAN, SITUATED IN NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MAG NAIL WITH JOHNSON COUNTY SURVEYOR'S OFFICE WASHER FOUND AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 20; THENCE SOUTH 88 DEGREES 40 MINUTES 38 SECONDS WEST (BASIS OF BEARINGS) ON AND ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER 1903.31 FEET TO A POINT IN THE CENTERLINE OF AMITY DITCH AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE ON AND ALONG THE CENTERLINE OF SAID AMITY DITCH BY THE FOLLOWING EIGHT (8) COURSES: 1) SOUTH 57 DEGREES 47 MINUTES 53 SECONDS WEST 77.77 FEET; THENCE 2) SOUTH 36 DEGREES 12 MINUTES 37 SECONDS WEST 15.34 FEET; THENCE 3) SOUTH 09 DEGREES 19 MINUTES 55 SECONDS WEST 16.09 FEET; THENCE 4) SOUTH 02 DEGREES 35 MINUTES 06 SECONDS EAST 92.76 FEET; THENCE 5) SOUTH 03 DEGREES 00 MINUTES 05 SECONDS EAST 432.37 FEET; THENCE 6) SOUTH 02 DEGREES 54 MINUTES 55 SECONDS WEST 36.87 FEET; THENCE 7) SOUTH 16 DEGREES 23 MINUTES 04 SECONDS WEST 34.52 FEET; THENCE 8) SOUTH 37 DEGREES 49 MINUTES 25 SECONDS WEST 22.07 FEET TO A POINT ON THE SOUTH LINE OF THE LAND OF ROY UMBARGER AND SONS, INC, DESCRIBED IN INSTRUMENT NUMBER 2018002268 ON FILE IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA; THENCE SOUTH 88 DEGREES 40 MINUTES 38 SECONDS WEST 673.27 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE 4) NORTH 00 DEGREES 07 MINUTES 49 SECONDS EAST 679.80 FEET TO AN 8 INCH BY 8 INCH WOOD POST AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 88 DEGREES 40 MINUTES 38 SECONDS EAST ON AND ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER 747.55 FEET TO THE POINT OF BEGINNING, CONTAINING 10.71 ACRES, MORE OR LESS.

City of Franklin Common Council

ORDINANCE NUMBER 2020-10

AN ORDINANCE APPROVING RESOLUTION NUMBER 2020-17
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN PROPERTY TO
IL (Industrial: Light)
(To be known as GDI Holdings 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 2020-17 recommended that the City’s Common Council amend the Zoning Map and rezone the property described in Exhibit “A”, attached hereto, from Agriculture (A) to Industrial: Light (IL) subject to the written commitment as stated below.

WHEREAS, pursuant to Indiana Code § 36-7-4-605, Resolution 2020-17 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 Industrial: Light (IL) subject to the written commitments as follows:
 - a. The subject property and Lot 1 of I-65 South Logistics Center shall be combined into a single lot. This will require Primary Plat and Secondary Plat & Construction Plan approval from the City of Franklin and the rezoning shall not take effect until the secondary plat is recorded.
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 3rd day of August, 2020.

DULY PASSED on this ____ day of _____, 2020, 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:

Kenneth Austin, President

Melissa Jones

Daniel J. Blankenship

Robert D. Heuchan

Anne McGuinness

Chris Rynerson

Shawn Taylor

Voting Opposed:

Kenneth Austin, President

Melissa Jones

Daniel J. Blankenship

Robert D. Heuchan

Anne McGuinness

Chris Rynerson

Shawn Taylor

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 _____, 2020 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 _____, 2020 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"

A PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 12 NORTH, RANGE 5 EAST OF THE SECOND PRINCIPAL MERIDIAN, SITUATED IN NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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