

## AGENDA RESERVATION REQUEST

### CITY OF FRANKLIN COMMON COUNCIL

Please type or print

<b>Date Submitted:</b>	October 30, 2024	<b>Meeting Date:</b>	November 4, 2024
<b>Contact Information:</b>			
<b>Requested by:</b>	Joanna Tennell, Senior Planner		
<b>On Behalf of Organization or Individual:</b> Wawa			
<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 2024-10: Rezoning to be known as Wawa Rezoning (Introduction)			
<b>List Supporting Documentation Provided:</b>			
1. City Council memo			
2. Plan Commission Staff Report (PC-24-18)			
3. PC Resolution 2024-18			
4. Ordinance 2024-10			
<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 Jan Jones, Clerk-Treasurer  
**From:** Joanna Tennell, Senior Planner  
**Date:** October 30, 2024  
**Re:** **Wawa Rezoning (Ordinance 2024-10)**

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On October 15, 2024 the Franklin Plan Commission forwarded to the City Council a favorable recommendation on the above referenced rezoning petition from City of Franklin (Plan Commission Resolution #2024-18). The Plan Commission voted 9-0 for a favorable recommendation to be forwarded.

The petitioner is requesting that approximately 10.4 acres located north of Earlywood Drive, east of US 31/Morton Street and south of Sloan Drive be rezoned to Mixed Use: Regional Center (MXR) with the Gateway Overlay (GW-OL) to remain. 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, 2024
Public Hearing:	November 18, 2024

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



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DEPARTMENT OF PLANNING & ENGINEERING

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# Plan Commission Staff Report

**To:** Plan Commission Members

**From:** Joanna Tennell, Senior Planner

**Date:** October 9, 2024

**Re:** Case PC-24-18 (R): Wawa Rezoning

### REQUEST:

**Case PC-24-18 (R)...Wawa Rezoning.** A request by Wawa to rezone approximately 10.4 acres from Industrial: General (IG) to Mixed Use: Regional Center (MXR) with Gateway Overlay (GW-OL) to remain. The property is located north of Earlywood Drive, east of US 31/Morton Street and south of Sloan Drive.

### ADJACENT PROPERTIES:

#### Surrounding Zoning:

North: MXR, GW-OL, & IG  
South: IG & GW-OL  
East: IG (Pending rezoning request to IN)  
West: MXC & GW-OL

#### Surrounding Land Use:

North: Koenig John Deere & Fire Station  
South: Fletcher Car Dealership  
East: School Services  
West: Casey's General Store,  
Clean & Go Car Wash, & vacant

### CURRENT ZONING:

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. Wawa has requested that the 10.4 acres located north of Earlywood Drive, east of US 31/Morton Street and south of Sloan Drive be rezoned from Industrial: General (IG) to Mixed Use: Regional Center (MXR) for a future commercial development that includes a Wawa Food Market & Fueling Station.
2. Wawa is proposed to be located on the 3.65 acres immediately north of Earlywood Drive. A copy of the concept plan and elevations are attached.
3. The property immediately east of the subject property was previously Earlywood Educational Services which recently closed and is now owned by the Franklin Community School Corporation (FCSC).
4. FCSC has filed a rezoning request (PC-24-20) to rezone this property from Industrial: General (IG) to Institutional (IN). They are proposing to demolish the existing structure and build a new pre-K facility with corresponding site improvements.
5. Wawa and FCSC plan to consolidate their entrances to assist in minimizing the curb cuts along Earlywood Drive.
6. The Technical Review Committee reviewed the petition at their September 19, 2024 meeting.
7. If the rezoning is approved, the petitioner will need to file Primary Plat, Construction Plans & Secondary Plat, and Site Development Plans for review and approval prior to construction.
8. 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."
9. Due to the substantial growth and changes the city has experienced since the Comprehensive Plan was adopted in 2013, the City of Franklin will be updating the plan in 2025.
10. There have been two large residential developments approved for construction north of the subject site. Kingsbridge Subdivision is currently under construction and will include 240 single-family dwellings. The Post Apartments is proposed to include 312 apartment units and is located approximately 500 feet north of the subject property (north of Sloan Drive and east of US31/Morton Street).

## **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 subject property for commercial uses is consistent with the Comprehensive Plan as it indicates that the existing inventory of available ground may not meet the needs of the market in regard to location and size. The subject property is located along two main thoroughfares of the City: US 31/Morton Street and Earlywood Drive – Location and is a 10+ acre parcel - Size.

**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 MXR (Mixed Use: Regional Center) and MXC (Mixed Use: Community Center) which have been developed with commercial uses. In addition, it is important to note that the subject site is located along a major arterial road (US 31) and is in close proximity to new residential growth that will need additional commercial services.

**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 commercially zoned properties which allows the majority of the same permitted land uses proposed. 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. The development of the property could increase the property values as additional commercial services are provided. The City's current commercial inventory would be expanded which promotes additional growth and expansion of the tax base and provide additional job opportunities for the community.

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

**Staff Finding:**

The MXR zoning would allow for additional commercial uses to be developed along the US 31 corridor to provide services to the existing and new residential areas located to the north and west of the subject site while also providing services for the employees of the nearby industrial facilities.

**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 the property to MXR (Mixed Use: Regional Center) with GW-OL to remain.

## 3.19 Mixed-Use: Regional Center (MXR)

### District Intent:

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.



### 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)
- farm equipment sales and service
- farmer's market
- winery

#### Residential Uses

- dwelling, secondary (on upper floors)

#### Institutional/Public Uses

- community center
- day-care center
- funeral home
- government office
- hospital/medical center
- library
- lodge or private club
- medical clinic
- parking lot or garage (as a primary use)
- police, fire, or rescue station
- trade or business school

#### Park Uses

- athletic fields, courts, & areas
- nature preserve/center
- park and/or playgrounds

#### Commercial Uses

- auto-oriented uses (small scale)
- auto-oriented uses (large scale)
- data processing / call center
- conference center
- health spa
- hotel
- office uses
- personal service uses
- recreation uses (small scale)
- recreation uses (medium scale)
- recreational uses (large scale)
- restaurant
- retail uses (small scale)
- retail uses (medium scale)
- retail uses (large scale)
- retreat center



### B. Special Exception Primary Uses:

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

#### Residential Uses

- bed and breakfast facility
- boarding house
- dwelling, multi-family (more than 2 dwelling units)
- nursing/assisted living facility
- residential facility for the developmentally disabled type I
- residential facility for the developmentally disabled type II
- residential facility for the mentally ill

#### Communications/Utilities Uses

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

#### Institutional/Public Uses

- animal shelter
- church or other place of worship
- government facility (non-office)
- institutional facility for the developmentally disabled/mentally ill

#### Park Uses

- driving range (as a primary use)

#### Commercial Uses

- auto-oriented uses (medium scale)
- mass transit terminal/station
- fireworks sales
- kennel
- mobile/manufactured home sales
- truck stop/travel center

#### Industrial Uses

- light industrial assembly/distribution
- light industrial processing/ distribution



## 3.19 Mixed-Use: Regional Center (MXR)



### C. Lot Standards

#### Minimum Lot Area

- 15,000 square feet

#### Maximum Lot Area

- not applicable

#### Minimum Lot Width

(measured at front setback/build-to line)

- 100 feet

#### Maximum Lot Depth

- not applicable

#### Maximum Lot Coverage

(including all hard surfaces)

- 75%

#### Min. Front Yard Primary Struct. Setback

(measured from street right-of-way)

- 50 feet when adjacent to an Arterial Street
- 30 feet when adjacent to a Collector Street
- 20 feet when adjacent to a Local Street

#### Min. Side Yard Primary Struct. Setback

(measured from adjacent property line)

- 15 feet

#### Min. Rear Yard Primary Struct. Setback

(measured from rear property line)

- 20 feet

#### Minimum Living Area per Dwelling (for primary structures)

- 650 square feet

#### Minimum Ground Floor Living Area (for primary structures)

- not applicable

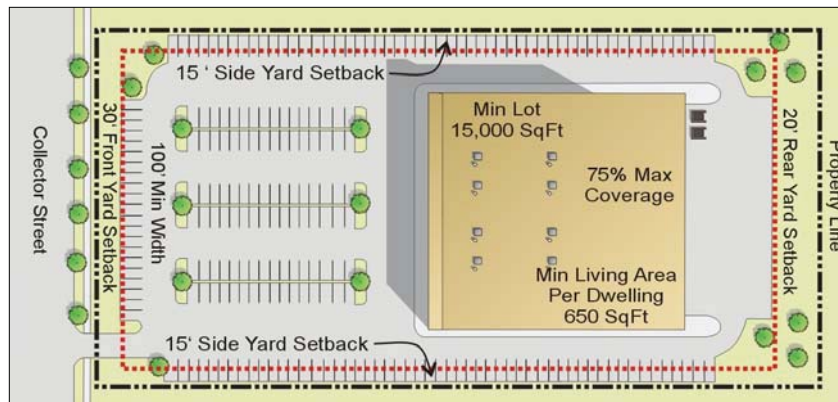
#### Maximum Primary Structures per Lot

- 1

#### Maximum Height

(for primary structures)

- 45 feet
- See Chapter 7.14, for telecommunications facility height requirements



*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.

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7.6 Residential

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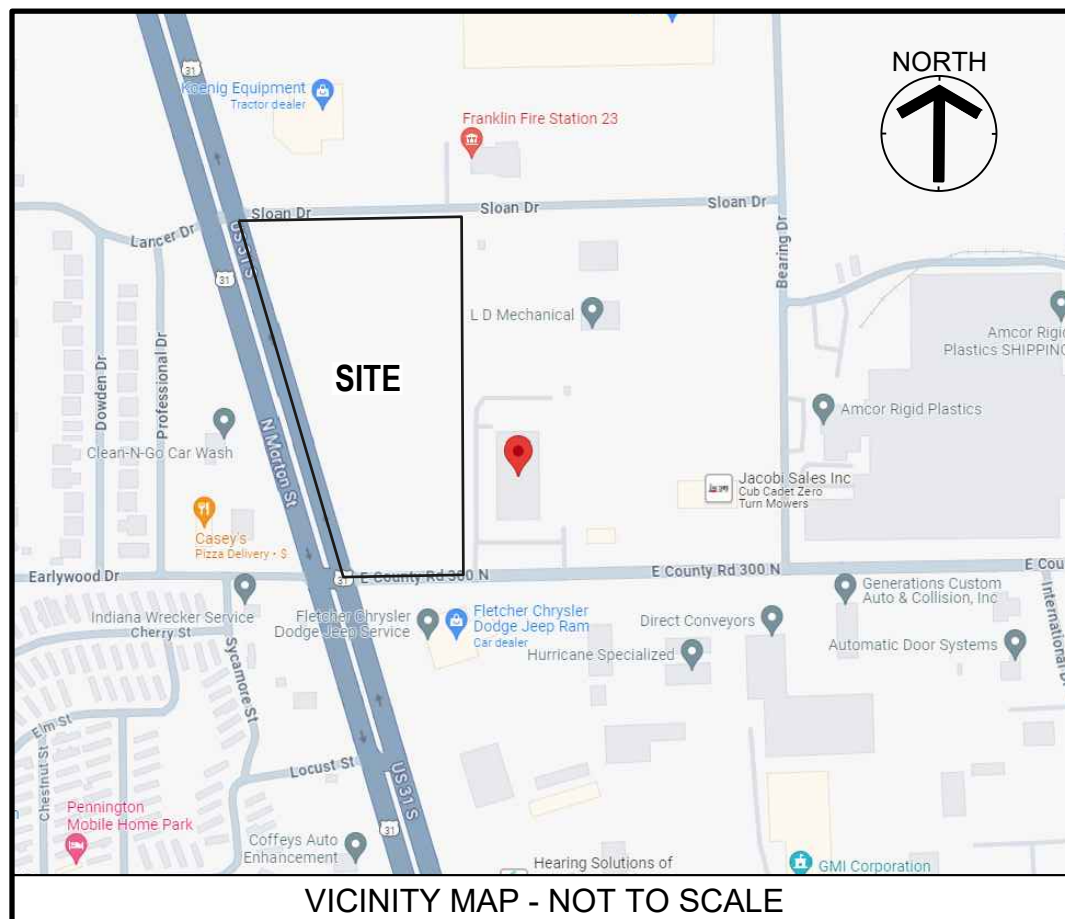
Part 1 ..... 8-9

Part 2 ..... 8-11

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

**Cross-References**





SURVEYOR NOTES:

1. This survey does not constitute a title search by the surveyor. All information regarding record easements, and other documents that might affect the quality of title to the parcel shown herein were obtained through a certified title commitment conducted by First American Title Insurance Company National Commercial Services, Commitment Number NCS-12256990-PHIL and bearing an effective date of June 26, 2024 at 7:30 AM.
2. Direct access to the subject parcel is available via Earlswood Drive & Sloan Drive.
3. The utilities shown are located from field survey information and/or existing drawings supplied by client. The surveyor makes no guarantee that the utilities located comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the utilities located are in the exact location indicated although the surveyor does certify that they are located as accurately as possible from information available.  
- Indiana 811 ticket No: 2403042746, 2403042910, 2403042937, 2403044316, 2403044350, 2403044366.  
- Making private by The Underground Detection on 12/28/2023.
4. Parcel is located within Zone "X" (Area of Minimal Flood Hazard) as indicated by the Flood Insurance Rate Map (FIRM) Map Number 18081C0139E, effective date: 1/29/2021 published by the Federal Emergency Management Agency.
5. A zoning report was not provided to the surveyor at the time of this survey.
6. There are no parking spaces on the surveyed property.
7. The surveyed property is at the intersection of N Morton Street & Earlswood Drive to the south, and Sloan Drive & N Morton Street to the north.
8. There was no observed evidence of current earth moving work, building construction or building additions at the time of this survey.
9. U.S. 31 right-of-way plans provided to the surveyor are dated 3/11/2022, proposed street upgrades do not appear to have occurred as of the date of the field work. No evidence of street or sidewalk construction or repairs observed at time of the field survey.

## EXHIBIT "A" LEGAL DESCRIPTION

The Land referred to herein below is situated in the County of Johnson, State of Indiana, and is described as follows

A part of the southwest quarter of section 34, Township 13 North, Range 4 East of the Second Principal Meridian, in Pleasant Township, Johnson County, Indiana, described as follows:

Beginning at a point on the south line of said quarter section that is North 89 degrees 17 minutes East (assumed bearing), 2035.45 feet from the southwest corner thereof, said point also being in the northbound line of U.S. Highway No. 31; thence continuing North 89 degrees 17 minutes East on and along said south line, 329.95 feet to a point that is South 89 degrees 17 minutes West, 2930.20 feet from the southeast corner of said quarter section, 329.95 feet to a point that is North 89 degrees 17 minutes East, 985.52 feet, thence South 89 degrees 17 minutes East on and along said south line, 329.95 feet to a point in said highway, thence South 16 degrees 04 minutes East with said highway, 1003.05 feet to the Place of Beginning, containing 10.147 acres, more or less, including the right-of-way of U.S. highway no. 31, which contains 1.114 acres, more or less.

## SCHEDULE B - PART II

Part One does not contain any easements. Part Two Items 1, 2, and 10-14 are not survey related.

- 3.) Terms, provisions and conditions contained in Leasee by and between George and Voula Bekas, Lessor, and American Outdoor Advertising Company, Lessee, dated October 24, 2003 as disclosed by a Sign Location Lease recorded November 8, 2004 as document 2004-0323312, and all rights thereunder and of all acts done and suffered thereunder of said lessee or any parties claiming by or through or under said lessee.
- Note: The term of the Lease is fifteen (15) years with right to renew for one (1) additional five (5) year term.  
**APPROXIMATE LOCATIONS OF THE LEASE AREAS ARE AS SHOWN HEREON.**
- 4.) Reservation of easement for ingress and egress as contained in Warranty Deed from David W. Dowden and Nancy A. Dowden, husband and wife, to Evans Products Company of the City of Portland recorded January 18, 1973 in Book 196, page 525.  
**EASEMENT IS NOT ON, BUT ADJOINS THE SURVEYED PROPERTY AS SHOWN HEREON.**
- 5.) Right-of-Way Easement in favor of City of Franklin, Indiana recorded April 11, 1975 in Book 203, page 594, and the terms and conditions contained therein.  
**EASEMENT IS ON THE SURVEYED PROPERTY AS SHOWN HEREON.**
- 6.) Permanent Easement in favor of City of Franklin, Indiana recorded June 30, 1983 in Book 230, page 294, and the terms and conditions contained therein.  
**EASEMENT IS ON THE SURVEYED PROPERTY AS SHOWN HEREON.**
- 7.) Permanent extinguishment of all rights and easements of ingress and egress to, from and across the limited access facility known as U.S.R. 31 and as Project U.S-31(41) to and from the land as set out in a deed to the State of Indiana recorded June 21, 1974 in Book 201, page 466, in the Office of the Recorder of Johnson County, Indiana.  
**NOT ON, BUT ADJOINS, THE SURVEYED PROPERTY AS SHOWN HEREON.**
- 8.) Permanent extinguishment of all rights and easements of ingress and egress to, from and across the limited access facility known as U.S.R. 31 and as Project U.S-31(41) to and from the land as set out in a deed to the State of Indiana recorded June 24, 1974 in Book 201, page 466, in the Office of the Recorder of Johnson County, Indiana.  
**RUN THROUGH A PORTION OF THE SURVEYED PROPERTY AS SHOWN HEREON.**
- 9.) 75 foot right of entry; setback and use restrictions; possible easements for maintenance and/or reconstruction, and all rights of others entitled to the continued uninterrupted flow of water through the H O Canary 2740 Legal Drain, Monitor 2724 Legal Drain, a legal drain established in accordance with I.C. 36-9-27-33.  
**DOCUMENT NOT PROVIDED**

Note: The term of the Lease is fifteen (15) years with right to renew for one (1) additional five (5) year term

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- 8) Permanent extinguishment of all rights and easements of ingress and egress to, from and across the limited access facility known as U.S.R. 31 and as Project UJ-1141 to and from the land as set out in a deed to the State of Indiana recorded June 24, 1974 in Book 201, page 496, in the Office of the Recorder of Johnson County, Indiana.  
**RUNS THROUGH A PORTION OF THE SURVEYED PROPERTY AS SHOWN HEREON.**
- 9) 75 foot right of entry, setback and use restrictions; possible assessments for maintenance and/or reconstruction, and all rights of others granted to the continued uninterrupted flow of water through the H O Canary 2740 Legal Drain and Powell 2724 Legal Drain, a legal drain established in accordance with I.C. 36-9-27-33.  
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## SURVEYOR'S REPORT

This survey is prepared per title 865, article 1, chapter 12, section 1 through 19 of the Indiana Administrative code (I.A.C.). The locations of the boundary lines and corners as shown hereon are reported to be accurate to the degree of error and uncertainties within the component of the survey as a result of the following:

- Availability and condition of reference monuments.
- Occupation or possession lines.
- Clarity or ambiguity of the record description used and of adjoiners descriptions and the relationship of the lines of the subject tract with adjoiner lines.
- The relative positional accuracy of the measurements.

West Line: The west line was re-established by holding the stationing and offsets from Indiana Department of Transportation plans dated 3/1/2022, and being project number 1800082.

North Line: The north line was re-established by holding stationing and offsets of U.S.31 from Indiana Department of Transportation plans dated 3/1/2022, and being project number 1800082, and holding a found 5/8" iron pin on the south right-of-way line of Sloan Drive.

East Line: The east line was re-established by holding a found 5/8" iron pin stamped GRW Engineers at the southwest corner of the adjoining property to the northeast, holding a 5/8" iron pin at the northeast corner of said adjoining property with the deed record distance, and by holding the deed record distance from the southeast section corner.

South Line: The south line was re-established by holding the deed record distance from the southeast section corner, and by holding the stationing and offsets from Indiana Department of Transportation plans dated 3/1/2022, and being project number 1800082.

The relative positional accuracy of the corners of the surveyed property established per this survey is within the requirements for an urban survey 0.07 feet (21 millimeters) plus 50 parts per million as defined by I.A.C. 865.

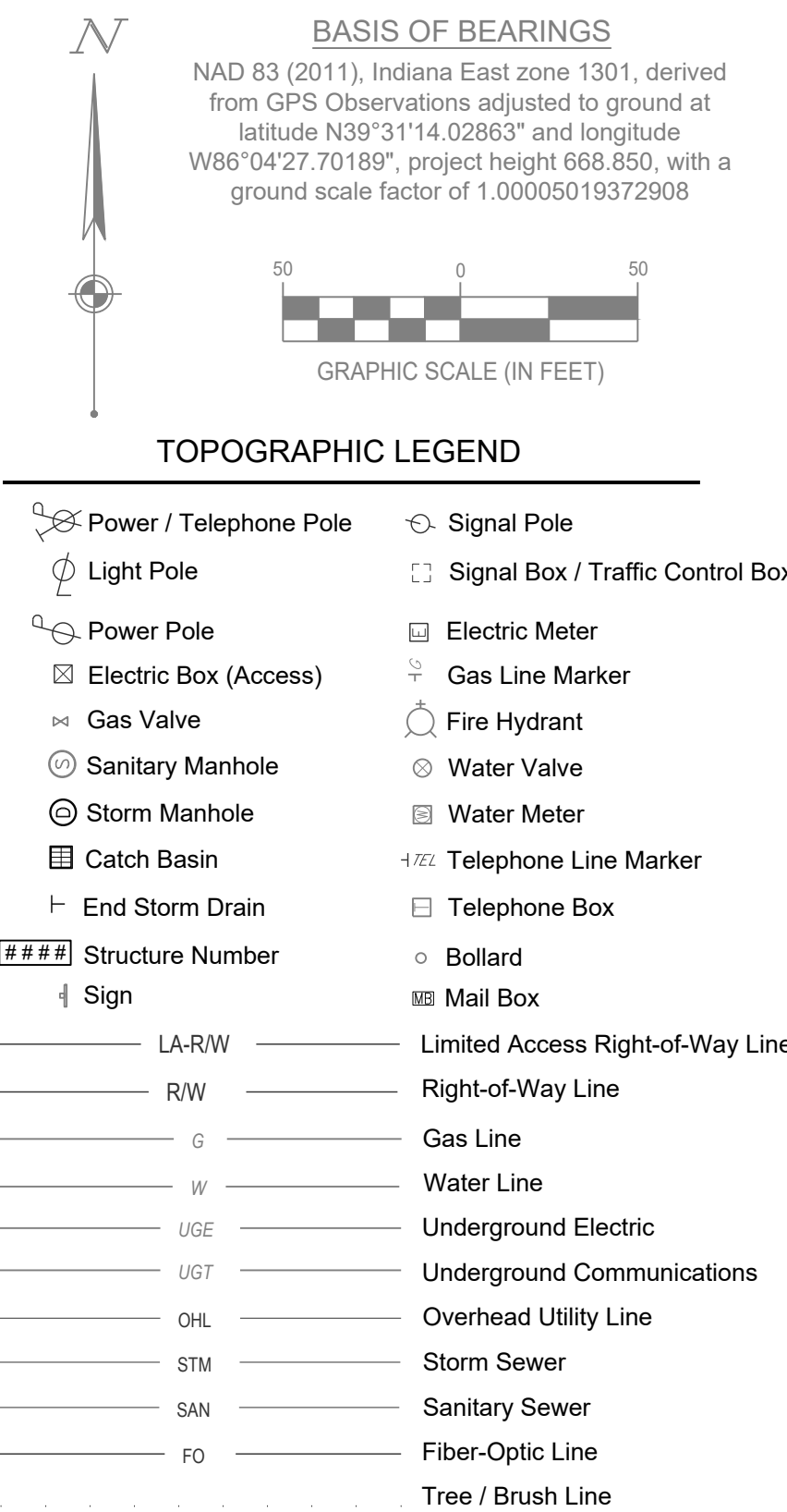
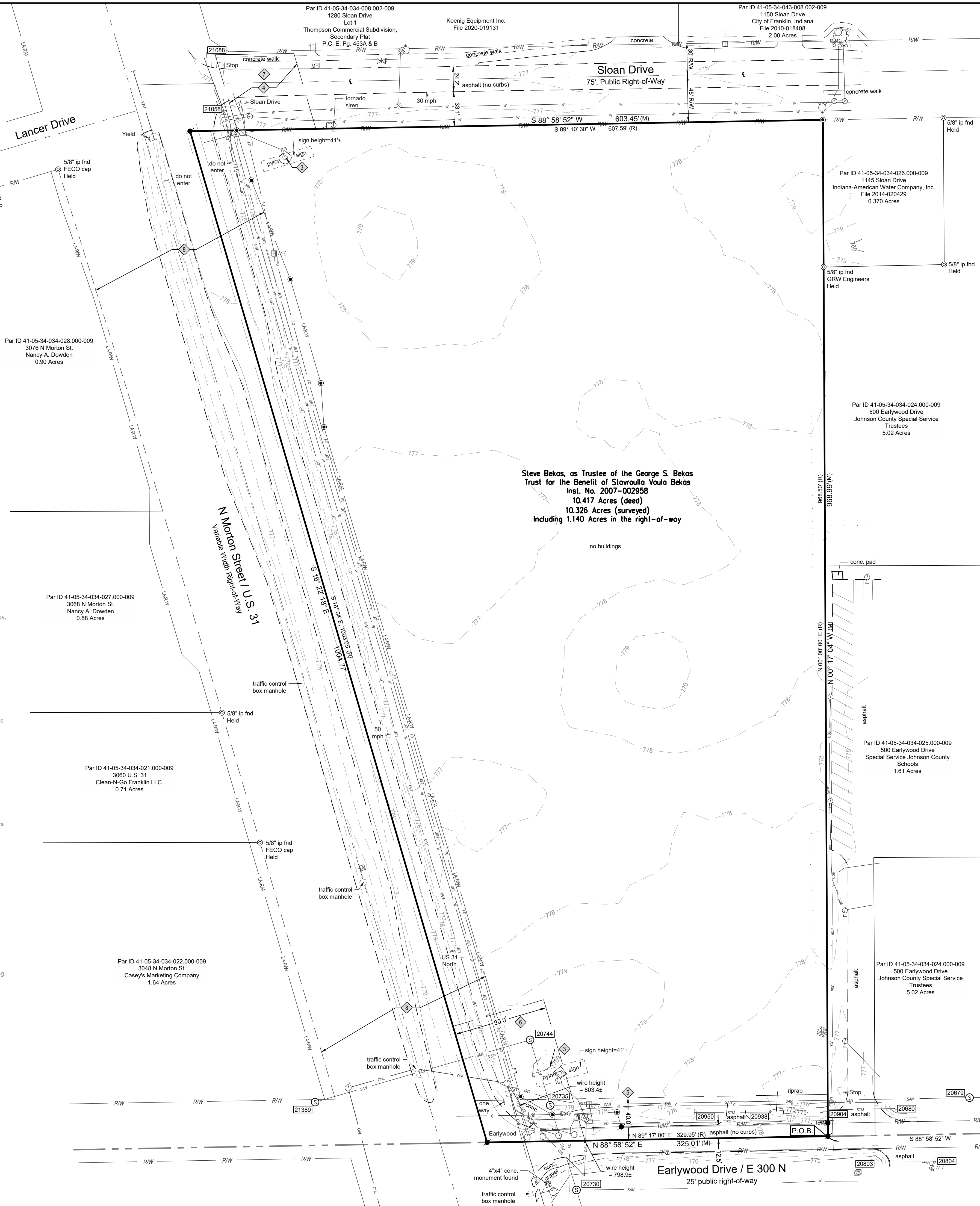
### SURVEYOR'S CERTIFICATION

TO: (i) First American Title Insurance Company National Commercial Services (ii) Wawa Midwest, LLC, a Delaware limited liability company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10, 11(a), 11(b), 13, 14, 16, 17, 18 of Table A thereof. The fieldwork was completed on July 24, 2024.

Date of Plat or Map: August 9, 2024

Robert Matko, PS  
Indiana Professional Surveyor # LS21500007  
matko@cesoinc.com  
13060 S. U.S. Hwy. 27, Suite D  
DeWitt, Michigan 48820  
(517) 212-4188



### SURVEY MONUMENT LEGEND

- - 5/8" Iron Pin Set w/cap CESCO, Inc
- ◎ - Iron Pin Found as Described
- ◻ - Monument Found as Described
- ⌘ - PK Nail/Mag Nail Found
- ⦿ - PK Nail/Mag Nail Set
- ⚓ - Benchmark Set
- (R) - Deed Record
- (M) - Measured

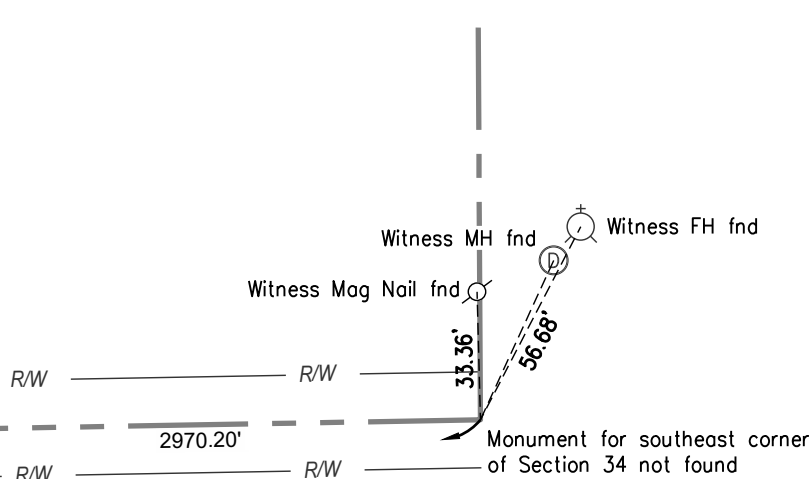
## BENCHMARK

Vertical Datum: NAVD88  
derived from GPS Observations

- |         |   |
|---------|---|
| BM "A": | Benchmark set northeast corner of power pole. South side of Earlwood Dr., east from service entrance to Dodge dealership.<br>Elevation = 776.83'                                      |
| BM "B": | Chiseled "X" southeast corner of concrete pad for signal pole. Northeast corner of U.S. 31 and Earlwood Dr., intersection, southwest from traffic control box.<br>Elevation = 779.95' |
| BM "C": | Chiseled "X" on arrow bolt west side of hydrant, south side of Sloan Rd., across the street from the fire station, near the end of the sidewalk.<br>Elevation = 780.33'               |
| BM "D": | Chiseled "X" on bolt west side of hydrant. West from telephone box southwest corner of Sloan Rd. and U.S. 31<br>Elevation = 778.03'   |

Storm Structure Chart  
Invert 20680  
18" conc. W = 773.81'  
  
Invert 20904  
18" conc. E = 774.28'  
  
Invert 20938  
15" conc. W = 774.99'  
  
Invert 20950  
15" conc. E = 775.22'  
  
Invert 20803  
15" conc. E = 773.41'  
  
Invert 20804  
15" conc. W = 773.15'  
  
Invert 21058  
15" conc. N = 774.65'  
  
Invert 21086  
12" cmp E = 774.62'

Sanitary Structure Chart  
sanitary manhole 21389  
rim = 777.22'  
15' clay NE = unable to open.  
  
sanitary manhole 20744  
rim = 779.31'  
15' clay SW = 759.96'  
15' clay SE = 759.96'  
  
sanitary manhole 20735  
rim = 780.42'  
15' clay NW = 759.86'  
12' clay E = 759.86'  
15' clay SE = 759.86'  
  
sanitary manhole 20679  
rim = 776.22'  
12' clay W = 760.97'  
12' clay E = 760.97'  
  
sanitary manhole 20730  
rim = 777.16'  
15' clay NW = 759.01'  
12' clay E = 759.01'  
15' clay SE = 759.01'



3601 Rigby Rd., Suite 300  
Miami, OH 45342  
Phone: 937.435.8584 Fax: 888.206.4826

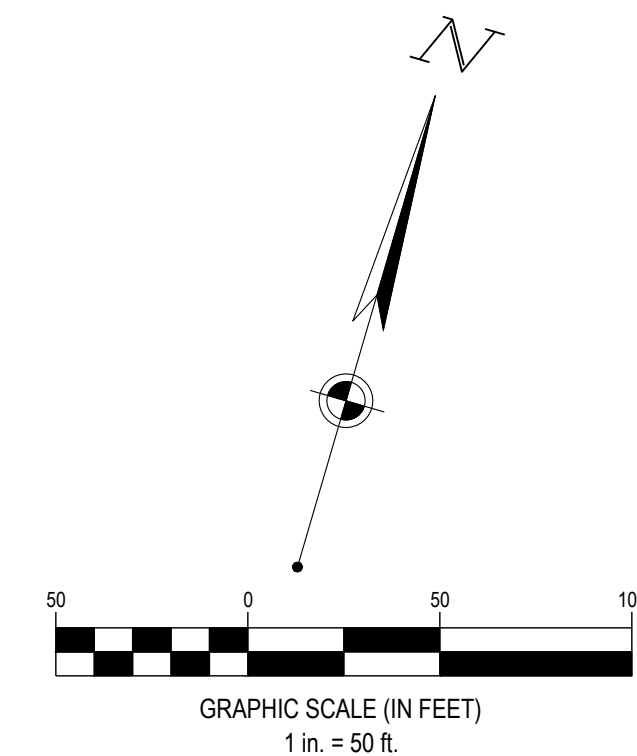
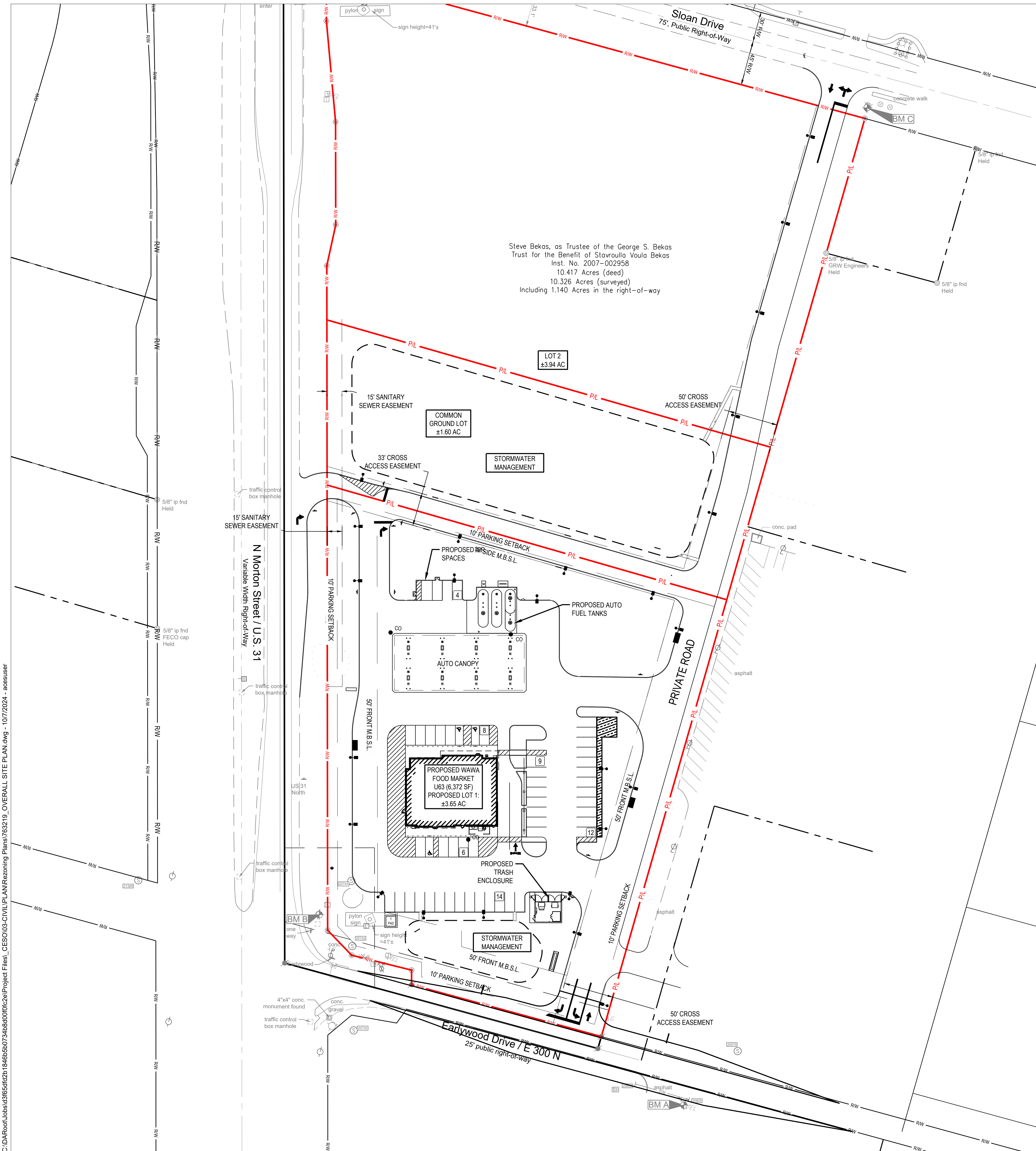
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






Project Number:	763219
Scale:	1" = 50'
Drawn By:	RSL
Checked By:	RLC
Date:	8/9/2024
Issue:	Survey

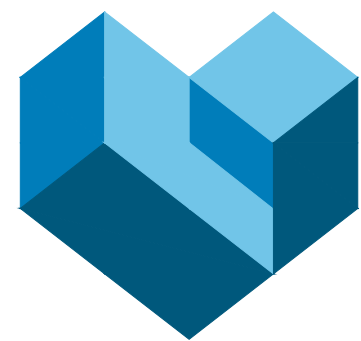
Drawing Title:

**ALTA / NSPS LAND  
TITLE SURVEY**





<u>SITE LEGEND</u>	
<u>EXISTING</u>	
REFER TO ALTA/NSPS TOPOGRAPHIC SURVEY	
<u>PROPOSED</u>	
 <b>RW</b>	RIGHT-OF-WAY (BOUNDARY)
 <b>PL</b>	PROPERTY LINE
	SETBACK
	EASEMENT
	BUILDING
	CONCRETE CURB
	PAVEMENT/WALK
	PARKING SPACE COUNT
	SIGN
	LIGHT POLE
	BOLLARD
	CLEAN OUT
	CURB INLET
	HEADWALL



7711 Bonhomme Ave., Suite 600  
Clayton, MO 63105  
Phone: 314.834.0663 Fax: 888.208.48



**WAWA**  
STORE #7426

# FRANKLIN, IN

NE HIGHWAY 31ST & E COUNTY ROAD 300 N (EARLYWOOD DRIVE)  
FRANKLIN, IN 46131

Revisions / Submissions		
ID	Description	Date

© 2024 CESO, INC.

Project Number:	763219
Scale:	1"=50'
Drawn By:	FAR
Checked By:	JTH
Date:	09/05/2024
Issue:	NOT FOR CONSTRUCTION

Drawing Title:  
**OVERALL SITE PLAN**

**3 OF 15**



FORTY- EIGHT (48) HOURS  
 BEFORE DIGGING IS TO  
 COMMENCE, THE CONTRACTOR  
 SHALL NOTIFY THE FOLLOWING  
 AGENCIES: INDIANA UTILITIES  
 PROTECTION SERVICE AT 811 OR  
 800-382-5544 AND ALL OTHER  
 AGENCIES WHICH MIGHT HAVE  
 UNDERGROUND UTILITIES  
 INVOLVING THIS PROJECT AND  
 ARE NONMEMBERS OF STATE  
 UTILITIES PROTECTION SERVICE



**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2024-18  
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

**NAME OF PETITIONER:**

Wawa

**PLAN COMMISSION DOCKET NUMBER:**

PC-24-18

**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 Mixed Use: Regional Center (MXR) with Gateway Overlay (GW-OL) to remain; 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 15<sup>th</sup> day of October, 2024, 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 Mixed Use: Regional Center (MXR) with Gateway Overlay (GW-OL) 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, 2024.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA

  
Norman Gabehart, President

ATTEST:

  
Jim Martin, Secretary

### **EXHIBIT "A"**

A part of the southwest quarter of Section 34, Township 13 North, Range 4 East of the Second Principal Meridian, in Pleasant Township, Johnson County, Indiana, described as follows:

Beginning at a point on the south line of said quarter section that is North 89 degrees 17 minutes East (assumed bearing), 2035.45 feet from the southwest corner thereof, said point also being in the northbound lane of U.S. Highway No. 31; thence continuing North 89 degrees 17 minutes East on and along said south line, 329.95 feet to a point that is South 89 degrees 17 minutes West, 2970.20 feet from the southeast corner of the southeast quarter of said Section 34; thence North 00 degrees 00 minutes East, 968.50 feet; thence South 89 degrees 10 minutes 30 seconds West, 607.59 feet to a point in said highway; thence South 16 degrees 04 minutes East with said highway, 1003.05 feet to the Place of Beginning, containing 10.417 acres, more or less, including the right-of-way of U.S. Highway No. 31, which contains 1.114 acres, more or less.

City of Franklin Common Council

**ORDINANCE NUMBER 2024-10**

AN ORDINANCE APPROVING RESOLUTION NUMBER 2024-18  
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN PROPERTY TO  
MXR (Mixed Use: Regional Center)  
(To be known as Wawa 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 2024-18 recommended that the City’s Common Council amend the Zoning Map and rezone the property described in Exhibit “A”, attached hereto, from Industrial: General (IG) to Mixed Use: Regional Center (MXR) with the Gateway Overlay (GW-OL) to remain.

**WHEREAS**, pursuant to Indiana Code § 36-7-4-605, Resolution 2024-18 has been certified to the City’s Common Council; and

**WHEREAS**, the recommendation of the Plan Commission should be adopted; 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 Mixed Use: Regional Center (MXR) with the Gateway Overlay (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) following the 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 4<sup>th</sup> day of November, 2024.

**DULY PASSED** on this \_\_\_\_ day of \_\_\_\_\_, 2024, 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

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

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

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

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

\_\_\_\_\_  
Todd Shuck

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

**Voting Opposed:**

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

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

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

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

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

\_\_\_\_\_  
Todd Shuck

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

Attest:

\_\_\_\_\_  
Jan Jones, 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 \_\_\_\_\_, 2024 at \_\_\_\_ o'clock p.m.

\_\_\_\_\_  
Jan Jones, 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 \_\_\_\_\_, 2024 at \_\_\_\_ o'clock p.m.

\_\_\_\_\_  
Steve Barnett, Mayor

Attest:

\_\_\_\_\_  
Jan Jones, 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*

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