



JOHNSON COUNTY

Department of Planning & Zoning
86 West Court Street
Franklin, Indiana 46131

Phone: (317) 346-4350

www.co.johnson.in.us

MEETING AGENDA

Johnson County Advisory Plan Commission
May 23rd, 2022, 6:00 PM
Public Auditorium, West Annex Building
86 West Court Street, Franklin, Indiana

CALL TO ORDER

ROLL CALL

APPROVAL of MINUTES

Approval of minutes from the April 25, 2022 meeting.

PUBLIC HEARINGS

-CONTINUED HEARINGS-

-NEW HEARINGS -

W-2-22. Birch Waiver. 3717 W 525 S, Trafalgar.....Page 3

Waivers of the Johnson County Subdivision Control Ordinance to allow for a two-lot
Roadside Subdivision where the lot will be four acres.

P-2-21. Deerfield Major Residential Subdivision. Lennar Corp of Indiana, Inc.....Page 12

35.247 acres behind 1247 S. Runyon Road, Greenwood; Parcel ID # 41-04-03-042-
014.000-038

Approval of the Deerfield Preliminary Plat to create a 52-acre, 96-lot major subdivision.

OLD BUSINESS

None.

NEW BUSINESS None.

REPORTS and RECOMMENDATIONS

None.

ADJOURNMENT

The next meeting of the Johnson County Advisory Plan Commission is scheduled for June 27, 2022 at 6:00 PM in the public auditorium of the Courthouse West Annex Building.

Staff Report

CASE NUMBER:	W-2-22
ADDRESS:	3717 W 525 S
	Section 14, Township 11, Range 3
PETITIONER:	Chester & Christian Birch by John Larrison, Holloway Engineering

REQUEST

Waivers of the Johnson County Subdivision Control Ordinance to allow for a two-lot Roadside Subdivision where the lot will be four acres (new lots created via the Roadside Subdivision process must have an area of exactly two acres).

STAFF RECOMMENDATION

Staff recommends approval of these requests.

PROPERTY DESCRIPTION

This approximately 35.5 acre-acre site is zoned A-1 (Agricultural) and is improved with one single-family dwelling, detached garage, and two accessory structures. The site also has a pond, wooded areas, and tillable land. Goose Creek runs through the southern portion of the property.

The site is surrounded by parcels of varying sizes and configurations ranging from 1 acre to 39.5 acres. Some are used agriculturally while others are used residentially and are improved with single-family dwellings. All are zoned A-1.

WAIVER REQUEST

This waiver request, if approved, would allow for the subsequent split, via the Roadside Subdivision process, of the subject 35.5-acre parent lot into two lots. The newly-created lot would be approximately 4 acres in size and the remaining parent tract would be approximately 31.5 acres in size.

The Roadside Subdivision process requires newly-created lots to be exactly two acres in area. The two-acre minimum ensures that a new lot has enough area - but no more than is necessary - to accommodate a septic system. The two-acre maximum is intended to minimize, to the extent possible, non-agricultural encroachments into agricultural areas. Of the proposed 4-acre tract, approximately 2 acres are used as fenced pasture. The remainder of the tract is the non-tillable area of the parcel that is contiguous to the home site.

The location of the current residential structures and fences pasture on the northeastern portion of the parent parcel and the wooded areas of the site create a natural divide between the tillable land and where 4-acre tract is proposed. The residential parcels to the east is approximately 4 acres in size. There are residential lots over 2 acres off Running Deer Rd to the south and many residential lots on 450 W to the west. The waiver requested represents a minor deviation from the two-acre requirement and allows the proposed property to incorporate all existing structures and be aligned with the development in the area.

Additionally, the petitioner is requesting a Roadside Subdivision resulting in two lots overall, whereas the regulations would allow up to three new 2-acre tracts of land, four overall. The staff would regard the low-density residential development proposed here to be appropriate.

Staff would like to note the remaining tract of land will be 31.5 acres in size. Under the current subdivision control ordinance, this tract of land will not be eligible for any further division of land unless the Plan Commission approves a future waiver request.

Staff recommends approval of this waiver request.

FINDINGS OF FACT, STAFF ANALYSIS

The granting of the waiver will not be detrimental to the public safety, health, or welfare or be injurious to nearby property;

Staff Analysis: Grant of the waiver would create one new buildable lot, which would not negatively impact public safety, health or welfare.

The conditions upon which the request for a waiver are based are unique to the property for which the waiver is sought and are not applicable generally to other properties;

Staff Analysis: The subject lot will be logically divided based on the current characteristics of the site and the proposed residential development will fit in with the development patterns of the area.

Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if this Ordinance is strictly adhered to;

Staff Analysis: The subject lot will be logically divided based on the current characteristics of the site, including tree coverage, tillable land, and existing structures. The proposed residential development will fit in with the development patterns of the area.

The waiver will not, in any manner, contravene provisions of the Zoning Ordinance, Comprehensive Plan, or Official Map, as interpreted by the Commission.

Staff Analysis: This area is more suited for rural residential use, as indicated by the numerous parcels in the area that are used for single-family dwellings. These waivers will not go against the intent of the Comprehensive Plan of preserving agricultural land.

GENERAL INFORMATION

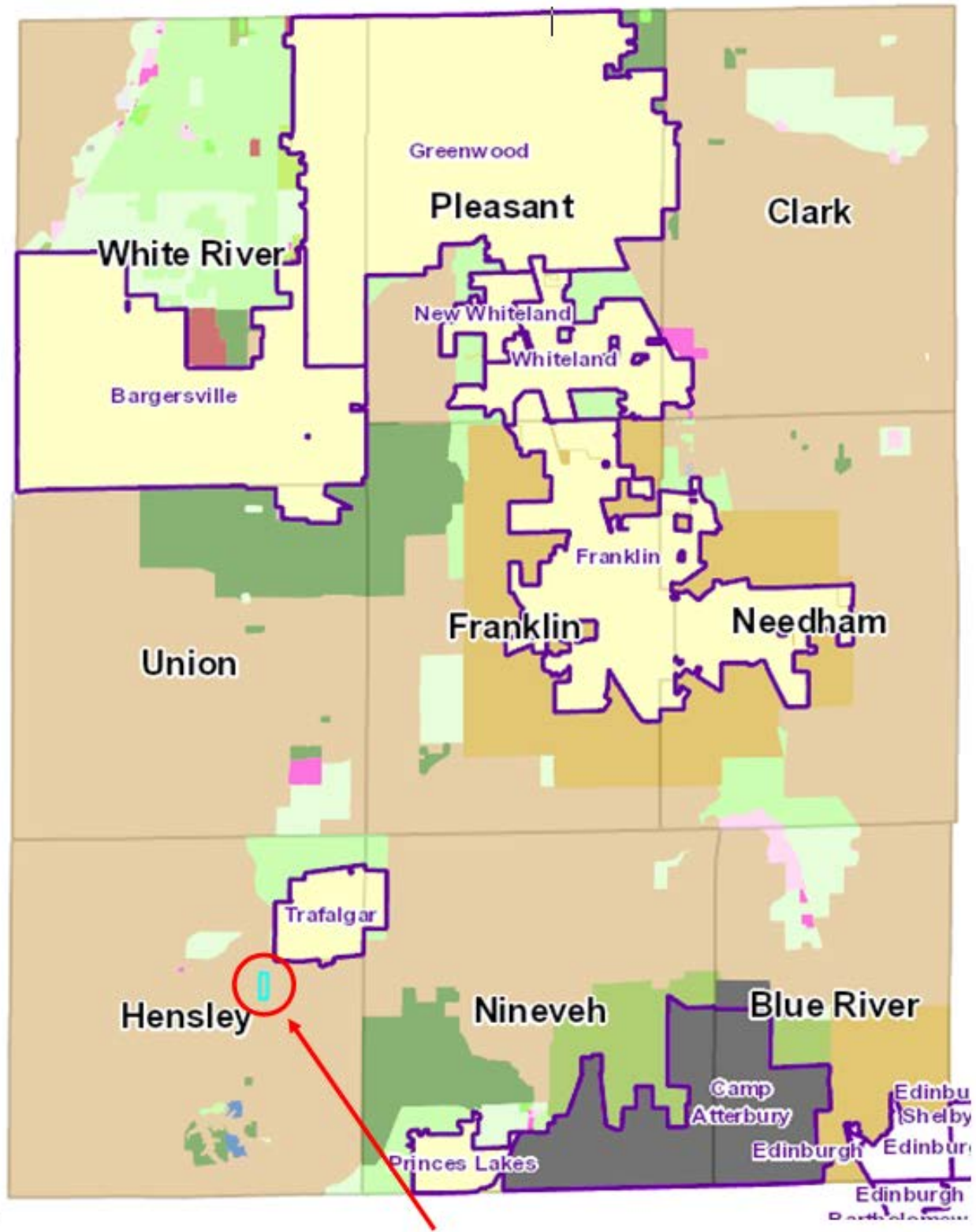
Applicant: John Larrison
P.O. Box 234
Mooreville, IN 46158

Owners: Chester L & Christian L Birch
3717 W 525 S
Trafalgar, IN 46181

Current Zoning: A-1 (Agricultural)
Existing Land Use: Single Family Residential & Agricultural
Future Land Use: Agricultural

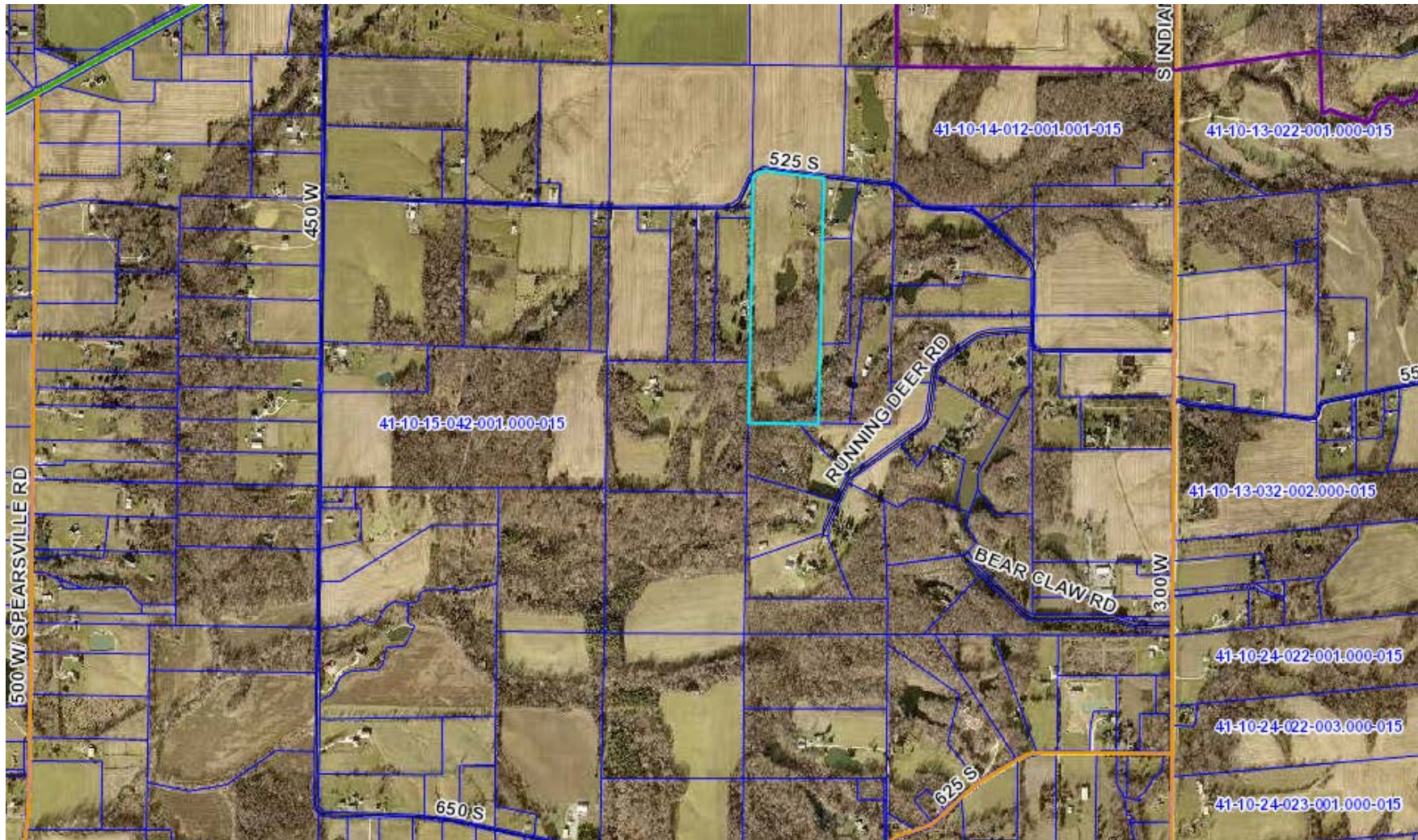
-RLS

W-2-22 Base Map



SUBJECT SITE

W-2-22 Base Map II



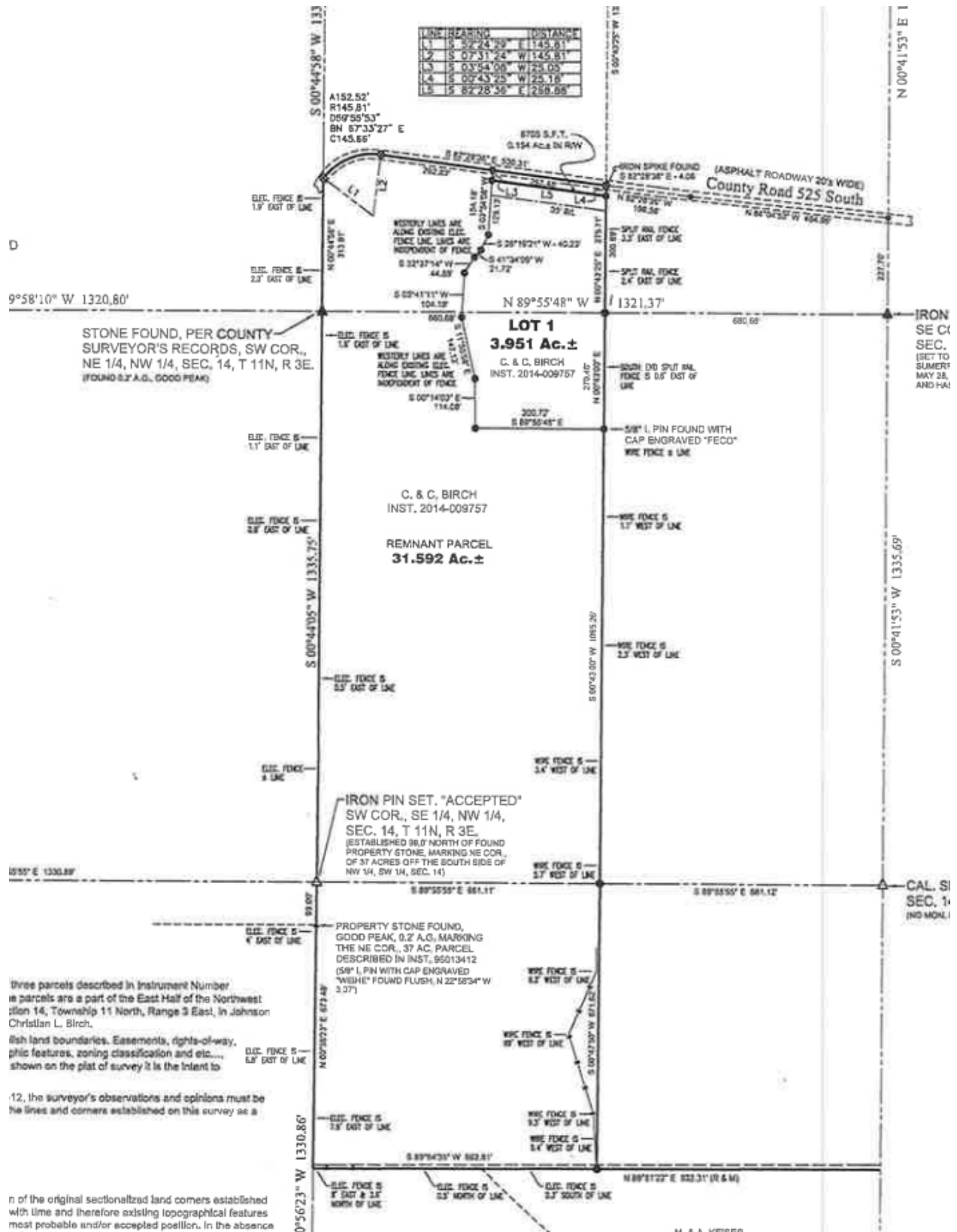
W-2-22 Ariel



W-2-22 Ariel of Home Site



W-2-22 Proposed Roadside Subdivision



W-2-22 PETITIONER FINDINGS OF FACT

1. The granting of the waiver will not be detrimental to the public safety, health, or welfare or be injurious to nearby property.

This wavier is for the creation of a single new parcel, 4 acres +/- in size, via a Roadside Subdivision
(the ordinance requires all new parcels created via Roadside Subdivision to be exactly two acres in size).

There is an existing house & other improvements on the parcel. The issuance of a wavier will not create any public safety, health or welfare concerns.

2. The conditions upon which the request for a waiver are based are unique to the property for which the waiver is sought and are not applicable generally to other properties.

The subject 35 acre parcel contains a 4 acre home site with house & outbuildings, approximately 2 acre yard and 2 acre fenced pasture area. This wavier for 4 acre parcel will allow for the sale of the existing home site and accompanying existing "yard" and will not encroach onto tillable lands.

3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if this Ordinance is strictly adhered to.

The existing home site value would be damaged if the adjacent "yard" area and fenced in pasture area are not allowed to be sold along with it.

4. The waiver will not, in any manner, contravene provisions of the Zoning Ordinance, Comprehensive Plan, or Official Map, as interpreted by the Commission.

This area is designated as "Agriculture" in the Future Land Use Map of the Johnson County Comprehensive Plan. This 4 acre lot with existing home, out buildings and "yard" and pasture fits the definition of the "Limited non-farm residential, at very low densities" as cited in Section 3-13 Land Use- Agriculture.

Staff Report

■
Case Number: P-2-21
Case Name: Deerfield Major Subdivision – Preliminary Plat
ADDRESS: 51.58 acres which includes land behind 1247 S. Runyon Road, land at 1373 South Runyon Road, and land at 1154 Berry Road, Greenwood
Parcel IDs # 41-04-03-042-014.000-038, 41-04-03-042-015.000-038, 41-04-03-041-012.000-038
Section 3, Township 13, Range 3
PETITIONER: Lennar Corporation of Indiana, Inc

REQUEST

Approval of the Deerfield Preliminary Plat to create a 52-acre, 96-lot major subdivision.

RECOMMENDATION

Staff recommends **approval** of the Preliminary Plat subject to the following conditions:

1. The plat must receive approval from all Technical Review Committee checkpoint agencies.
2. Block A shall only approved less than 2 acres in size if construction plans provide for sewer connection.

PROPERTY DESCRIPTION

The subject property consists of three parcels totaling 51.58 acres, all zoned R-2, Single Family Residential. The main parcel, 34 acres, is an unimproved agricultural field, the parcel to the south, 5 acres, contains a single-family residence that will be removed for this development, the parcel on the east side, 11 acres, contains a single-family residence and a few accessory structures. This residence is accessed by a private road known as Curry Road. The plan is for the residents to remain on the property within Block A. The site is accessed primarily by South Runyon Road.

Surroundings: To the northeast is the Brentwood Major Subdivision, to the southeast is the Auburn Trace Major Subdivision. On the west side of South Runyon Road are large parcels of land used residentially. All surrounding property is zoned R-2.

PRELIMINARY PLAT

Recent History: This subdivision was approved in November of 2021 for a 66-lot development on one parcel. Since then, the developer has obtained agreements from two additional parcels of land that abut to the original. This has required the applicant to seek approval for a new preliminary plat with more lots and more area.

The Plan Commission is to consider a request for preliminary approval of a 96-lot, single-family major subdivision. The subdivision is proposed to be built out in two sections, Section one will be for 49 lots and Section 2 will have the remaining 47 lots. The subdivision proposes a main vehicular entrance off of South Runyon Road. One Interior road will connect to an existing stub street (Thornwood Drive) within the Brentwood Subdivision. It is also projected to go northeast to a future major subdivision planned by a different developer.

The proposed subdivision will have 17.66 acres dedicated for common area, including the existing wooded area along the southern border.

The proposed plat complies with the 2021 lot standards for R-2 zoning district. The minimum lot size will be 10,400 square feet. The average lot will have a width of 80 feet, or a buildable width of 60 feet when accounting for the required 10-foot side setbacks.

The development proposes to provide the required sidewalks within the internal roadway network, as well as a 5' sidewalk along South Runyon Road. A walking path will be provided along the south end of the pond to the northeast corner.

ZONING DISTRICT

This subject property is zoned R-2, Single-Family Residential. As stated in the Johnson County Zoning Ordinance:

“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.”

Built out, the proposed subdivision, with 96 single-family dwellings developed on 52 acres, would have a density of 1.86 dwellings/acre. The property will be served by the City of Greenwood for public sanitary sewer system and by the Town of Bargersville for public water system. The proposed density is very similar to the neighborhoods with close proximity.

The neighboring subdivisions were developed in the 1990's using generally less stringent drainage standards than are employed today. The chart below illustrates various characteristics of nearby major residential subdivisions:

Surrounding Subdivisions Comparison

Subdivision	Year Platted	# of Lots	Overall Acreage	Density houses/acre	Platted Common Area - acreage	average lot size (sq ft)
Deerfield		96	52	1.86	17.66	10,400
Brentwood	1993-1999	195	60.3	3.233	1.79	10,454
Auburn Trace	1995-1998	84	53.47	1.57	0.74	23,086
Runyon	1962	55	26.48	3.07	1.52	15,246

DESIGN STANDARDS

The petitioner has indicated that the proposed single-family dwellings will be a mix of one and two-story structures with building areas between 2,800 and 3,000 square feet. The proposed subdivision will be required to construct single-family dwellings to comply with the 2021 approved Residential Design Standards.

TRAFFIC AND CONNECTIVITY

The proposed subdivision has been reviewed by the Johnson County Highway Department as part of the Technical Review Committee. The Highway Departments' comments are found in this staff report.

The existing street Thornwood in the Brentwood Subdivision will be extended into this proposed subdivision. The public sidewalk to be extended as well. Providing access to abutting land and road connectivity is part of Johnson County's Subdivision Control Ordinance and Comprehensive plan. It is a requirement that is supported by best practices of land use development and public safety, and to promote connectivity. It is a requirement found commonly, perhaps universally, in municipal and county subdivision regulations.

This proposed development will provide four stubs streets for future development. One to the north east corner is projected to be in front of the Plan Commission in the upcoming months. The three remaining stub streets have no immediate plans for future development.

SCHOOL SYSTEM

The administration of the school district which will serve this subdivision received a copy of the proposed development for review and comment during the Technical Review Meeting. Staff met with said administration in the fall of 2020 to discuss future growth and associated issues within White River Township as a whole. The administration indicated that school district's growth plan is accommodative of ongoing residential development within the township.

SUBDIVISION DETAILS

Utility Infrastructure

This project will be served by Greenwood Sanitation. This project will be served by Bargersville Utilities as a public water source.

Stormwater

The subdivision will have a proprietary drainage system, as reviewed and approved by the Drainage Board, to wholly accommodate its received stormwater.

Streets

The subdivision will include about 1.24 miles of public streets. As required by the Subdivision Control Ordinance, the subdivision will connect to an existing stub street within the subdivisions of Brentwood. It will be accessed from S. Runyon Road. As required by the Subdivision Control Ordinance, the subdivision will also provide stubs to the north, south , and east to provide street connections to future development.

Signs

The petitioner plans to construct the allowed subdivision entry signs at the entrance from S. Runyon Road in the common area.

Natural Environment

There is a wooded area on the south portion of the subdivision. The plat will indicate this area as a tree preservation area. Tree will not be allowed to be removed unless needed for infrastructure improvements.

GENERAL TERMS AND CONDITIONS

Technical Review Committee

The Technical Review Committee reviewed this petition at its April 19, 2022 meeting. The plat has satisfied all comments made in the Technical Review Committee memo.

Prior to development or issuance of any permit, the Technical Review Committee will review construction plans and final plats for each section.

Johnson County Drainage Board

The Johnson County Drainage Board reviewed and approved preliminary drainage plans at its May 5, 2022 meeting. The Drainage Board will review the final drainage plans with the construction plans.

The County Planning Engineer, Johnson County GIS, Johnson County Highway Department, Johnson County Health Department, Greenwood Department of Sanitation, White River Township Fire Department and REMC

All the above parties have reviewed this petition and all but the Johnson County Health Department have given preliminary approval. Additional follow up will be provided verbally at the Planning Commission Meeting.

STAFF ANALYSIS

This request in its current form is not consistent with the Subdivision Control Ordinance and Zoning Ordinance requirements. The staff is recommending this petition be continued to the next public hearing to allow petition time to address concerns expressed in this staff report.

GENERAL INFORMATION

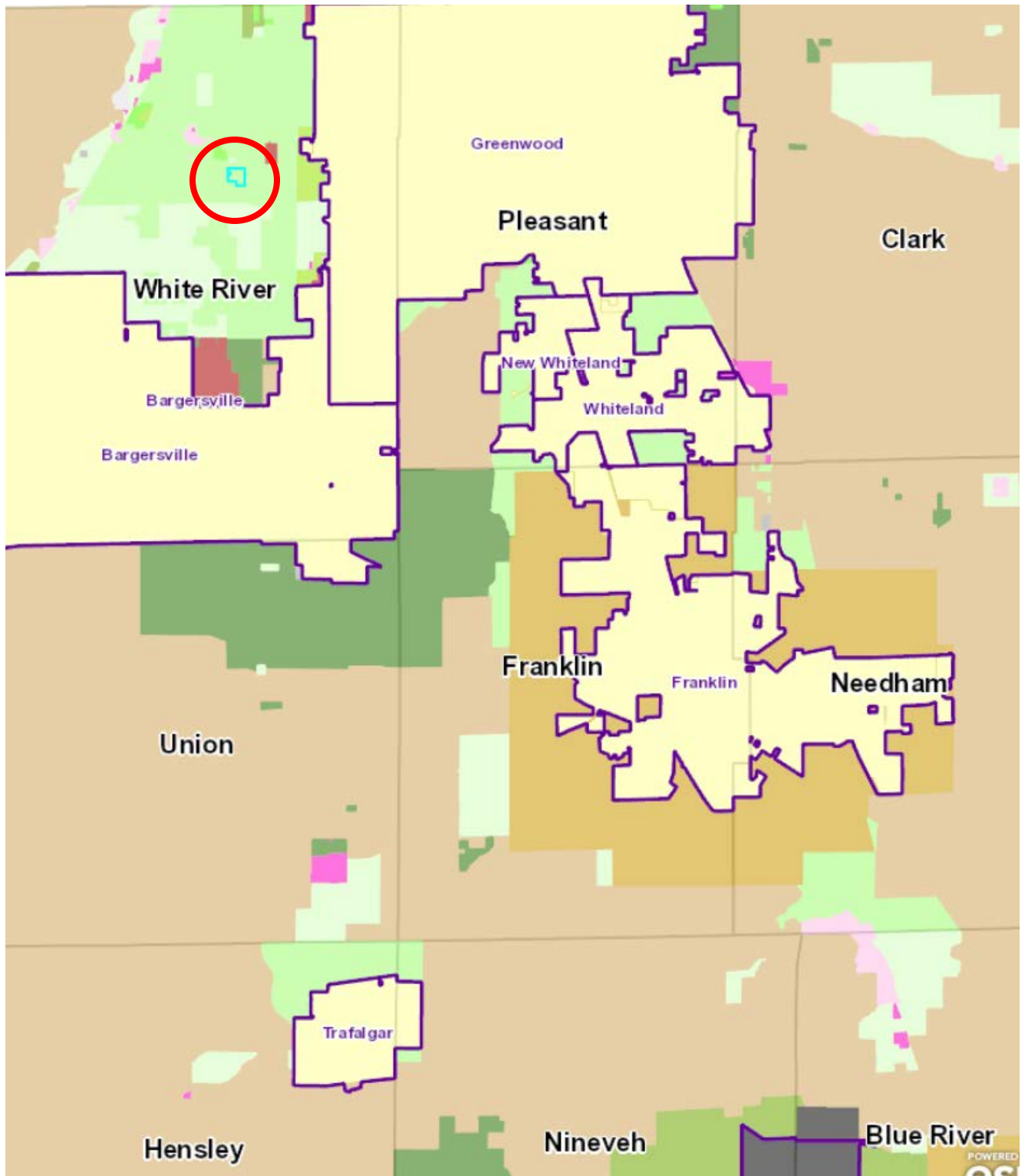
Designer:	Weihe Engineering 10505 N. College Avenue Indianapolis, Indiana 46280
Developer:	Lennar Homes
Owner:	The Cynthia S Beeman Revocalble Trust 3463 Byron Lane Longboat Key, FL 34228

Stephen Luers
1154 Berry Road
Greenwood

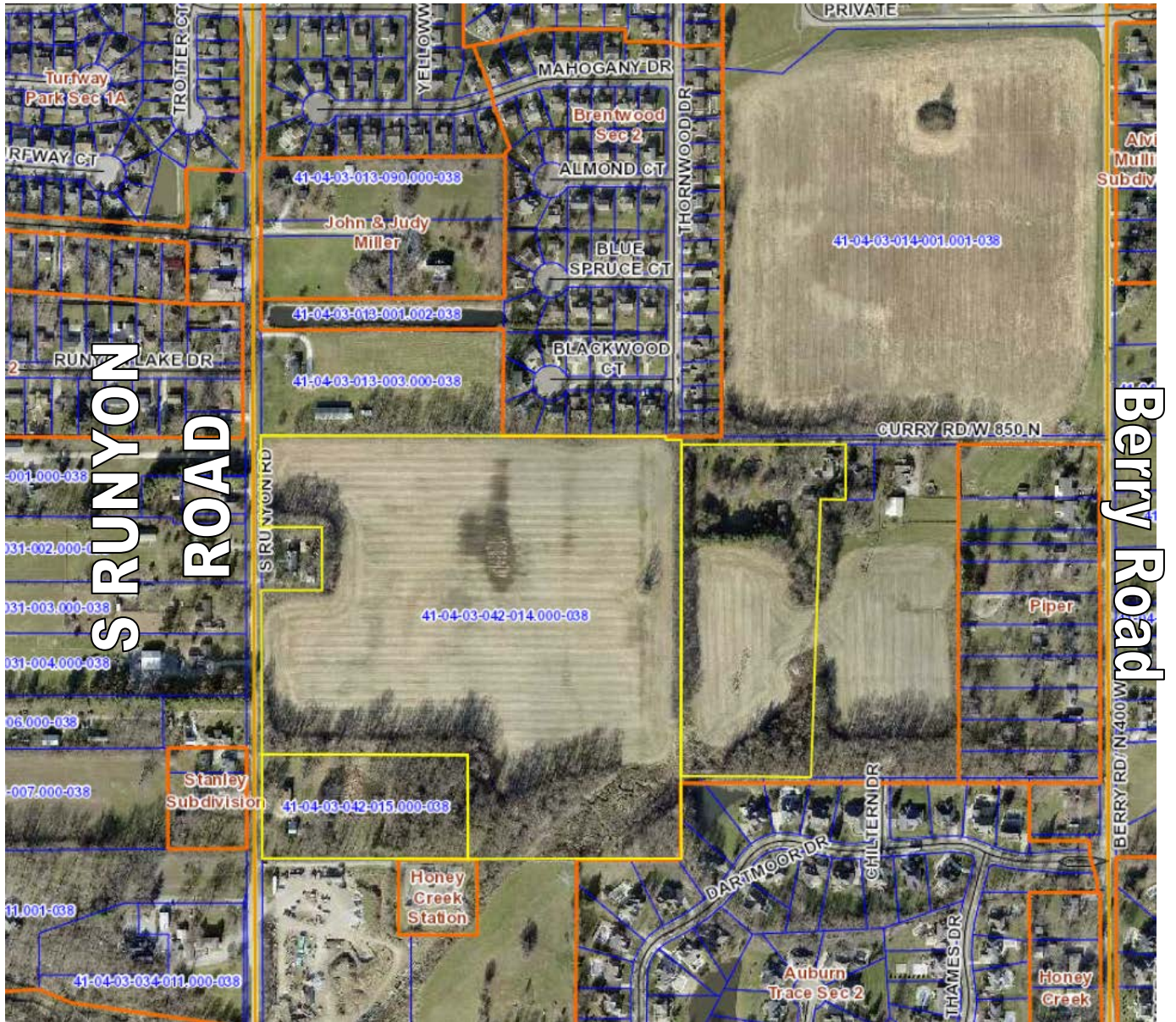
Trustee of James Barnes
1373 S. Runyon Road
Greenwood

Area:	52-acres
Number of Lots:	96
Current Zoning:	R-2 (Single-Family Residential)
Existing Land Use:	Vacant / Agricultural Field
Comprehensive Plan:	Suburban Residential

P-1-22 VICINITY MAP



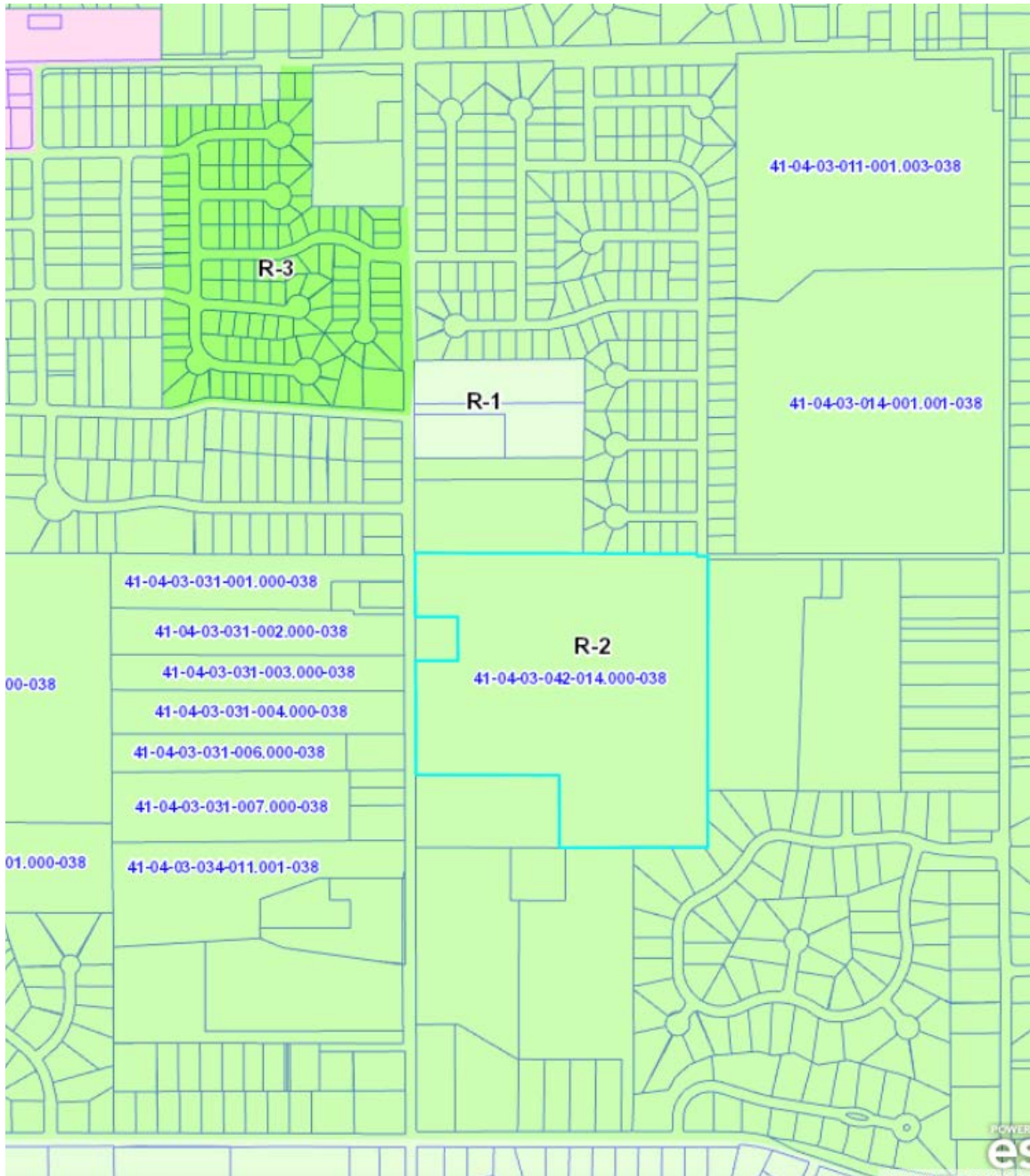
P-1-22 BASE MAP I



P-1-22 BASE MAP II



P-1-22 ZONING MAP



P-1-22 STAFF FINDINGS OF FACT

FINDINGS OF FACT – PRELIMINARY PLAT

PLAN COMMISSION

In taking action on requests for approval of a preliminary plat for a major subdivision or a sketch plan for a minor subdivision, the Plan Commission shall use the following criteria as the basis for its decision, which includes proposed findings for this petition:

1. **Subdivision Control Ordinance Requirements: The consistency of the proposed preliminary plat with the requirements of the Subdivision Control Ordinance, including without limitation the Design Principles and Standards;**

The proposed preliminary plat is consistent with the regulations and requirements of the Subdivision Control Ordinance, as outlined in the planning staff's report for this petition (which is incorporated into these Finding of Fact).

2. **Zoning Ordinance Requirements: The consistency of the proposed preliminary plat with the standards and requirements of the Zoning Ordinance and the zoning district in which the property is located;**

The proposed preliminary plat is consistent with the applicable standards and requirements of the Johnson County Zoning Ordinance, as outlined in the planning staff's report for this petition.

3. **Other Requirements: The consistency of the proposed primary plat with any other applicable standards and requirements.**

The proposed preliminary plat for Deerfield Major Subdivision submitted on March 21, 2022 is consistent with the applicable standards and requirements of the applicable checkpoint agencies of the Subdivision Control Ordinance.

The above proposed Findings of Fact were adopted as the Plan Commission's written findings of fact for this petition, on the ____ day of _____, 20__.

Nathan Buth Chairman
Johnson County Plan Commission

Chris Kinnett, Secretary
Johnson County Plan Commission

P-1-22 Technical Review Comments Page 1 of 2



JOHNSON COUNTY

Department of Planning and Zoning
86 West Court Street
Courthouse Annex
Franklin, Indiana 46131

Phone: (317) 346-4350
Website: www.co.johnson.in.us

April 22, 2022

Mr. Neil Van Trees
Lennar Corporation of Indiana, Inc.
11555 North Meridian Street, Suite 400
Carmel, Indiana 46032

Re: M-1-21 Deerfield Subdivision Major Preliminary Plat
White River Township

Mr. Van Trees,

On April 19, 2022, The Johnson County Technical Review Committee (TRC) provided comments electronically for the above-referenced project. Those comments included:

A. Planning Comments

1. A tree preservation plan should be put in place to protect substantial no-invasive trees in common areas A,B, and C.
2. The preliminary plat should meet all the requirements expressed in 6-102-7 B.
3. Owner consent will be required for Plan Commission of all the properties involved.
4. All signs (type and location) must be approved through Planning and Zoning.
5. The preliminary plat still has a turnaround that does not meet the ordinance, 6-102-4 B.6. If you want to move forward with a different design, you will need to seek a waiver during the preliminary plat process. The different designs must be approved by the local fire department and the local school district's transportation department. Please let staff know how you want to proceed with this issue by April 25th so adequate public notice can be drafted.
6. It looks like Block A is now a common area. Is the plan now to remove all residential structures? There is no access to the common area from the plat?

B. Drainage Report – The only comment of note is that based upon the input data, the top of the control structure will be higher than the top of bank of the proposed pond.

C. Plans/Other

1. Sheet P001:

P-1-22 Technical Review Comments Page 2 of 2

- a. Within the 'Operating Authorities' table under the 'Johnson County Highway Department' listing, please add "Daniel Johnston, P.E., Highway Engineer" with an email address of "djohnston@co.johnson.in.us".
2. P100 Sheets:
 - a. Please show and label the existing right-of-way for Runyon Road.
3. P200 Sheets:
 - a. Add handicap ramps on Chital Place at its intersection with Sambar Lane.
 - b. Add handicap ramps on both sides of Brocket Drive where the 8' asphalt path intersects the sidewalk on the north side of the street.
4. P302 & P303:
 - a. Please provide final grades around the proposed pond including contours, spot elevations, emergency spillway, berms, maintenance/safety shelf, bottom, and any other permanent, final design information. This pond must be designed in its final condition for Preliminary Plat approval.
 - b. Please provide a detail of the control structure for the pond.
 - c. Structure 400 – 401 is called out as a 12" RCP and also as a 15" RCP while the Stormwater Technical Report lists it as an 18" RCP. Please correct.
- D. Other Comments:
 1. Johnson County Drainage Board approval (Preliminary Plat) is required.
 2. Johnson County Surveyor has no comments.
 3. Johnson County Highway Department approval is required. Please see the attached comment letter.
 4. Johnson County Health Department approval is required. Please see the attached email for comments.
 5. Please provide a will-serve letter from the City of Greenwood stating they can provide sanitary sewer service to this development.
 6. Please provide a will-serve letter from Centerpoint Energy.
 7. A copy of an email with no objection from the White River Township Fire Department is provided.
 8. A letter from Bargersville Utilities (water) was provided by the applicant. This is acceptable as a will-serve letter.
 9. An email from Johnson County REMC was provided by the applicant. This is acceptable as a will-serve letter.

P-1-22 Highway Department Technical Review Comments

Johnson County Highway Department

1051 Hospital Road | Franklin, Indiana 46131 | Phone: (317) 346-4630 | Fax: (317) 738-5378

Lucas M. Mastin
Director

Daniel E. Johnston, P.E.
Highway Engineer

Date: April 18, 2022
To: File
From: Lucas M. Mastin, Director
Daniel Johnston, P.E. Highway Engineer
Nathanial J. Annis, Engineer Technician
cc: Richard R. Hoover, P.E. Johnson County Planning & Zoning
Michele Hansard, AICP, Director

Subject: Deerfield Subdivision

1. Major commercial Driveway permit is required.
2. If lane shift approved, all lanes to be 12' wide.
3. Runyon Road details.

P-1-22 Drainage Board Approval

JOHNSON COUNTY DRAINAGE BOARD

DRAINAGE APPROVAL NO. 5/6

Project DEERFIELD SUBDIVISION

Petitioner Lennar Homes / Weihe Engineers IN

Address MAJOR PRELIMINARY
DR-3481-22 3 -13N - 3E

Address 11555 N Meridian Street Ste 400
Carmel IN 46032

Project Township



White River



Union



Hensley



Pleasant



Franklin



Nineveh



Clark



Needham



Blue River

CONDITIONS

Approved as Submitted No conditions or waivers

Preliminary and Final Approvals expire (2) Two Years from being approved



PRELIMINARY APPROVAL

Andrew Cochran

Digitally signed by Andrew Cochran
DN: cn=Andrew Cochran, o=Drainage Board,
ou=Johnson County, email=acochran@jrcw.com, c=US
Date: 2021.02.12 11:09:27 -05'00'

5/5/2022

Date



FINAL APPROVAL

Chairman

Andrew Cochran

Digitally signed by Andrew Cochran
DN: cn=Andrew Cochran, o=Drainage Board, ou=Johnson
County, email=acochran@jrcw.com, c=US
Date: 2021.02.12 11:10:42 -05'00'

Date



DISAPPROVED

Chairman

Chairman

Date

REASONS