



## CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

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# BZA Staff Report

**To:** Board of Zoning Appeals Members

**From:** Alex Getchell, AICP, Senior Planner

**Date:** July 29, 2022

**Re:** Cases **ZB-22-6 (UV/V) | Stor-A-Lot Storage**

### REQUESTS:

**Case ZB-22-6 (UV/V) Stor-A-Lot Storage:** A request by Stor-A-Lot Storage for a Variance of Use to allow a mini-warehouse self-storage facility in the IG: Industrial, General zoning district, and a Developmental Standards Variance from the City of Franklin Zoning Ordinance, Article 7, Chapter 16, Landscaping Standards, to allow the Parking Lot Interior Landscaping requirements to be reduced from approximately 7,500 sq. ft. (5%) of area, to 800 sq. ft. The subject property is located on the east side of Graham Street and west side of Commerce Pkwy, immediately north of 1565 Graham St and opposite Bryant Drive, and is approximately 10.394 acres in size.

### PURPOSE OF STANDARD:

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.

### ZONING:

#### Surrounding Zoning:

North: IG: Industrial, General

South: IG: Industrial, General

East: IL: Industrial, Light

West: RSN: Residential, Suburban Neighborhood

IBD: Industrial, Business Development

#### Surrounding Land Use:

North: Hetsco Inc.; ElectroSpec

South: Powder Metal Tech, Former Busche bldg.

East: Agricultural crop field

West: Small lot suburban single-family residential

### CONSIDERATIONS:

#### Proposed Use

1. Stor-A-Lot Storage, Petitioner, requests Use Variance approval to allow a mini-warehouse self-storage facility at the subject property, zoned IG. Petitioner is proposing 119,500 sq. ft. of total mini-warehouse storage on-site. [See [Exhibit A: Preliminary Site Plan](#); [Exhibit B: Applicant UV Findings of Fact](#)]
2. Petitioner requests a Development Standards Variance approval to allow the Parking Lot Interior Landscaping requirement to be reduced, from a minimum of five percent (5.0%) of the paved surface area, to approximately 0.5%. [See [Exhibit A: Prelim. Site Plan](#); [Exhibit C: Applicant V Findings of Fact](#)]
3. Petitioner proposes 119,500 sq. ft. of storage space and an additional impervious surface area of approximately 150,000 sq. ft. for driving/parking surface. In order to provide context and relevant size comparison, the Kroger Marketplace store, constructed in 2015, on N. Morton St. is approximately 123,600 sq. ft. in gross floor area.

4. Petitioner's Site Plan is entirely conceptual and subject to change, as petitioner has not yet submitted for Site Development Plan Review; therefore, the project has not been fully reviewed by Planning Staff, nor the full Technical Review Committee.
5. According to the Petitioner's website, they currently operate four (4) other locations in Danville/Avon, Martinsville and Whiteland/Greenwood. [[www.stor-a-lotstorage.com](http://www.stor-a-lotstorage.com)]
6. Mini-Warehouse Self-Storage use is a non-permitted use in the IG zoning district.
7. According to Article 3, Chapter 2 of the City of Franklin Zoning Ordinance, mini-warehouse self-storage facility, is listed as a permitted use in the IBD: Industrial, Business Development and IL: Industrial, Light zoning districts.

#### **Landscaping - Parking Lot Interior Requirements**

8. According to Article 7, Chapter 16, Parking Lot Interior Requirements, "to help reduce excessive heat build-up and emissions from large areas of hard surfacing, landscape areas must be provided within parking lots."
  - Landscaped Areas Required: Landscape islands with a surface area equal to 5% of the area of the paved surface (including all parking spaces, interior drives, loading docks, drop-off/pick-up lanes, and access drives beyond the right-of-way) shall be provided in all parking lots.
  - Landscape Area Standards: The required landscape areas shall meet the following requirements:
    - All required landscaped areas shall consist of curbed islands or peninsulas that are surrounded on at least two sides by pavement. Landscaping on the perimeter of the parking lot shall not be counted toward meeting this requirement.
    - All landscape islands must be a minimum of 300 square feet in area.
    - A minimum of 1 broad leaf / deciduous tree shall be provided for every 300 square feet of landscaped area required.
9. Petitioner stated the site is proposed with approximately 150,000 sq. ft. of paved surface area (including all parking spaces, interior drives, loading docks, drop-off/pick-up lanes, and access drives beyond the right-of-way). Therefore, a minimum of 7,500 sq. ft. (5% of paved surface area) of Parking Lot Interior Landscape islands are required to be provided on-site.
10. Petitioner is proposing a single parking lot landscape island, approximately 800 sq. ft. in size, at the west end of the facility, near the four dedicated parking spaces.
11. Development Standards Variance Request: *Petitioner is requesting a development standards variance to allow the Parking Lot Interior Landscaping requirements to be reduced from approximately 7,500 sq. ft. (5% of paved surface area), to 800 sq. ft. (~0.5%)* [[Exhibit A: Preliminary Site Plan](#)]

#### **Parking Standards**

12. 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.
13. According to Article 7.10 of the Zoning Ordinance:
  - one (1) off-street parking space is required for every employee on the largest shift;
  - one (1) off-street parking space is required for every business vehicle stored onsite; and
  - one (1) off-street parking space is required for every 5000 square feet at a self-storage facility.

- Parking of the Disabled:
    - At least one (1) space must be reserved for disabled persons for every 25 parking spaces provided; AND
    - Must be consistent with the requirements of the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities, Chapter 4.1.2 (5)(a) and all applicable revisions.
  - Minimum parking stall size is 9' x 18' and must be striped.
  - Each parking space must be paved with asphalt or concrete.
14. According to Article 7.10 of the Zoning Ordinance, Patriot Products would be required to provide:
- One (1) employee parking spaces;
  - Zero (0) parking spaces for the business vehicles stored onsite; and
  - Twenty-four (24) parking spaces for the 119,500 sq. ft. of proposed self-storage area;
  - For a total of twenty-five (25) required parking spaces.
15. Per the attached Exhibit A, the preliminary site could accommodate a total of thirty-one (31) parking spaces (one handicap) on-site.

### **Comprehensive Plan & Zoning Ordinance**

16. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this 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."
17. 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.
18. According to Article 11.3: Unless otherwise specified by the Board, use variance approvals shall be limited to, and run with the applicant at the location specified in the application. The Board may also limit use variances to a specific time period and a specific use. Use variances shall be invalid if (1) the property conforms with the Ordinance as written or (2) the variance is terminated.

### **CRITERIA FOR DECISIONS – USE VARIANCE:**

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

In taking action on all use 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 use variance of this Ordinance if, after a public hearing, it makes findings of facts in writing (consistent with IC 36-7-4-918.4) that:

#### **DECISION CRITERIA – USE VARIANCE**

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:**

The approval of the use variance may be injurious to the public health, safety, morals, or general welfare of the community. While the proposed use would not create direct nuisances nor operational conflicts with the permitted uses in the general vicinity, in terms of the overall general welfare of the community, the subject site in one of a limited number of greenfield sites remaining in the City of Franklin that are both: appropriately zoned and directly supported by the Comprehensive Plan for manufacturing. Therefore, approval of a non-manufacturing use may be injurious to the overall general welfare of the community, by reducing the acreage within the city that is appropriately designated for, and utilized for manufacturing uses.

2. ***Adjacent Property: The use and value of the area adjacent to the property included in the variance (will or will not) be affected in a substantially adverse manner.***

**Staff Finding:**

The use and value of adjacent properties will not be affected in a substantially adverse manner, as the proposed use would not be a nuisance nor create operational conflicts with the permitted uses on adjacent properties.

3. ***Peculiar Situation: The need for the variance (arises or does not arise) from some condition peculiar to the property involved.***

**Staff Finding:**

Staff finds that the need for the variance may not arise from a condition peculiar to the property involved. Petitioner states in their Findings of Fact submittal that the site is “long and narrow and makes it challenging for other industrial uses allowed within the IG district to fit. The site also has multiple existing utility easements that limit the buildable area.” Petitioner goes on to state: “the proposed development is able to make excellent use of the slender shape of the site due to the ability to customize the size of the storage buildings to fit within the 250’ buildable depth.” Staff finds the building envelope is between 250’-280’ in width and approximately 780 feet (or more) in depth. Albeit more elongated, the subject property is similar in size to other industrial sites and manufacturing uses in the general vicinity; including manufacturing buildings that would fit within the 250’ building envelope. The Board may wish to ask that the petitioner provide further explanation on how the geometry of the lot rises to the level of a qualifying peculiar condition that necessitates the proposed use variance.

4. ***Unnecessary Hardship: The strict application of the terms of this Ordinance (will or will not) constitute an unnecessary hardship as they are applied to the property for which the variance is sought.***

**Staff Finding:**

Staff finds that the strict application of the terms of the Ordinance may not result in an unnecessary hardship as they are applied to the property. Petitioner states in their Findings of Fact submittal that “the shape and size of the site could cause unnecessary hardships for many of the general industrial uses. The buildable depth is only 250 feet when considering the existing utility easements and building setback requirements.” Petitioner goes on to state: “this use also avoids having to split the property into two separate parcels by maximizing the buildable area. Another general industrial use would have challenges dealing with a split property due to the large building setbacks and existing easements.” Staff finds the building envelope is between 250’-280’ in width and approximately 780 feet (or more) in depth. Albeit more elongated, the subject property is similar in size to other industrial sites and manufacturing uses in the general vicinity; including manufacturing buildings that would fit within the 250’ building envelope. The Board may wish to ask that the petitioner provide further explanation on how the geometry of the lot, or other factors, rise to the level of an unnecessary hardship (as applied to the subject property and not neighboring properties), that necessitates the proposed use variance.

5. ***Comprehensive Plan: The granting of the variance (does or does not) interfere substantially with the Comprehensive Plan.***

**Staff Finding:**

Staff finds the proposed use, albeit permitted in the IBD & IL zoning districts, is not complimentary to the Comprehensive Plan. The Comprehensive Plan labels the area as “Manufacturing” and the property is zoned IG: Industrial General, the highest intensity industrial zoning district. Manufacturing areas “are intended to accommodate large scale businesses that produce finished products from raw materials. Uses in these areas may include products manufacturing 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.”

(Comprehensive Plan Criteria Continued...) Available “greenfield” sites specifically designated as manufacturing areas in the Long-Term Land Use plan are limited. Moreover, manufacturing areas require a strong infrastructure system be in place; the subject site is located on the city’s official truck route, and the site is in close proximity to other manufacturing uses. Manufacturing uses are typically difficult to site, due to inherent nuisances created by the manufacturing process, emissions, outdoor storage, truck traffic, and underlying zoning districts & land uses in the area. The subject property is zoned for manufacturing, and is supported by the Comprehensive Plan for manufacturing. Approval of the proposed non-manufacturing use would interfere with the Comprehensive Plan.

#### **STAFF RECOMMENDATION – USE VARIANCE**

If the Board finds evidence to approve the Use Variance, staff recommends the following conditions:

- a. Use variance approval is for a mini-warehouse self-storage facility use at the subject property. Until such time as construction of the development is complete and occupancy is granted, approval shall be limited to Stor-A-Lot Storage. After construction of the development is complete, approval runs with the property and is not limited to any specific ownership.
- b. Outdoor storage is prohibited (i.e. all personal items, cars, boats, motorcycles, recreational vehicles, trailers, box trucks, and similar).
- c. Waste is not permitted to be accumulated on-site.
- d. Storage units are prohibited from being used for general habitation, and specifically from being used as dwelling units, and from being used for office, retail, or any other similar business uses other than storage.
- e. Customers access to the site must be from the Graham Street side, only.
- f. A minimum of four (4.0) designated parking spaces are required to be provided on-site, outside of the gated area & near the kiosk, including one ADA compliant space.
- g. All applicable federal, state, and local permits/approvals are required; including, but not limited to, compliance with all building and fire codes.

#### **CRITERIA FOR DECISIONS – DEVELOPMENT STANDARDS VARIANCE:**

**(\*\*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 – DEVELOPMENT STANDARDS VARIANCE**

- 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 approval of the proposed variances may be injurious to the public health, safety, morals, and general welfare of the community, as petitioner’s preliminary site plan proposes nearly 270,000 sq. ft. of continuous impervious surface. The Interior Parking Lot Landscaping development standard is expressly intended “to help reduce excessive heat build-up and emissions from large areas of hard surfacing.”

While the proposed site design does not provide landscaping throughout the impervious surface area, there is a large retention pond proposed, as well as, landscaped areas along the perimeter of the impervious area. The Board may wish to ask that the petitioner provide further explanation on how the continuous impervious area will not result in excessive heat build-up, and ultimately, will not be injurious to the general welfare of the community.

2. ***Adjacent Property: The use and value of the area adjacent to the property included in the variance (will or will not) be affected in a substantially adverse manner.***

**Staff Finding:**

Staff finds approval of the proposed variance will not directly affect the use and value of adjacent properties in a substantially adverse manner, as landscaping is proposed around the perimeters of the property.

3. ***Practical Difficulty: The strict application of the terms of the ordinance (will or will not) result in a practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.***

**Staff Finding:**

The strict application of the ordinance may result in practical difficulties in the use of the property, as the proposed design of the structures includes entries to storage units on all sides of the buildings; however, the situation might be considered self-imposed, and/or based on a perceived reduction of, or restriction on, economic gain. The required interior parking lot landscaping area (~7,500 sq. ft.), which is equal to five percent of the paved surface area, is the same size as one of the proposed 30' x 250' storage buildings. The variance request is to be permitted 800 sq. ft. of interior parking lot landscape area. Additionally, petitioner is proposing drive aisles along the north and south sides of the buildings that are 11 feet wider than required for two-way traffic. The Board may wish to ask that the petitioner provide further explanation on if the requested variance is the minimum variance necessary, and what practical difficulty would result from the strict application of the ordinance.

**STAFF RECOMMENDATION – DEVELOPMENT STANDARDS VARIANCE**

If the Board finds evidence to approve the Development Standards Variance, staff recommends the following conditions:

- a. The total Parking Lot Interior Landscaping area must not be less than “X” sq. ft. (where “X” is the amount the Board feels is acceptable; petitioner is requesting 800 sq. ft.)
- b. All areas of the Parking Lot Interior Landscaping must utilize wood mulch for groundcover. Gravel, river rock, lava rock, stone, rubber and similar materials are prohibited.
- c. All other areas of the site not landscaped with hedges, walls, or trees shall be provided with grass or other similar ground cover.