



# CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

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## Plan Commission Staff Report

**To:** Plan Commission Members  
**From:** Joanna Tennell, Senior Planner  
**Date:** December 12, 2024  
**Re:** **Case PC-24-20 (R): FCSC Earlywood Rezoning**

### REQUEST:

**Case PC-24-20 (R)...FCSC Earlywood Rezoning.** A request by Franklin Community School Corporation to rezone approximately 6.3 acres from Industrial: General (IG) to Institutional (IN). The property is located at 500 Earlywood Drive.

### ADJACENT PROPERTIES:

#### Surrounding Zoning:

North: IG  
South: IG  
East: IG  
West: MXR & GW-OL

#### Surrounding Land Use:

North: Fire Station  
South: Fletcher Car Dealership  
East: Industrial  
West: Future Wawa Gas Station

### 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.

### PROPOSED ZONING:

The “IN”, Institutional zoning district is intended to provide locations for large-scale public facilities, educational facilities, religious centers, and other institutions. This district is further intended to provide a set of setbacks and other standards that are responsive to the unique scale and other considerations common to these types of uses. This district is further intended to reduce land use conflicts and ensure that institutions are appropriately integrated into the community.

### CONSIDERATIONS:

1. Earlywood Educational Services was located at this site and was in operation for 50 years. The institutional use at this location was classified a legal nonconforming use in the IG zoning district as the use is not listed as a permitted use. Franklin Community School Corporation took ownership of the site in 2024.

2. Per Article 10.4 Nonconforming Uses of the Zoning Ordinance, a legal nonconforming use may continue provided that it remains otherwise lawful, subject to conditions, which includes:
  - a. Modification of Structures: No existing structure devoted to a legal nonconforming use shall be enlarged, expanded, increased, extended, constructed, reconstructed, moved, or structurally altered except as to change the use of the structure to a use permitted in the district.
  - b. Expansion on the Property: No legal nonconforming use of land shall be enlarged, increased, extended to occupy a greater area of land, or moved in whole or in part to any other portion of a lot than was occupied at the effective date of this Ordinance.
3. Due to the condition of the existing structure, FCSC plans to demolish the structure and build a new education facility that replaces the existing structure and expands the use to a greater area of the 6.3 acre site (see attached concept plan). Therefore, the legal nonconforming use status in the IG zoning district will be lost due to the conditions cited above.
4. In order for FCSC to proceed with their plans, they could either:
  - a. Request a use variance through the Board of Zoning Appeals (BZA) to continue to be able to utilize the property as an educational facility (institutional use). If a use variance is granted, any future modifications to the site would also be subject to BZA approval at that time.OR
  - b. Request that the property be rezoned to a zoning classification that permits the use by right and would allow FCSC to operate as an educational use as a permitted use.
5. Franklin Community School Corporation has requested that the 6.3 acres located north of Earlywood Drive, east of US 31/Morton Street and south of Sloan Drive be rezoned from Industrial: General (IG) to Institutional (IN) for a future construction of a preschool.
6. In 2004, all properties in the city limits located north of Earlywood Drive and east of US 31/N. Morton Street were zoned IG.
7. Due to changes in the needs of the city, a number of these properties have been rezoned and/or BZA approvals granted to allow uses that are not industrial in nature:
  - a. City of Franklin Fire Station (institutional use) is located immediately north of the subject site.
  - b. The 10.4 acres located immediately to the west of the subject site was rezoned to MXC for the development of Wawa and a commercial outlot.
  - c. Approximately 26 acres located immediately north of Sloan Drive and east of US 31/N. Morton Street was rezoned to MXR in 2019.
    - i. Koenig Equipment is located on the far south 5 acres of the rezoned area.
    - ii. Denton Floyd received approval from the BZA for development of a 312 unit apartment complex on the northern 21 acres.

8. The Technical Review Committee reviewed the petition at their October 24, 2024 meeting.
9. If the rezoning is approved, the petitioner will need to file Site Development Plans for review and approval prior to construction.
10. 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.”
11. 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.

#### **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 to IN is consistent with the Comprehensive Plan as it supports the development of a cohesive community that provides services that meets the needs of the citizens of the city and school district.

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

**Staff Finding:**

The property is located in an area that uses have been developed in a commercial and residential manner rather than heavy industrial. In addition, the site has historically been used as an institutional use. Therefore, staff finds that the request to rezone the property to IN is consistent with the current conditions of the area.

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

**Staff Finding:**

The proposed use will provide an additional educational service to the residents of city that will be easily accessible by the use of the existing thoroughfare system and is located in reasonable proximity to growing residential areas.

***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 investment is made in the area.

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

**Staff Finding:**

As FCSC is a public funded entity that provides the necessary educational services to the city and its residents, it is more fiscally responsible to rezone the property to IN to allow their operations to continue at the site by right instead of needing to go before the Board of Zoning Appeals any time FCSC needs to make modifications at a location that has historically been an educational facility.

**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 IN (Institutional).