

## AGENDA RESERVATION REQUEST

### CITY OF FRANKLIN COMMON COUNCIL

Please type or print

<b>Date Submitted:</b>	June 23, 2023	<b>Meeting Date:</b>	July 5, 2023
<b>Contact Information:</b>			
<b>Requested by:</b>	Joanna Tennell, Senior Planner		
<b>On Behalf of Organization or Individual:</b> Hugh Dunn			
<b>Telephone:</b>	317-736-3631		
<b>Email address:</b>	jtennell@franklin.in.gov		
<b>Mailing Address:</b>	70 E. Monroe St., Franklin, IN 46131		
<b>Describe Request:</b>			
Approval of Ordinance 2023-06: Rezoning to be known as Dunn Rezoning – 80 ac. (Tabled from June 19, 2023 – Official Action)			
<b>List Supporting Documentation Provided:</b>			
1. City Council memo			
2. Plan Commission Staff Report (PC-23-07)			
3. PC Resolution 2023-07A			
4. Ordinance 2023-06			
5. Draft of May 16, 2023 Plan Commission Minutes			
6. IG Zoning Standards			
<b>Who will present the request?</b>			
<b>Name:</b>	Joanna Tennell	<b>Telephone:</b>	(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](http://www.franklin.in.gov/planning)

### City Council - Memorandum

**To:** City Council Members  
**CC:** Steve Barnett, Mayor and Jayne Rhoades, Clerk-Treasurer  
**From:** Joanna Tennell, Senior Planner  
**Date:** May 31, 2023  
**Re:** **Dunn Rezoning (Ordinance 2023-06)**

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On May 16, 2023 the Franklin Plan Commission forwarded to the City Council an unfavorable recommendation on the above referenced rezoning petition from Hugh Dunn (Plan Commission Resolution #2023-07A). The Plan Commission voted 7-2 for an unfavorable recommendation to be forwarded.

The petitioner is requesting that 80 acres located northeast of the intersection of Earlywood Drive and RJ Parkway be rezoned to IG (Industrial: General). 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:	June 5, 2023
Public Hearing:	June 19, 2023

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 Tennell, Senior Planner

**Date:** May 10, 2023

**Re:** Case PC-23-06 (A) & PC-23-07 (R): Dunn & Snett Annexation & Rezoning

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### REQUEST:

**Case PC-23-06 (A) & PC-23-07 (R)...Dunn & Snett Annexation and Rezoning.** A request by Hugh Dunn and Snett Joint Trust to annex approximately 240 acres and rezone approximately 80 acres (2754 E. 300 N.) from Johnson County A-1, Agriculture to Industrial: General (IG) and approximately 160 acres (3240 E. 300 N.) from Johnson County A-1, Agriculture and R-2, Single-Family to Agriculture (A). The subject property is located northeast of the intersection of Earlywood Drive and RJ Parkway (See Site Location Map).

### ADJACENT PROPERTIES:

#### Surrounding Zoning:

North: Johnson County, A-1  
South: Industrial: Business Dev. (IBD)  
Johnson County, A-1 & R-2  
East: Johnson County, A-1 & I-2  
West: Industrial: General (IG)  
Johnson County, A-1

#### Surrounding Land Use:

North: Agriculture  
South: Industrial & Agriculture  
Agriculture & Single-family residential  
East: Agriculture  
West: Agriculture

### CURRENT ZONING – JOHNSON COUNTY:

The purpose of the A-1, Agricultural District is to accommodate agricultural operations and practices. In addition, the A-1, Agricultural District preserves and protects agricultural land, the rural character of Johnson County, and the agricultural tradition of the county. The intent of this district is to allow agricultural development by reason of location and the availability of natural resources and infrastructure system.

The purpose of the R-2, Single-Family Residential District is to provide for residential development at an average density of three and one-half (3.5) dwelling units per acre. Development of major subdivisions in the R-2 District shall be limited to sites served by public sanitary sewer systems. They should be limited to sites which are located adjacent to major collectors, minor arterials, or major arterials, as defined in the Johnson County Comprehensive Plan Update; and are generally best located immediately adjacent to R-1, R-2, or R-3 Residential Districts.

## **PROPOSED ZONING:**

DUNN PROPERTY (West 80 acres) - 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.

SNEPP PROPERTY (East 160 acres) - 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.

## **CONSIDERATIONS:**

1. Hugh Dunn is requesting that 80 acres be annexed and rezoned to IG (Industrial: General) for future industrial development. See Rezoning Request Map.
2. Snapp Joint Trust is requesting that approximately 160 acres be annexed and rezoned A (Agriculture). See Rezoning Request Map.

The request was submitted as a joint application with the Dunn property in order to have the property through the annexation process in anticipation of future development. As there is no immediate project, the request is to annex the property and have it zoned A (Agriculture) and then request a rezoning to the appropriate zoning district once there is a proposed project. At that time, there would be more information for Plan Commission and City Council to consider with a rezoning request to a zoning district other than agriculture.

3. Indiana Code requirements (IC 36-4-3-5) for voluntary annexation are:
  1. Consent of 51% of the property owners or owners of 75% of the total assessed value of the land for property tax purposes.
  2. 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 21.4% 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.

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.

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 April 20, 2023 meeting.

7. The property would need to go through the Primary Plat, Secondary Plat/Construction Plan and/or Site Development Plan review processes prior to development.
8. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Business Development Area. "Business development areas are intended to serve as both the permanent home of small scale businesses and incubators of new local companies. Land uses in business development areas include manufacturing, light industrial operations, contractor's offices, and products suppliers. In many instances the types of businesses in these areas are those that have both commercial and industrial qualities. The business development areas provide these uses the ability to serve customers in a setting that allows outdoor storage and the operation of heavy equipment and machinery that often are involved."
9. 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."
10. 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."
11. 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-23-06 (A): DUNN & SNEPP 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-23-07 (R): DUNN REZONING to Industrial: General & SNEPP REZONING to Agriculture**

##### **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 80 acres to IG is consistent with the Comprehensive Plan as the IG zoning district allows for lot sizes to vary from 2 acres 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.

Staff finds that the request to rezone the 160 acres to A with the intent to request a rezoning at a future date is the most responsible request at this time and is consistent with the Comprehensive Plan to set a good foundation for future development.

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

**Staff Finding:**

The property is located immediately north of industrially developed properties and east of a parcel of ground that has historically been zoned industrial and was rezoned from IBD to IG with conditions in 2020. In addition, it is important to note that the subject site is located near arterial roads (Graham Road & Earlywood Drive) which allows for truck traffic. The City of Franklin is analyzing the feasibility of an additional I-65 interchange at Earlywood Drive east of the subject property.

As the Snepp property is in closer proximity to an existing residential area and agricultural operation, agricultural zoning is appropriate until more information is available with a future project.

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 industrial properties and is a logical expansion of the existing industrial zoning for larger lot developments. In addition, the property's proximity to I-65 interchange on Whiteland Road is excellent access to a regional transportation route with the potential of a future interchange from Earlywood Drive to I-65.

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 and public utilities are provided.

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

**Staff Finding:**

As previously noted, the Dunn property is immediately adjacent to other industrially developed/zoned properties and the truck route and in anticipation of continued growth of the City of Franklin the annexation of the Snepp property is appropriate with it being zoned agricultural.

**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 to rezone the 80 acres (Dunn property) to IG (Industrial: General) and the 160 acres (Snepp property) to A (Agriculture).

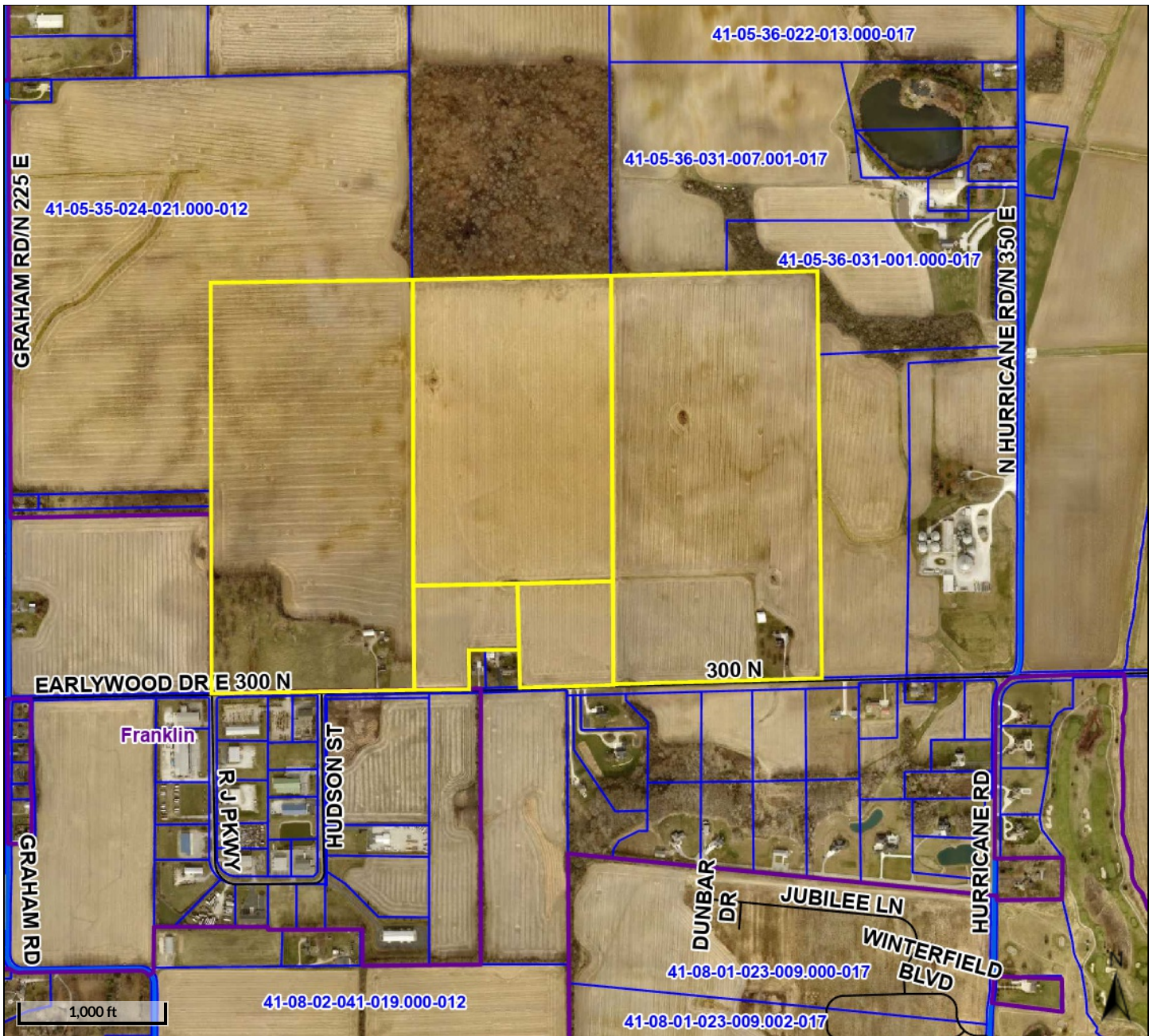




**Beacon**<sup>TM</sup>

Johnson County, IN

## Dunn & Snepp Annexation & Rezoning



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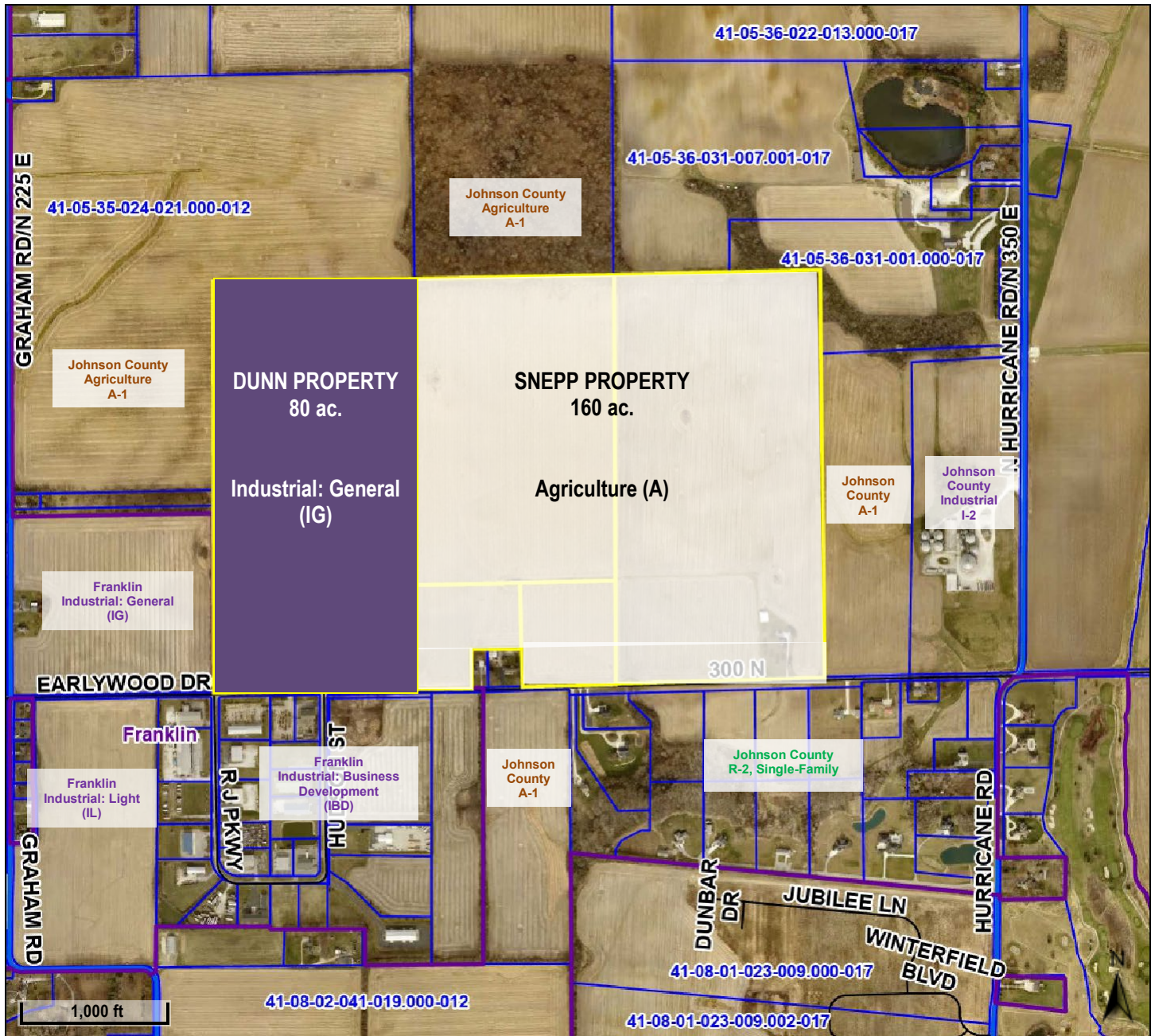
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## Dunn & Snepp Annexation & Rezoning



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**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2023-07A  
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

**NAME OF PETITIONER:**

Hugh Dunn & Snepp Joint Trust

**PLAN COMMISSION DOCKET NUMBER:**

PC-23-07

**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 to Industrial: General (IG); 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 16<sup>th</sup> day of May, 2023, 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 AN UNFAVORABLE 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 IG (Industrial: General).
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 May, 2023.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA

  
Jim Martin, President

ATTEST:

  
Joe Abban, Secretary

**EXHIBIT "A"**

HUGH DUNN

The West half of the Southeast quarter of Section 35, Township 13 North, Range 4 East, containing 80 acres, more or less.

City of Franklin Common Council

**ORDINANCE NUMBER 2023-06**

AN ORDINANCE REZONING CERTAIN PROPERTY TO  
IG (Industrial: General)  
(To be known as Dunn Rezoning)

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**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 2023-07A forwarded an unfavorable recommendation that the City’s Common Council amend the Zoning Map and rezone the property described in Exhibit “A”, attached hereto, to Industrial: General (IG).

**WHEREAS**, pursuant to Indiana Code § 36-7-4-605, Resolution 2023-07A has been certified to the City’s Common Council; and

**WHEREAS**, the Common Council, after paying reasonable regard to: 1) City of Franklin Comprehensive Plan, 2) the current conditions and the character of current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the City of Franklin’s planning jurisdiction, and 5) responsible growth and development, finds 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: General (IG).
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 5<sup>th</sup> day of June, 2023.

**DULY PASSED** on this \_\_\_\_ day of \_\_\_\_\_, 2023, 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

\_\_\_\_\_  
Robert D. Heuchan

\_\_\_\_\_  
Anne McGuinness

\_\_\_\_\_  
Irene Nalley

\_\_\_\_\_  
Jennifer Price

\_\_\_\_\_  
Josh Prine

\_\_\_\_\_  
Shawn Taylor

**Voting Opposed:**

\_\_\_\_\_  
Kenneth Austin, President

\_\_\_\_\_  
Robert D. Heuchan

\_\_\_\_\_  
Anne McGuinness

\_\_\_\_\_  
Irene Nalley

\_\_\_\_\_  
Jennifer Price

\_\_\_\_\_  
Josh Prine

\_\_\_\_\_  
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 \_\_\_\_\_, 2023 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 \_\_\_\_\_, 2023 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 Tennell, Senior Planner*  
*Department of Planning & Engineering*  
*70 E. Monroe Street*  
*Franklin, IN 46131*

**EXHIBIT "A"**

The West half of the Southeast quarter of Section 35, Township 13 North, Range 4 East, containing 80 acres, more or less.

## **MINUTES**

### **FRANKLIN CITY PLAN COMMISSION**

**May 16, 2023**

#### **Members Present**

Joe Abban  
Suzanne Findley  
Janice Giles  
Debbie Gill  
Georganna Haltom  
John Kempski  
Jim Martin  
Irene Nalley  
Mark Richards

Secretary  
Member  
Member  
Member  
Member  
Vice President  
President  
Member  
Member

#### **Others Present**

Lynn Gray  
Joanna Tennell

Legal Counsel  
Senior Planner II

#### **Call to Order**

Jim Martin called the meeting to order at 6:00 p.m.

#### **Roll Call & Determination of Quorum**

#### **Pledge of Allegiance**

#### **Approval of Minutes**

April 18, 2023 – Georganna Haltom moved to approve. Suzanne Findley seconded. Passed unanimously, 9-0.

#### **Swearing In**

Lynn Gray swore en masse all intending to speak during the proceedings.

**Report of Officers and Committees: April 20, 2023** – Joanna Tennell reported on two agenda items. The first item was the Dunn and Snepp Annexation and Rezonings which will be heard tonight. The second item was the Essex expansion. The property is located at 3200 Essex Drive. The property is zoned IG (Industrial: General). They are proposing to add on to the west side of the structure along with a small addition on the east side for approximately a total addition of 65,000 square feet. They will also expand the parking lot to accommodate the expansion and additional employees.

#### **Old Business**

None.

### New Business

**PC-23-06 (A) & PC-23-07 (R): Dunn & Snepp Annexation & Rezoning** – Ms. Tennell introduced the joint petitions from Hugh Dunn and the Snepp Joint Trust. The first request is to annex approximately 240 acres. The second request is to rezone the western 80 acres from Johnson County Agriculture to IG (Industrial: General) and to rezone the eastern 160 acres from Johnson County Agriculture and Residential to A (Agriculture). The subject property is located on the north side of Earlywood Drive, immediately east of RJ Parkway. One hundred percent of the landowners are petitioners, and the property is slightly over 20% contiguous with existing city limits. The property is in the Needham Fire Protection District. According to Indiana Code, should annexation be approved, it would take effect the second January 1 following adoption by the City Council. Or the petitioners could go to the Needham Fire Protection District and Johnson County Commissioners to request the property be removed from that district prior to final adoption of the annexation. The petitioners have gone before the Needham Fire Protection District and a resolution approving the property be removed is being forwarded to the County Commissioners for final action. This is the first step in regard to the fire district and does not affect the decision making process before Plan Commission nor City Council.

Attorney Larry Gesse represented the Dunn and Snepp families in these requests. Mr. and Mrs. Snepp were also in attendance. The Dunn property is the farthest west 80 acres which is immediately adjacent to property zoned IG (Industrial: General) in the City of Franklin. The Snepp property is 160 acres immediately east of the Dunn property and current zoning is agriculture and residential under County jurisdiction. The petitioners are requesting that the entire property be zoned Agriculture if annexed. Neither property is currently under immediate consideration for any type of development.

1. Comprehensive Plan: The request for the Dunn 80 acres is consistent as there is IG (Industrial: General) zoning immediately to the west as well as to the south. The Snepp 160 acres is consistent as no change is asked for but for it to remain A (Agriculture) in its entirety.
2. Current Conditions: The Dunn property is immediately north of property developed as industrial as well as the immediate west property zoned IG (Industrial: General).
3. Desired Use: The property immediately to the west and other industrial properties to the south are currently the use Franklin is interested in and allows for the existing industrial zoning or larger developments in the future.
4. Property Values: Mr. Gesse stated that the property values should not decrease with the request.
5. Responsible Growth: The Dunn property is immediately adjacent to other industrial zoned and developed properties. The Snepp property is requested to be zoned A (Agriculture) which is consistent with its current use.

A public hearing was held. Dr. Jill Beavins expressed three areas of concern.

1. Traffic Flow: Earlywood Drive between US 31 and Graham Road - there are single lanes of traffic at the stoplight at US 31 with no right or left turning lanes which rapidly backs up semi traffic. There is a school zone approximately 200 meters from the intersection with speed reductions twice a day. There are heavily used railroad tracks. The four-way stop at Graham and Earlywood is not designed for semi traffic and routinely backs up several vehicles in all directions. Vehicles must stop 50 meters short of the stop sign to give semis enough clearance to turn right or left in to oncoming traffic lanes. The infrastructure from US 31 to Graham is not suitable for increased commercial traffic, particularly semi traffic in that area.
2. Safety: Earlywood Drive/300 N between Graham and Hurricane, is where safety concerns begin. It is a high-speed and heavily traveled area. It withstands significant semi traffic on a daily basis. Earlywood Drive/300 N does not meet the minimum shoulder width requirements for commercial truck traffic. The lane width is not intended nor optimized to the defined specifications for safe semi travel. Earlywood Drive/300 N routinely floods in two spots between Graham and Hurricane. The excess water and semi traffic have caused multiple road failures along Earlywood Drive/300 N. There have been two semi accidents in the last 18 months. Both snapped off multiple power poles, brought down power lines,



destroyed private property and left residents on the south side of 300 without power. Road closures of several hours resulted after both accidents. The most recent accident could have killed a neighbor and his girlfriend sitting at the end of their driveway if they did not put the vehicle in reverse to miss being hit by the semi. With approved developments coming, traffic will be even more increased. There is a plan for an I-65 interchange at Earlywood Drive/300 N.

3. Watershed: Dr. Beavins produced a map (Exhibit A) showing all north-south running waterways. She maintained that all changes from tillable land from pervious ground to impervious ground dramatically increases the runoff, volume and rate of water. All runs in to Hurricane Creek and Canary Ditch and ends in downtown Franklin, increasing the likelihood of flooding in the city.

Linda Norton asked if annexed property has to pay both county and city taxes. Ms. Gray confirmed. Ms. Norton also asked once a property is annexed, how long does the city have before required to provide services and are all services required from the city. Ms. Gray stated that all services are provided immediately with the exception of sanitary sewer. Sanitary sewer is provided in the same fashion as with new development. Annexation requires the review of whether the city has the ability to provide the appropriate services. Ms. Norton sent an e-mail (Exhibit B) to commission members prior to the meeting and reiterated her belief that Franklin has hit the limit on further warehouse development. Her desire is for incoming business to be both environmentally and economically beneficial. She suggested waiting for an appropriate business or project to present the request for zoning.

Kelli Gordon was in full support of Dr. Beavins' remarks. She also concurred with Ms. Norton's belief that Franklin has enough warehouses. She does not wish to see more warehouses but prefers the view of trees and farmland. Ms. Gordon also believes the roads are already not appropriate for current semi traffic. Ms. Gordon identified that it was her son in the car with his girlfriend involved in the second semi wreck Dr. Beavins cited. She requested the commission delay their decision for zoning until further thought and research can be considered.

Jill Jongeling stated that her parents own property right off of Earlywood Drive/300 North. She supported all previous remonstrance.

Mr. Gesse reiterated there being no plans for immediate development of either property. The public hearing was closed.

Ms. Findley asked what the purpose was for rezoning the Snapp property from residential to A (Agriculture). She understood it to be zoned A (Agriculture) and changed to residential recently. Mr. Gesse stated his understanding that part of the property is zoned A (Agriculture) and part R-2 and advised that it seemed to make the most sense to have the Snapp property all zoned the same in preparation for any future development and to be consistent with the surrounding properties. Ms. Findley surmised that zoning could change again at the time a specific project is submitted. Mr. Gesse confirmed that to be an appropriate possibility at such a time in the future but that currently there are no developments under consideration. Ms. Haltom asked if it did not seem better to wait until a specific project was being reviewed prior to zoning a property industrial. Mr. Gesse explained the desire to address both properties at once. Mr. Abban asked if the county could make this a TIF district. Ms. Gray responded that to be possible. Mr. Abban stated his support of annexation and waiting on rezoning. Ms. Gray explained procedural mandates through this process.

Ms. Tennell explained that because Franklin used to have the Buffer Zone, this property would have already been zoned with one of the city's zoning districts. However, since the city no longer has the Buffer Zone, any property annexed as an expansion of the City of Franklin will require a request for a zoning district which could be agricultural, institutional, residential or industrial. The existing R-2 zoning is not a City of Franklin zoning district. The petitioner's request for zoning is separated between the two properties because one property is closer to the already developed industrial zone and the other closer to the areas that are currently agriculture and residential in nature.

Staff's recommendation was for a favorable recommendation for annexation to be forwarded to City Council. Mr. Abban made a motion to forward a favorable recommendation for annexation to City Council. John Kempinski seconded. Passed unanimously, 9-0.

Staff's recommendation was for a favorable recommendation to be forwarded to City Council to rezone the Hugh Dunn 80 acres to IG (Industrial: General) and the 160-acre Snepp property to A (Agriculture). Mark Richards asked if they should be voted on separately. Ms. Tennell said they could be voted on separately. It was her understanding, similar to packaged variances, that recommendations could be separated out on the 80 acres and the 160 acres. Petitioner did not object to the separation. Mr. Abban made a motion to forward a favorable recommendation to City Council on the Snepp 160 acres for A (Agriculture) zoning. Debbie Gill seconded. Passed unanimously, 9-0.

Mr. Abban made a motion for an unfavorable recommendation to be forwarded to City Council for the Dunn 80 acres to be zoned IG (Industrial: General). Ms. Gill seconded. Passed 7-2, with Mr. Richards and Mr. Martin voting nay.

Ms. Tennell announced introduction to be at the June 5<sup>th</sup> City Council meeting. Public hearing will be on June 19. Official action would be tentatively scheduled for July 5<sup>th</sup>.

### **Adjournment**

There being no further business, a motion for adjournment was made and seconded, passing unanimously.

Respectfully submitted this \_\_\_\_ day of \_\_\_\_\_, 2023.

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Jim Martin, President

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Joe Abban, Secretary



# Franklin Natural Resources

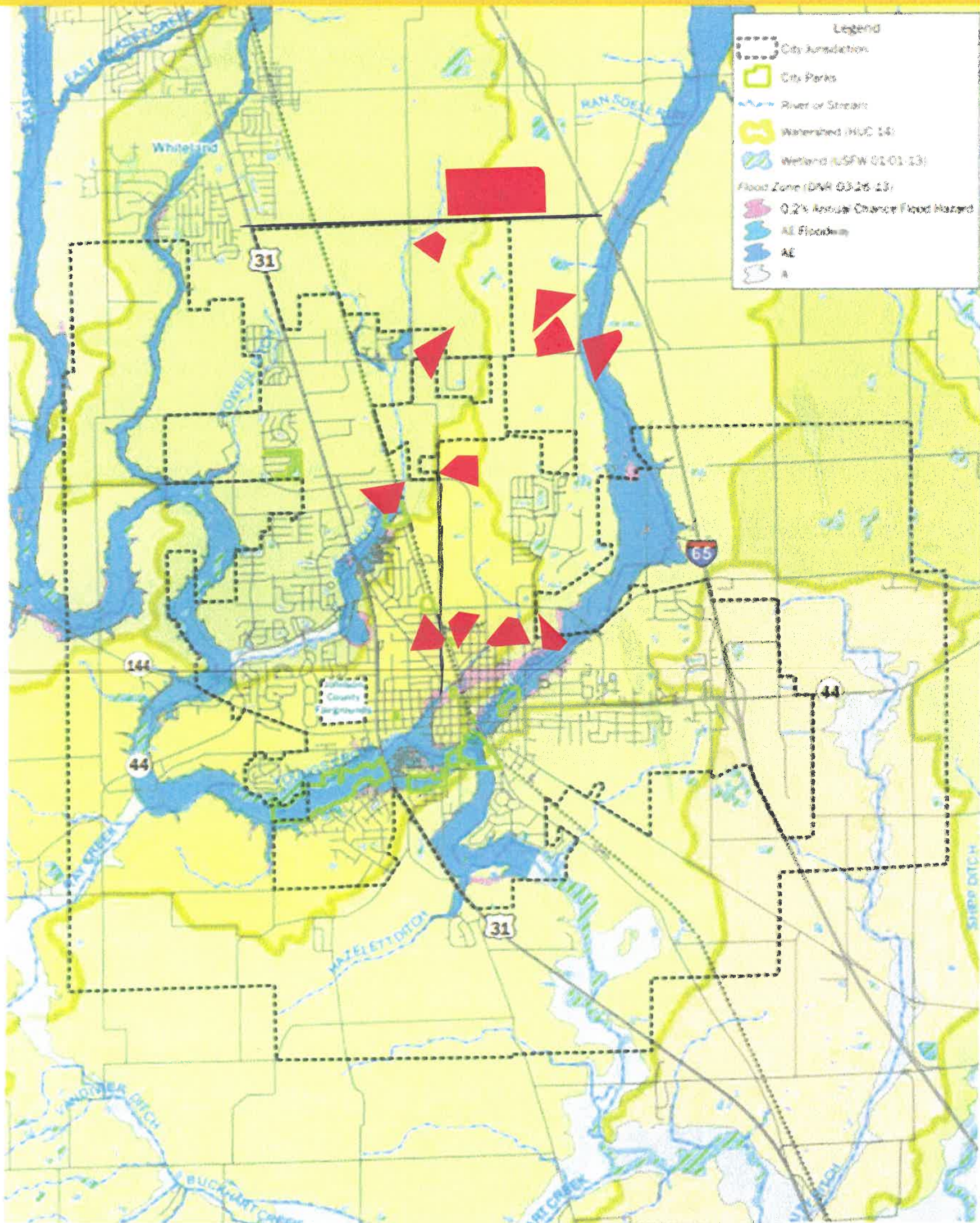


Exhibit "A"



Franklin is a highly desirable place to live and work thanks to the longtime businesses who invest in our community and the local residents (many that volunteer) who continue to work hard to make Franklin a destination for shopping, dining and entertainment. Supporting those existing businesses is a large part of the responsibilities of all our county government entities.

Developers and realtors see our county's farmland as "vacant land" ready to cover with houses and warehouses. We are celebrating our city and county bicentennials this year and honor our forefathers who developed this special place. Beginning in 1823 our county's 201,600 acres were being purchased and homesteaded by families moving west with dreams of farming. By 1890, there were 2113 farms claiming 98% of the county's acreage. As of the 2017 census, there were 642 farms with 70% in agriculture. We are fortunate to have 59 Hoosier Homestead Farms in Johnson County. These are farms still in operation and continually owned by the same family for 100 years or more, with several close to 200 years. There are more that could apply for this award with a little family research. These families are proud of their heritage and invested in preserving the land for future generations. Agriculture is the county's largest industry and to see this productive land destroyed and perceived "vacant" is a tragedy.

Landowners certainly have the right to sell their property and fortunately many take the money and reinvest in farm ground. However, our city and county councils have the right to be sure that proposed development is both environmentally and economically beneficial to the area. I ask you to take time to seriously research any proposed business that is interested in the Dunn property before recommending a zone change.

It is not too late to push "pause" on new development, be very selective in what is approved, and demand nothing but the best in construction of what is already in the works. Please do not let our beloved town and surrounding area turn into another over-crowded Carmel, Noblesville or Fishers where the charm and open countryside is gone.

Remember a "no" vote can be changed to "yes" at a later date, but a with a "yes" vote you lose your leverage.

Thank you for your service to the community.

Sincerely,

Linda Norton

"Exhibit B"





### 3.23 Industrial: General (IG)

#### District Intent:

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.



#### A. Permitted Primary Uses:

*Use Matrix: The Use Matrix (p 3-3 through 3-7) provides detailed use lists for all zoning districts.*

#### Agriculture Uses

- farm (general)

#### Communications/Utilities Uses

- communication service exchange
- telecommunications facility/tower
- utility substation
- water tower

#### Institutional/Public Uses

- heliport
- medical clinic
- parking lot or garage (as a primary use)
- police, fire, or rescue station
- trade or business school

#### Park Uses

- nature preserve/center

#### Commercial Uses

- adult uses
- conference center
- data processing center

#### Industrial Uses

- agricultural products terminal
- dry cleaners (commercial)
- food & beverage production
- general industrial production
- light industrial assembly & distribution
- light industrial processing and distribution
- power generation facility (commercial)
- research and development facility
- warehouse & distribution facility



#### B. Special Exception Primary Uses:

*Use Matrix: The Use Matrix (p 3-3 through 3-7) provides detailed use lists for all zoning districts.*

#### Agriculture Uses

- agricultural product sales, distribution, & storage facility
- farm equipment sales and service
- greenhouse (commercial)
- livestock auction/sales facility

#### Institutional/Public Uses

- airport
- day-care center
- government facility (non-office)
- penal or correctional institution

#### Commercial Uses

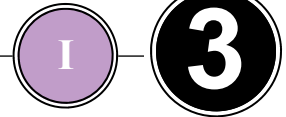
- truck stop / travel center

#### Industrial Uses

- animal & animal products processing
- concrete/asphalt production facility
- hazardous materials production
- truck freight terminal
- trucking company
- truck sales & service center
- waste disposal facility



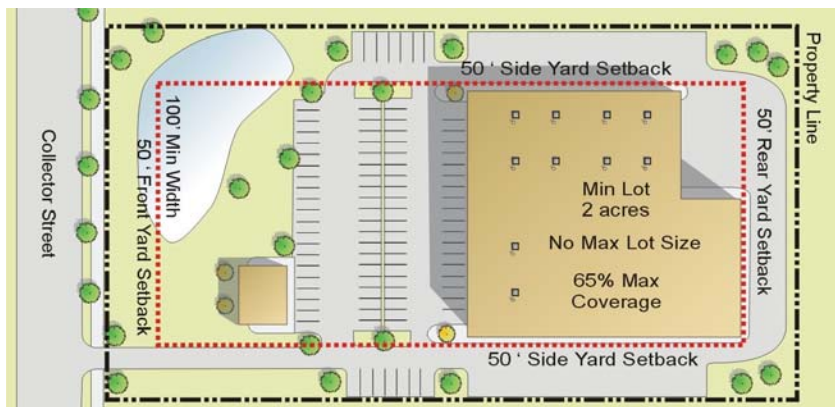
## 3.23 Industrial: General (IG)



Zoning Districts

### C. Lot Standards

<p><b>Minimum Lot Area</b></p> <ul style="list-style-type: none"> <li>• 2 acres (87,120 square feet)</li> </ul> <p><b>Maximum Lot Area</b></p> <ul style="list-style-type: none"> <li>• not applicable</li> </ul> <p><b>Minimum Lot Width</b> (measured at front setback/build-to line)</p> <ul style="list-style-type: none"> <li>• 100 feet</li> </ul> <p><b>Maximum Lot Depth</b></p> <ul style="list-style-type: none"> <li>• not applicable</li> </ul> <p><b>Maximum Lot Coverage</b> (including all hard surfaces)</p> <ul style="list-style-type: none"> <li>• 85%</li> </ul> <p><b>Min. Front Yard Primary Struct. Setback</b> (measured from street right-of-way)</p> <ul style="list-style-type: none"> <li>• 50 feet when adjacent to an Arterial Street</li> <li>• 50 feet when adjacent to a Collector Street</li> <li>• 50 feet when adjacent to a Local Street</li> </ul>	<p><b>Min. Side Yard Primary Struct. Setback</b> (measured from adjacent property line)</p> <ul style="list-style-type: none"> <li>• 50 feet</li> </ul> <p><b>Min. Rear Yard Primary Struct. Setback</b> (measured from rear property line)</p> <ul style="list-style-type: none"> <li>• 50 feet</li> </ul> <p><b>Minimum Living Area per Dwelling</b> (for primary structures)</p> <ul style="list-style-type: none"> <li>• not applicable</li> </ul> <p><b>Minimum Ground Floor Living Area</b> (for primary structures)</p> <ul style="list-style-type: none"> <li>• not applicable</li> </ul> <p><b>Maximum Primary Structures per Lot</b></p> <ul style="list-style-type: none"> <li>• not applicable</li> </ul> <p><b>Maximum Height</b> (for primary structures)</p> <ul style="list-style-type: none"> <li>• 50 feet</li> <li>• See Chapter 7.14, for telecommunications facility height requirements</li> </ul>
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*Illustrative Layout (Does not reflect all requirements contained within this Ordinance.)*

### Title Art./Page#

**Overlay Districts ..... Art. 5**

**Development Standards.... Art. 7**

7.2 Height .....7-3

7.3 Acc. Use & Struct.....7-5

7.4 Temp. Use & Struct.

Part 1 ..... 7-11

7.5 Industrial ..... 7-14

7.9 Environmental .....7-25

7.10 Parking

Part 1..... 7-29

Part 3..... 7-35

7.11 Loading ..... 7-40

7.12 Entrance / Drive.....7-42

7.13 Sight Visibility ..... 7-47

7.14 Telecommunications .... 7-48

7.15 Fence, Hedge, & Wall

Part 1..... 7-54

Part 3..... 7-55

7.16 Landscaping ..... 7-56

7.17 Buffering & Screening

Part 1..... 7-64

Part 2..... 7-67

7.18 Exterior Lighting .....7-68

7.19 Large Scale Retail ..... 7-72

7.20 Adult Use..... 7-77

**Sign Standards..... Art. 8**

8.1 General .....8-2

8.3 Non-Residential

Part 2..... 8-11

**Site Development Plans..... Art. 9**